

CITIZENS AGAINST ANNEXATION

**P.O. BOX 1212
FLORENCE, OREGON 97439**



October 5, 2007

Lane County Commissioners
125 East Eighth
Eugene, Oregon 97401

Heceta Water District Commissioners
87845 Hwy. 101
Florence, Oregon 97439

RE: Lane County Boundary Commission Decision 9/27/07
Request for Objection and Election
Annexation of Fawn Ridge East, Fawn Ridge West, Rhododendron Drive, Sebastian
Street, Ures Property

Commissioners:

Enclosed are signed petitions containing 306 signatures of residents and homeowners living within the Florence Urban Growth Boundary and/or Heceta Water District boundaries. Also enclosed are letters submitted as public testimony during various hearings, 15 of those letter writers are not signers on the petition, resulting in a total number of 321 individuals who have put their opposition to the Fawn Ridge and Rhododendron Drive annexation in writing.

We believe that ORS 199.507(1)(b)(2) validates the right of both the County and the Water District to call for a vote within their boundaries. There are five possible voting 'groups' involved:

Voters within Lane County

The people most effected by this annexation are residents and voters in Lane County - the privately owned properties being annexed, private properties threatened with the island annexation (see below), as well as Lane County public roadways and properties. It seems unwieldy to us that every voter in the county should be asked to make a decision on such a localized issue. However, if that is the only method of obtaining an elective decision on the annexation, we would certainly support that method.

Voters within Heceta Water District

The people most effected by this annexation are also residents of Heceta Water District. The Water District Board of Commissioners formally objected to this annexation because - in part - there was no statutorily required Intergovernmental Agreement in place which would give the District, and the property owners, some sense of certainty about who would be providing water service in the area in the future. The Water District objected for a number of other reasons, as well. (See enclosed Heceta Water District letter to Boundary Commission). About 60% of the Water District's customer base resides within the Urban Growth Boundary, and any annexation of District property - without an intergovernmental agreement - can have a huge impact on District facilities planning, and ability to continue to serve the District's customers.

Voters within the area to be annexed

According to the City's testimony, there are no voters within the area to be annexed.

Voters within the Annexation Island

The annexation of 1.3 miles of Rhododendron, when combined with the annexation of Sebastian Street and the cherry-stem Fawn Ridge properties, is an obvious effort on the city's part to form an annexation island for many of the people who signed this petition. The city has already obtained written permission from the State of Oregon for annexation of the large parcel of state land that lies due west of these homes. Recently enacted legislation will not protect these people from forced island annexation because the length of Rhododendron Drive that is being annexed will be less than the 25% perimeter limitation set out in the new statutes. (See map attached).

Voters within the Urban Growth Boundary

City representatives have publicly stated, on numerous occasions, that the City intends to annex all the properties within the Urban Growth Boundary - it is a primary goal set out in the City's as yet uncompleted 2020 Comprehensive Plan. The signatures on the petition clearly show that a vast majority of those living within the City's Urban Growth boundary do not want to be annexed into the city. These voters have **no** right to vote in City activities. Approximately 60% of the Water District's customer base live within the Urban Growth Boundary. Their only democratic recourse for the Boundary Commission's actions is to either the County Commissioners or Heceta Water District Commissioners.

Logical Voting Area

It appears to us that the most logical election 'area' would encompass those most directly, and immediately, effected by this. We believe the overlapping jurisdictions of County and Water District interests provide sufficient justification for a special election in the local area defined as those registered to vote:

within the "island" which will be formed by the cherry-stem annexation: the boundary of Rhododendron Drive, Sebastian Street, the ocean and the northern City limits, as well as those property owners whose property abuts either Rhododendron Drive or Sebastian Street.

We understand that this is an unprecedented request. But this is an equally unprecedented situation. Fortunately, the Oregon State Legislature wisely made provisions which allow the County Commissioners and the Water District to intervene in the annexation process on behalf of the public's interest.

The Local Boundary Commission has been dissolved by the Legislature. Beginning January 2008, it will be, as it is in every other county in the state, the Lane County Commissioner's right and duty to make these decisions. The Boundary Commission, with virtually no oversight, still has a number of proposed Lane County annexations in line, waiting for their approval. We believe that bringing this issue to an election will temper the Boundary Commission's actions in the final days before dissolution, to more closely coincide with the Lane County Commissioner's deliberative processes.

We believe both the County and the Water District have not only the right, but the obligation to respond to the outcry from the voters, and call for an election.

Thank you,

Citizens Against Annexation