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Attorneys and  
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*Established 1970*

September 10, 2007

Lane County Board of Commissioners  
Lane County Courthouse/PSB  
125 East 8<sup>th</sup> Avenue  
Eugene, OR 97401

*Hand Delivered*

RE: Maintaining And Updating Population Forecasts  
Our Client: Shade Tree, Inc.  
Our File No. 3382/C395H

Dear Commissioners:

At the Board's meeting of August 29, 2007, Commissioner Sorenson asked me to prepare, for the Board's consideration, drafts of two resolutions. I agreed to do so. I am enclosing those draft resolutions for your review.

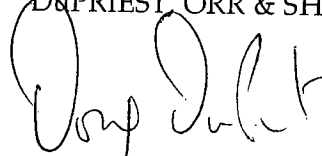
My understanding is that Mr. Sorenson asked for the resolutions to address postponement and the county re-assuming certain authority. So, one resolution asks LCOG to postpone its hearing on updating the county population forecast (that is now scheduled to be held later this month). The other resolution states that Lane County is re-assuming its authority to prepare population forecasts.

My understanding is that Mr. Vorhes, with your County Counsel's Office, will be advising you on this matter. I am also providing him a copy of this letter and the enclosures.

Thank you, in advance, for your time and consideration.

Respectfully submitted,

HUTCHINSON, COX, COONS  
DuPRIEST, ORR & SHERLOCK, P.C.



Douglas M. DuPriest

DMD/erl

Cc: Stephen L. Vorhes, Assistant County Counsel (w/encs) (via hand-delivery)

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# DRAFT

## BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION NO.           ) IN THE MATTER OF LANE COUNTY  
                                  ) RE-ASSUMING COORDINATING BODY  
                                  ) AUTHORITY TO PERFORM AREA POPULATION  
                                  ) FORECASTS UNDER ORS 195.036

WHEREAS, the Lane County Board of Commissioners, by Order and Resolution No. 74-7-10-10 designated the Lane Council of Governments to act as the area-wide coordinating body under ORS 197.190, which is now codified as ORS 195.025;

WHEREAS, in 1995, the Oregon Legislature adopted ORS 195.036 providing that the area-wide coordinating body under ORS 195.025 also establish and maintain population forecasts for use in updating and maintaining land use comprehensive plans throughout Lane County, in addition to its other duties under ORS 195.036;

WHEREAS, establishing and maintaining population forecasts is an important step in updating and maintaining land use comprehensive plans of the county and of cities throughout Lane County;

WHEREAS, the Lane Council of Governments adopted Resolution 2005-1 being a coordinated population projection and forecast for Urban Growth Boundaries Within Lane County;

WHEREAS, the Lane Council of Governments has scheduled a hearing in late September, 2007 for the purpose of updating its 2005 area-wide population projection and forecast;

WHEREAS, various parties have raised issues as to the desirability of updating the area-wide population projection and forecast at this time;

WHEREAS, the Lane County Board of Commissioners sees benefits in Lane County's re-assuming authority to perform the area-wide population projection and forecasting function;

RESOLVED the Lane County Board of Commissioners modifies and amends Order and Resolution No. 74-7-10-10 as follows:

"Notwithstanding Lane County's having previously delegated authority to the Lane Council of Governments to act as the area-wide coordinating body under ORS 195.036, the Lane County Board of Commissioners hereby expressly re-assumes its authority to establish and maintain population forecasts under ORS 197.190. The remainder of the authority Lane County delegated to LCOG by Order and Resolution No. 74-7-10-10 remains in full force and effect."

This resolution shall be effective immediately.

Adopted this \_\_\_\_ day of September, 2007.

BOARD OF COUNTY COMMISSIONERS OF  
LANE COUNTY, OREGON

By: \_\_\_\_\_

# DRAFT

## BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION NO.           ) IN THE MATTER OF LANE COUNTY  
                                  ) REQUESTING LCOG TO POSTPONE ITS  
                                  ) SCHEDULED HEARING CONCERNING  
                                  ) REVISING THE COORDINATED BODY AREA-  
                                  ) WIDE POPULATION FORECAST UNDER  
                                  ) ORS 195.036

WHEREAS, the Lane County Board of Commissioners, by Order and Resolution No. 74-7-10-10 designated the Lane Council of Governments to act as the area-wide coordinating body under ORS 197.190, which is now codified as ORS 195.025;

WHEREAS, in 1995, the Oregon Legislature adopted ORS 195.036 providing that the area-wide coordinating body under ORS 195.025 also establish and maintain population forecasts for use in updating and maintaining land use comprehensive plans throughout Lane County, in addition to its other duties under ORS 195.025;

WHEREAS, establishing and maintaining population forecasts is an important step in updating and maintaining land use comprehensive plans of the county and of cities throughout Lane County;

WHEREAS, the Lane Council of Governments (LCOG) adopted Resolution 2005-1 being a coordinated population projection and forecast for Urban Growth Boundaries Within Lane County;

WHEREAS, the Lane Council of Governments has scheduled a hearing in late September, 2007 for the purpose of updating its 2005 area-wide population projection and forecast;

WHEREAS, various parties have raised issues by as to the timing of, and process by, which the area-wide population projection and forecast are updated;

WHEREAS, the Lane County Board of Commissioners desires time to discuss and attempt to resolve these issues with LCOG prior to the adoption of a revision to the existing coordinated population projection and forecast;

RESOLVED the Lane County Board of Commissioners hereby requests the Lane Council of Governments to postpone the hearing now scheduled with respect to the coordinated area-wide population projection and forecast pending discussion with the Lane County Board of Commissioners as to the timing of, and process for, revising such population projections and forecasts.

This resolution shall be effective immediately.

Adopted this \_\_\_\_ day of September, 2007.

BOARD OF COUNTY COMMISSIONERS OF  
LANE COUNTY, OREGON

By: \_\_\_\_\_