



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: May 16, 2018

Department: Sheriff's Office Agenda Planning Date: 5/10/18 Time required: 25 min.

Audio/Visual aids

Contact: Jason Myers Phone: 503-588-5094

Department Head Signature: [Signature]

TITLE: Consideration of order setting a final public hearing on the addition of law enforcement services to the East Salem Service District.

Issue, Description & Background: The East Salem Service District ("ESSD") is a county service district governed by ORS chapter 451. County service districts are allowed to provide, among other services, law enforcement pursuant to ORS 451.010 (1)(n). Currently, ESSD provides sewer, drainage, and lighting services. The territory within ESSD may benefit from the addition of law enforcement services to ESSD. In order to add law enforcement services to ESSD, formation procedures outlined in ORS 198.800 to 198.845 must be followed. A board order was issued on April 4th, initiating formation procedures to add law enforcement services to ESSD. The board conducted a public hearing on the matter on May 9, 2018. This proposed order concludes that the addition of law enforcement services to ESSD would benefit the territory within ESSD and schedules a second public hearing on the matter (as required by statute) for June 6, 2018.

Financial Impacts: Law enforcement services will be funded through fees to be determined if law enforcement services are added to ESSD.

Impacts to Department & External Agencies: As proposed, the addition of law enforcement services to ESSD will add 10 deputies dedicated to serving the territory within ESSD.

Options for Consideration: 1. Adopt the order setting a final public hearing on the addition of law enforcement services to ESSD; 2. Take no action at this time.

Recommendation: It is recommended that the board adopt the order setting a final public hearing on the addition of law enforcement services to ESSD.

List of attachments: Proposed order.

Presenter: Jason Myers, Sheriff

Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)

Copies to: Jason Myers, jmyers@co.marion.or.us; Scott Norris, snorris@co.marion.or.us

BEFORE THE BOARD OF COMMISSIONERS
FOR MARION COUNTY, OREGON

In the matter of setting a final public hearing)
on the addition of law enforcement services)
to the East Salem Service District.)

ORDER No. ____

This matter came before the Marion County Board of Commissioners at its regularly scheduled public meeting on Wednesday, May 16, 2018 to set a date, time, and place for a second public hearing on the addition of law enforcement services to the East Salem Service District ("ESSD"); and

WHEREAS, the board has initiated formation procedures under ORS 198.835 to add law enforcement services to ESSD as provided in ORS 451.010(1)(n); and

WHEREAS, on May 9, 2018, at 9:30 AM, in the Senator Hearing Room, 555 Court Street NE, Salem, Oregon, the board held the first public hearing required by ORS 198.800 to ORS 198.810; and

WHEREAS, at that first public hearing the board evaluated the proposed addition of law enforcement services to ESSD using the criteria set forth in ORS 198.805 and ORS 199.462; and

WHEREAS, the board concludes that the territory within ESSD would benefit from formation of the proposed District; and

WHEREAS, ORS 198.810 requires the board to enter an order setting forth its findings and setting the date, time, and place of the second public hearing on the addition of law enforcement services to ESSD; now, therefore,

1. IT IS HEREBY ORDERED that the board approves the addition of law enforcement services to ESSD without modification, and adopts the Findings and Conclusions contained in Exhibit A attached hereto; and

2. IT IS FURTHER ORDERED that the name of the District is "The East Salem Service District"; and
3. IT IS FURTHER ORDERED that the boundaries of ESSD are the currently existing boundaries of the district; and
4. IT IS FURTHER ORDERED that the second public hearing on the addition of law enforcement services to ESSD shall be held at 9:30 AM on June 6, 2018, in the Senator Hearing Room, 555 Court Street NE, Salem, Oregon. If written requests for an election are not filed as provided by ORS 198.810(3), the board, at the time of the final hearing, will enter its order adding law enforcement services to ESSD; and
5. IT IS FURTHER ORDERED that Marion County shall cause a notice of the second public hearing to be printed in the Statesman Journal, a newspaper of general circulation in Marion County, in accordance with the requirements of ORS 198.810(2) and 198.730(2); and
6. IT IS FURTHER ORDERED that the notice shall state that the Board has held a first public hearing on the addition of law enforcement services to ESSD, the name and boundaries of ESSD, the date, time, and place of the second public hearing, and that all interested persons may appear at the hearing and may be heard.

DATED at Salem, Oregon, this ____ day of _____ 20__.

MARION COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

EXHIBIT A

FINDINGS AND CONCLUSIONS: After careful consideration of the testimony and evidence presented, the findings of the board required by ORS 198.805(1) are noted below.

1. Criteria prescribed by ORS 199.462:

- a. *Local Comprehensive Planning for the Area:* The boundaries of the East Salem Service District ("ESSD") roughly comprise the area of the urban growth boundary east of the Salem city limits. Most of this area is subject to the Marion County Urban Zone Code and is heavily urbanized with residential, commercial, and industrial development. This area is the most urbanized and most densely populated unincorporated area in the county. The Sheriff testified that the population of this unincorporated area is roughly equal to the population of the City of Keizer. In addition, as a result of this level of development, over half of all calls for the Sheriff's services countywide come from this area. The Sheriff also testified that the demand for law enforcement services in this area acts as a drain on available resources for other parts of the county. The board finds that this area will benefit from the addition of law enforcement services to ESSD by providing a 24 hour, 7 day a week, 365 day a year law enforcement presence in this area; something which this area currently does not enjoy.
- b. *Economic, demographic and sociological trends and projections:* According to testimony from the Sheriff, approximately 35,000 people live within the ESSD boundaries. This population is approximately the size of the City of Keizer. The Sheriff testified that currently, the City of Salem has approximately 11.4 officers for every 1,000 city inhabitants, and the City of Keizer has approximately 10.7 officers for every 1,000 inhabitants. The unincorporated areas of the county (including this area) have approximately 7.2 deputies for every 1,000 inhabitants, and with the addition of law enforcement services to ESSD as proposed, the number of deputies per 1,000 inhabitants would go up to 8.4 in this area. Plus, the addition of law enforcement services to ESSD as proposed will free up law enforcement resources for the rest of the unincorporated areas of the county that would otherwise be committed to this area, thereby creating greater coverage and improved response times both within ESSD and in the other unincorporated areas of the county. The board finds that the addition of law enforcement services to ESSD will enhance the lives of residents within ESSD, provide greater safety for both residents and businesses within ESSD, bring the area within ESSD roughly on par with surrounding communities in terms of the number of officers per 1,000 residents, and thereby create economic, demographic and sociological benefits for ESSD.
- c. *Past and Proposed Physical Development of Land to be Impacted:* The boundaries of ESSD are mostly within the Salem urban growth boundary, and is heavily urbanized with residential, commercial, and industrial development. The area of the district's boundaries that are within the urban growth boundary are subject to the Marion County Urban Zone Code, and constitute the most urbanized and most densely populated unincorporated area in the county. The board finds that having a 24 hour, 7 day a week law enforcement presence in ESSD will benefit already developed properties by reassuring property owners of the safety of their property and the stability of their neighborhood resulting from the enhanced law enforcement presence. The board also finds that having a 24 hour, 7 day a week law enforcement presence in ESSD will facilitate the

development or redevelopment of properties within the district due to the safety and security afforded by the enhanced law enforcement presence.

- d. *Goals Adopted under ORS 197.225:* The board received testimony about the addition of law enforcement services to ESSD that implicates Goal #11 (Public Facilities and Services). The board finds that law enforcement services are an essential public service. The addition of law enforcement services to ESSD will allow ESSD to provide this essential public service within its territory in a more effective manner, to the benefit of the residents of and property owners within ESSD.
2. *Boundaries of the District:* The boundaries of ESSD are the currently existing boundaries of the district. The addition of law enforcement services to ESSD would not alter the name of the district or the district's boundaries.
3. Based on the above findings, the board concludes that ESSD would benefit from the addition of law enforcement services to ESSD.