



Memorandum Date: January 25, 2023

Order Date: February 7, 2023

TO: Board of County Commissioners

DEPARTMENT: Lane County Sheriff's Office

PRESENTED BY: Sheriff Cliff Harrold

AGENDA ITEM TITLE: ORDER: IN THE MATTER OF APPOINTING A COMMITTEE OF FIVE RESIDENTS TO DRAFT AN IMPARTIAL, SIMPLE AND UNDERSTANDABLE EXPLANATORY STATEMENT FOR THE MAY 16, 2023 VOTERS' PAMPHLET REGARDING THE QUESTION OF RENEWING THE FIVE-YEAR PUBLIC SAFETY FUNDING LEVY

I. MOTION

To appoint a committee of five residents to draft an impartial, simple and understandable explanatory statement for the May 16, 2013 county voters pamphlet regarding the question of renewing the five-year public safety funding levy.

II. AGENDA ITEM SUMMARY

The Board is being asked to approve an Order that directs the formation of a voters' pamphlet explanatory statement committee and further directs the committee to create and submit a statement that complies with all state and local requirements.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

On February 12, 2013, the Board of County Commissioners approved Board Order 13-02-12-06 referring a five-year local option tax levy to the voters of Lane County to fund jail operations and Youth Services from fiscal year (FY) 2013-14 through FY 2017-18.

On May 21, 2013, 56.95 percent of voters approved the local option tax levy

(Ballot Measure 20-213) at a rate of \$0.55 per \$1,000 assessed value to fund jail operations and critical youth services.

The Lane County Budget Committee – at the request of the Sheriff – approved a reduction in the levy amount for FY 2016-17 from \$0.55 per \$1,000 assessed value to \$0.38 per \$1,000 assessed value for the duration of FY 2016-17 due to higher than anticipated revenues and temporarily lower than anticipated expenditures. In FY 2017-18, the Lane County Budget Committee approved continuing to levy the reduced rate, and in FY 2018-19 the rate was increased to \$0.515 per \$1,000 assessed value, but still below the amount approved by voters. In FY 2019-20, the revenues were no longer outpacing the anticipated expenditures and the Lane County Budget Committee approved a return to levying the full amount approved by voters.

On February 14, 2017, the Board of County Commissioners approved Board Order 17-02-14-14 referring a renewal of the five-year public safety levy to voters to continue to fund jail operations and Youth Services from FY 2018-19 through FY 2022-23.

On May 16, 2017, 72.95 percent of voters approved the renewal of the local option tax levy (Ballot Measure 20-271) at a rate of \$0.55 per \$1,000 assessed value to fund jail operations and critical youth services.

On January 10, 2023, the Board of County Commissioners received an update on the significance and use of public safety levy funding in supporting the current number of local jail beds for adults and doubling the capacity in certain youth programs.

On January 24, 2023, the Board of County Commissioners discussed the referral of a public safety levy renewal to the May 16, 2023 ballot and reviewed a draft ballot title.

B. Policy Issues

Lane Code, Section 2.045 directs that if a voters' pamphlet is printed (by the State or by the County Clerk) that an explanatory statement committee be appointed by the Board. The committee is to consist of not less than three nor more than five persons and shall include to the extent possible a balance of persons supporting and opposing the measure and one who is neutral. It is to write an explanatory statement that shall not exceed 500 words, and must be impartial, simple and understandable.

C. Board Goals

Maintaining the stability of the public safety system in Lane County is directly in

line with the strategic priority of “A Safe, Healthy County” as discussed in the 2022–2024 Lane County Strategic Plan. Objective B2 under the strategic priority expressly directs Lane County to “actively pursue a renewal of the 5-Year Public Safety Levy which ends June 2023.”

D. Financial and/or Resource Considerations

This item does not have any direct financial considerations.

E. Health Implications

Health implications related to the public safety levy can be identified most readily as the improvement in safety and wellbeing for residents and families across Lane County when our public safety system is able to support critical services.

The public safety levy allows the Lane County Jail to hold more adults in custody who are accused of violent crimes. While in custody those people are not at large to cause additional harm to others and, just as importantly, they are able to access medical and behavioral health services so they can become healthier and better able to care for themselves and others. Similarly, the levy also expands the ability of Lane County Youth Services to intervene in a greater number of youths’ lives by increasing bed capacity in both detention and the Phoenix Residential program, allowing for broader community, victim, and youth protection and additional opportunities for rehabilitation. The public safety levy allows vital services to continue; without it, Lane County would be a less safe place and people in need of medical or behavioral health interventions would go without.

F. Analysis

The Board of Commissioners has placed the question of renewing the five-year public safety levy on the May 16, 2023 ballot. As part of the required documentation that the Board must adopt in order to direct the County Clerk to carry out this election, the Lane Code requires that an Explanatory Statement of not more than 500 words be included in any voters’ pamphlet associated with that election. The Code requires that 3-5 individuals write the statement, and further, that it must be impartial, simple and understandable.

This Order will seat the Committee and direct its work. It further ensures that the County Administrator will include the Statement into the documents contained in the final order, directing the Clerk to place the revenue question before the voters.

Staff has identified five individuals willing to serve on the Committee, and have identified them by name in the attached Order.

G. Alternatives/Options

If the Board wishes to see an explanatory statement in the county voters' pamphlet regarding a possible revenue question on the May 16, 2023 ballot, the Board must seat an explanatory statement writing committee per Lane Code 2.045.

The Board has discretion to appoint 3-5 people as members of the committee as long as reasonable efforts have been made to establish a balance among proponents, opponents and neutral parties.

IV. RECOMMENDATION

Staff recommends the Board adopt the Order as written.

V. TIMING/IMPLEMENTATION

The committee must conclude its work and file an explanatory statement with the County Clerk no later than noon on March 16, 2023.

VI. FOLLOW-UP

Staff will coordinate with appointed committee members to arrange adequate meeting times and locations. Staff will ensure committee members have access to all applicable guidance, requirements and information they need to create and file an explanatory statement.

VII. ATTACHMENTS

Attachment A: Order

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 23-02-07-02

IN THE MATTER OF APPOINTING A
COMMITTEE OF FIVE RESIDENTS TO
DRAFT AN IMPARTIAL, SIMPLE AND
UNDERSTANDABLE EXPLANATORY
STATEMENT FOR THE MAY 16, 2023
COUNTY VOTERS' PAMPHLET REGARDING
THE QUESTION OF THE RENEWAL OF THE
FIVE-YEAR PUBLIC SAFETY FUNDING
LEVY

WHEREAS, the Board of Commissioners will place the question of a renewal of the five-year public safety funding levy on the May 16, 2023 ballot; and

WHEREAS, the Lane County Elections Office will publish a voters' pamphlet to distribute to each voting household in Lane County; and

WHEREAS, Lane Code 2.045 establishes that county measures may be included within the county voters' pamphlet and, if so, that an explanatory statement shall be printed; and

WHEREAS, there is a \$300.00 charge to include the explanatory statement in the county voters' pamphlet and Lane County shall pay that expense; if the measure passes the amount shall be reimbursed from levy proceeds.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. Consistent with Lane Code 2.045, the following people are appointed as the explanatory statement committee:
 - a. Steve Cornacchia
 - b. Julie Gibson
 - c. Jeff Gowing
 - d. Chris Pryor
 - e. Paul Solomon
2. The committee is directed to write and submit an impartial, simple and understandable explanatory statement of no more than 500 words to address the proposal to renew the five-year public safety funding levy.
3. The cost of the explanatory statement printing will be reimbursed to Lane County by the Sheriff's Office from levy proceeds if the measure passes.

ADOPTED this 7th day of February, 2023.

Pat Farr, Chair
Lane County Board of Commissioners