

MINUTES & NOTICE OF BOARD ACTION

BOOK 156 PAGE 1839

APPROVED *November 23, 1994*



LANE COUNTY BOARD OF COMMISSIONERS

This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to news media, a selected list of jurisdictions and individuals in Lane County, a meeting of the Board of County Commissioners was held.

Questions should be directed to The Board Office Specialist 3, ext. 4203.

October 25, 1994
9:00 a.m.

WORK SESSION
BOARD OF COUNTY COMMISSIONERS

Commissioners'
Conference Room

Chair Jerry Rust presided with Steve Cornacchia, Ellie Dumdi, Marie Frazier and Jack Roberts present. Sharon Giles, Recording Secretary.

1. **ADJUSTMENTS TO THE AGENDA**

One item of Emergency Business was identified.

2. **PUBLIC COMMENTS**

None.

3. **COMMISSIONERS' ANNOUNCEMENTS**

To be held later in the meeting.

4. **EXECUTIVE SESSION as per ORS 192.660**

To be held later in the meeting.

5. **PUBLIC WORKS**

- a. DISCUSSION/Springfield Annexation Plan and Implementation Schedule for Intergovernmental Agreements Pursuant to ORS 195 and ORS 197. Implementation of Senate Bill 122.

Roy Burns, Public Works, introduced Carol Heinkei and Paula Taylor, L-COG, and Susan Daluddung and Mel Oberst from the City of Springfield. Daluddung distributed a handout regarding Springfield's position on annexation (see material on file). She observed that there is not a groundwater pollution problem, such as the case in the River Road-Santa Clara situation. Daluddung indicated that people in

the Springfield UGB seem to be reacting to the negative press that has surrounded the RR-SC issues. She noted that communication with the neighborhoods and citizen involvement are key goals of Springfield in approaching the annexation issues there. Daluddung commented that interest in the potential annexations has been stimulated by the number of development applications that have been received for the urban growth boundary, including requests for urban services.

Cornacchia commented that annexation is required under the current agreements between Lane County and Springfield for any increased development of lands within the UGB and people are coming for development, not necessarily because there is a demand for services. Oberst responded that is partly accurate, although many want urban-level services, thus expect annexation. Cornacchia objected only to the fact that the development policy is not being highlighted as the cause for the pressure for annexation in Springfield. He maintained that the vast majority coming for development would not request annexation if they had their choice. Daluddung emphasized that most of the applications she has dealt with want annexation. Cornacchia observed the need to separate those people with bare land who want to develop, and those with homes that have been there for years and have no interest in annexation whatsoever, who make up nearly 80% of the land ownership in three of the annexation areas. Daluddung remarked that they would be going out into the neighborhoods with surveys. She stated that she is not sure if 80% of landowners are adamantly against annexation, noting that government usually hears from those opposed most strongly. Responding to Rust, Daluddung indicated that Springfield's policy to determine a potential annexation sequence would be to utilize the Metropolitan Area General Plan's list of key urban services, determining if they can be delivered to an area and if they can be delivered within a certain time frame and in a cost-effective manner. Rust asked when does the City decide that it's logical to begin providing these services. Daluddung replied that policymakers, in this case the City Council, with input from the neighborhoods, makes the decision.

Roberts stressed that the Board's primary concern relates to SB122 and the notion that there would be one vote of everybody - residents within the City and those in the proposed annexation area. He noted that those who are forced to annex against their will quite frequently end up not sharing the common goals of the community. Cornacchia observed that SB122 does have some mandates, which he is happy to support and facilitate. He continued, however, that while the grant may have been given to the City of Springfield, it is Lane County that has the responsibility for convening representatives of all cities and special districts for the purpose of negotiating urban service agreements. Cornacchia noted that after going through all of the planning processes and agreements, there is the opportunity for this particular methodology of annexation to be chosen or rejected by policymakers. Cornacchia indicated he believes everything should be

done to meet the mandate; but, at this point, he would advocate to the Board that it not include SB122's particular annexation methodology. Cornacchia stated he believes the Board would be supportive of existing policies of double majority.

Rust indicated that he sees some logic behind SB122's annexation methodology, as people inside and outside the city are co-dependent and a vote allows people on both sides to talk about the issues. Cornacchia stated that a comparison of urban services versus services available in the UGB is premature until the entire metropolitan area has the discussions it needs to have regarding consolidation of services. Daluddung agreed that a discussion in that regard would be beneficial and that, if it is desired, a joint meeting could be scheduled. She indicated that staff is not eliminating any options. Daluddung also clarified that LCOG is the receiver of the grant, not Springfield. Responding to Cornacchia, she explained that the City of Springfield had been concerned about accepting the grant due to possible perceptions and implications.

Heinkel recognized that, while the Springfield City Council agrees to development of the plan, it is not necessarily committed to the "one vote" method, or even to take it as far as a vote. Cornacchia remarked that he believes there are pressures in the planning world for this particular model to reach the ultimate conclusion of SB122 with the "one vote" method. He observed his belief that LCDC desires an outcome that will show the method was able to work within one community. Daluddung stated that she would share the Board's concerns with the City Council, particularly with regard to the single majority vote. Rust noted that this discussion could continue at the Joint Elected Officials' meeting on November 22. Burns suggested these broader policy framework issues regarding service delivery may not be well blended with a discussion of the Periodic Review. Responding to Cornacchia, Heinkel stated that SB122 requires that the service providers enter into agreements in the area that would be called the annexation plan boundary prior to putting such a plan to a vote. She continued that in order to develop a plan, staff must proceed with the assumption that at some point the City may decide to put that to a vote.

Roberts expressed concern that because the agreements are a condition precedent to an annexation vote, the possibility of a future vote is then triggered. He observed that the County's only way to prevent the vote, if it is not in agreement, might be to delay entering into agreements. Roberts stressed that the County would like a discussion up front that it can be assured that a vote will not be the end product. Heinkel stated that SB122 requires that the agreements be in place at the time of periodic review. She continued that these agreements will be required anyway and be in place, even if the City does not use the annexation plan method. Heinkel noted that Cornacchia was referring to the statement in the Urban Service Agreement that says these agreements may be relied on for the

annexation plan. She remarked that is the key, as there are two service agreements, the parks agreement and the roads agreement, that the County would be party to that would have to state that. Heinkel observed that if that is the concern, the County could wait on those two agreements until the City Council has made a decision to go one way or another. Roberts noted, however, that the City could still come back, at some later time, after the County had gone ahead with the agreements. Cornacchia agreed with Roberts, stating that he supports the purpose of the exercise, but objects to the reading of SB122 that the requirement is somehow hand-in-hand with the annexation plan.

Rust was excused from the meeting at 9:50 a.m.

Gary Darnielle, LCOG Hearings Official, explained that the agreements can be terminated by either party without cause within 60 days. Roberts questioned whether once the agreements were in place, if there is an annexation vote, would the County have time to pull its support from the agreement and block the annexation vote. Cornacchia suggested the opposite - that the express statement that the agreements can be used for that purpose not be included.

Frazier questioned the surveys, asking if they have been crafted to support the draft plan or has it been crafted to find out what the people really need. Daluddung distributed a copy of the survey, indicating that the work that has been done has been mainly cost/benefit. Cornacchia suggested that Springfield should be actively marketing itself, explaining what it has to offer. Daluddung explained that Springfield is basically in a fact-finding mode and will next be going out to sub-areas/neighborhood meetings soon. Cornacchia indicated that he would be interested in hearing back from the Council after those meetings. Daluddung observed that would probably be after the first of the year.


Cornacchia commented that two of the most commonly discussed services for consolidation, law enforcement and building/planning, are not part of SB122. He indicated that he would be interested in seeing beforehand Section 1(3) requirements - cooperative agreements with every delivery provider. Cornacchia asked that drafts of these be provided long in advance.

6. EMERGENCY BUSINESS

- a. ORDER 94-10-25-1/In the Matter of Approving an Extension of Property Tax Exemption Under ORS 285.605 to Servistar/Coast to Coast Corporation and Delegating Authority to Execute an Agreement.

MOTION: Approval of the Order. Cornacchia MOVED, Roberts SECONDED.
VOTE: 4-0.

There being no further business, this meeting adjourned at 10:05 to convene into Executive Session at 10:30.



Sharon Giles
Recording Secretary