



AGENDA COVER MEMO

Memorandum Date: May 9, 2023

Order Date: May 23, 2023

TO: Board of County Commissioners

DEPARTMENT: Sheriff's Office

PRESENTED BY: Debby Haller, Finance Manager

AGENDA ITEM TITLE: ORDER/ IN THE MATTER OF AMENDING LANE MANUAL
CHAPTER 20 TO DELEGATE AUTHORITY TO THE LANE
COUNTY SHERIFF TO MANAGE RADIO SITE LEASES (LM
20.600.332)

I. MOTION

Move approval of amending Lane Manual Chapter 20 to delegate authority to the Lane County Sheriff or the Sheriff's designee to manage radio site leases (LM 20.600.332).

II. AGENDA ITEM SUMMARY

Lane County Sheriff's Office (LCSO) operates Communication Sites throughout Lane County and nearby counties for the purposes of Sheriff's Office radio communication and on behalf of other agencies as the Fiscal Authority for the two intergovernmental emergency radio groups named below. Communications sites can include land, radio towers and structures to house equipment. Each of the sites are unique as to the ownership of the components. Each site is listed on the attached document, which contain details regarding ownership and leases.

LCSO manages approximately 63 leases and subleases related to Communication sites both for the department as well as on behalf of two intergovernmental emergency radio groups known as the 7-County Radio Consortium (the "Southwest Seven," or "SW7") and the Lane Regional Interoperability Group ("LRIG"). These leases and subleases include revenue, expense and no-cost agreements for tower space rental, land rental and rent for equipment space within a structure.

These leases are typically for small dollar amounts but are usually negotiated for longer periods of time, such as five or ten years. Currently, Lane Manual requires Board approval for contracts that exceed three years in length and/or over \$150,000. The large number of leases and subleases under management creates a significant administrative burden to the

Board and Sheriff's staff to bring all changes to leases and subleases to the Board for approval, a burden which is disproportionate to the relatively low dollar value and risk associated with such leases.

The proposed changes to Lane Manual would still require the Board's approval for any new ground lease to the County, but would delegate authority to the Sheriff or the Sheriff's designee to:

- Renegotiate, extend or terminate the County's lease at any radio site, and
- Negotiate, enter into, extend or terminate subleases from the County to any sub-lessee at any radio site.

The Sheriff's Office would still continue to submit new leases for radio sites that have a term exceeding three years to the Board for approval.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Historically, the Board has approved all new leases at radio sites which exceeded either three years and/or \$150,000. It is normal and ordinary to renew these investments once a lease agreement is established.

B. Policy Issues

The Board of County Commissioners is the Local Contract Review Board for Lane County, per Lane Manual (LM) 20.100.010. In the case of leases related to communication sites, the Board would still be obliged to review and approve all lease extensions that exceed three years. When a new lease is negotiated, it normally includes renewal language within it and the Board should not have to continue approving extensions.

C. Board Goals

Safe, Healthy County, Public Safety & Service Delivery:

The radio network serves many different purposes, but it is the foundation for communication between law enforcement and other first responders.

D. Financial and/or Resource Considerations

There are no financial considerations associated with this Board Order.

E. Health Implications

None

F. Analysis

LCSO manages a large number of leases and subleases associated with communication sites. These leases and subleases are normally negotiated with expiration dates in excess of three years and include language for renewal for the same time period as the original. These leases and subleases, once put in place, are a routine item of business for the department.

Leases and subleases are managed not only for LCSO, but also for LRIG and SW7 as a function of the department's fiduciary agreements with these partners.

It is critical to the entire system that these leases and subleases be renewed and maintained in order to ensure the stability of the communication system for first responders.

With such a large number of leases and subleases under management, the administrative burden to the Board and Sheriff's staff to bring all changes to leases and subleases to the Board for approval is disproportionate to the benefit obtained.

Renewal of these leases and subleases are otherwise routine, and an ordinary function of the department.

G. Alternatives/Options

1. Amend Lane Manual Chapter 20 to delegate authority to the Sheriff or the Sheriff's designee to renegotiate, extend and terminate leases or subleases and enter into new subleases related to communication sites where the Board of Commissioners has approved the original lease.
2. Do not amend Lane Manual Chapter 20 and the Sheriff's Office will bring any renewals exceeding three years in length to the Board for approval.

IV. RECOMMENDATION

Staff recommends Alternative 1

V. TIMING/IMPLEMENTATION

If approved, staff will amend Lane Manual as presented.

VI. ATTACHMENTS

Board Order
Lane Manual addition 20.600.332
Lane Manual addition 20.600.332, redlined
Radio Site Map
List of sites with ownership and lease information

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 23-05-23-06

IN THE MATTER OF AMENDING LANE
MANUAL CHAPTER 20 TO DELEGATE
AUTHORITY TO THE LANE COUNTY
SHERIFF TO MANAGE RADIO SITE
LEASES (LM 20.600.332)

WHEREAS, certain changes to Lane Code Chapter 20 are required to delegate authority to the Lane County Sheriff to enter into, renew, modify, and cancel leases and subleases for public safety and emergency communications radio sites;

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

Lane Manual Chapter 20 is amended by removing, substituting and adding the following sections:

REMOVE THIS SECTION

NONE

INSERT THIS SECTION

20.600.332

If any section, subsection, sentence, clause, phrase, or portion of this Order or the referenced Lane Manual provisions are for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions.

Said sections are attached hereto and incorporated herein by reference. The purpose of this addition is to update contract policies and make certain housekeeping revisions.

ADOPTED this *23rd* day of May 2023.

Pat Farr, Chair
Lane County Board of Commissioners

20.600.332 – Sheriff's Authority for Radio Site Leases.

The Sheriff is delegated authority to enter into, renew, modify, and cancel leases and subleases for public safety and emergency communications radio sites as set forth in this section.

- A. The Board must approve all new leases of radio sites that have a term in excess of three (3) years.
- B. The Sheriff has authority to renegotiate, extend, or terminate the County's lease of any radio site.
- C. The Sheriff has authority to negotiate, enter into, extend, or terminate subleases from the County to any sub-lessee at any radio site.

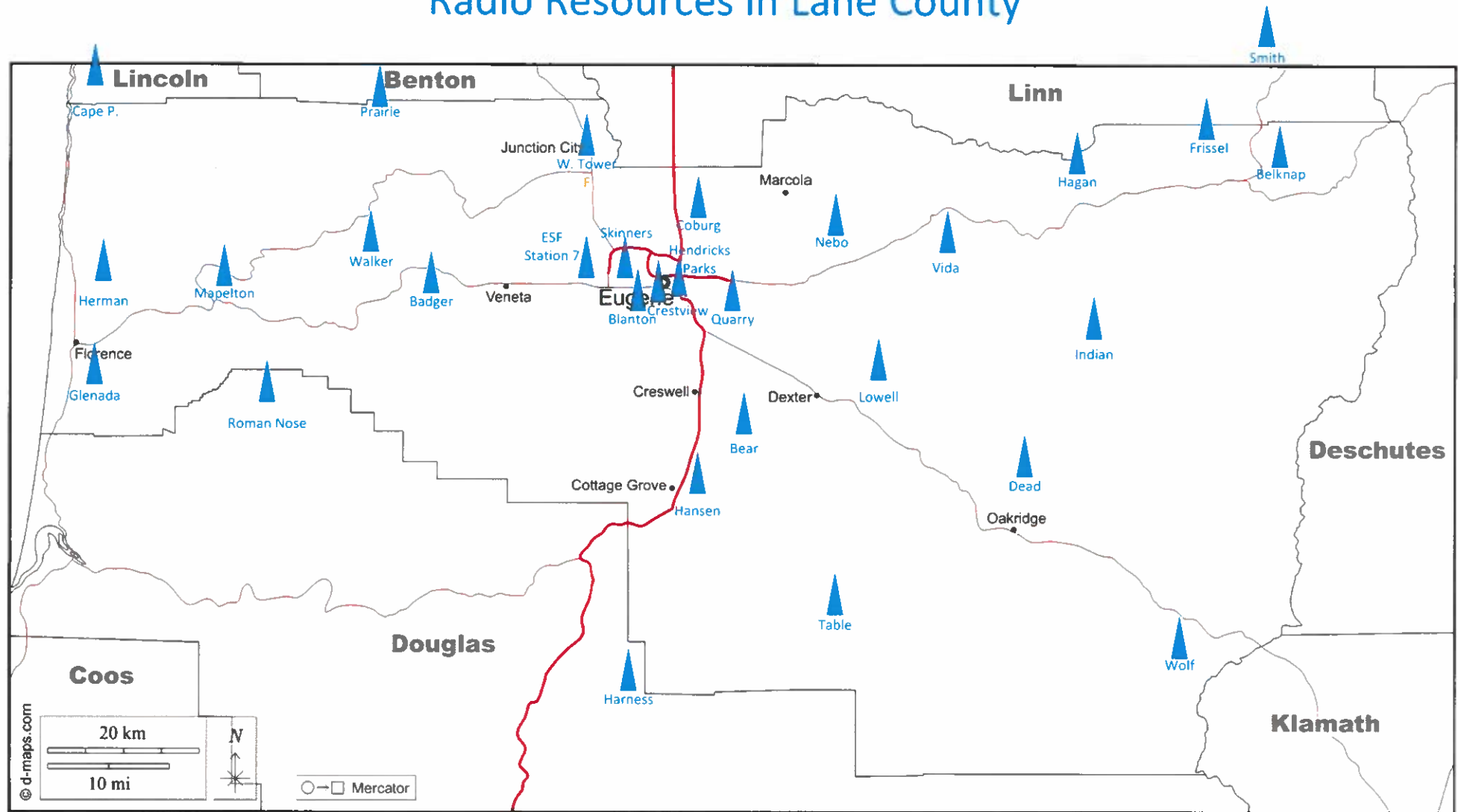
Lane Manual

20.600.332 – Sheriff’s Authority for Radio Site Leases.

The Sheriff is delegated authority to enter into, renew, modify, and cancel leases and subleases for public safety and emergency communications radio sites as set forth in this section.

- A. The Board must approve all new leases of radio sites that have a term in excess of three (3) years.**
- B. The Sheriff has authority to renegotiate, extend, or terminate the County’s lease of any radio site.**
- C. The Sheriff has authority to negotiate, enter into, extend, or terminate subleases from the County to any sub-lessee at any radio site.**

Radio Resources in Lane County



List of Radio Communication Sites with Ownership Information

SITE	LESSEE/TENANT	LESSOR	CURRENT CONTRACT	CURRENT TIME FRAME	COST EXPENSE	COST REVENUE	COST/YEAR Breakdown	NOTES	Land Owner	Tower Owner	Building Owner
Badger Mtn	LCSO	BLM	56823	8/23/21 – 1/01/32	-	-	None	Ground lease	BLM	LCOS	LCOS
Badger Mtn	LCSO	RRC (Roseburg Resources Co)	56846	2/11/22 – 2/10/27	-	-	None	Road Access Fee to the Site			
Badger Mtn	UoFO	LCSO	56481	6/14/2019 – 10/31/2023				Future Camera Install			
Bear Mtn	City of Eugene	LCSO	52393_1	7/01/21 – 6/30/31	-	\$125,846.18	\$9,825.75 x 3% each year after	BO# 21-06-22-04	G Group	LCSO	LCSO
Bear Mtn	LCSO	G Group (Garfield)	25430_1	7/01/21 – 6/30/31	\$457,380.00	-	\$43,560/5 yrs, \$47,916/5 yrs	BO# 21-08-22-04			
Bear Mtn	LCSO	Weyerhaeuser	57660	2/01/23 – 1/31/24	\$600.00		\$600/yr	Road Access Fee to the Site			
Bear Mtn	Lane County TS	LCSO	MOU	7/10/19 – No End Date	-		None	Shared Equipment			
Bear Mtn	ODOT	LCSO	50772_1	7/01/21 – 6/30/31	-	\$237,133.80	\$20,858.41 x 3% each year after	BO# 21-06-22-04			
Bear Mtn	Hunter Communications & Tech	LCSO	55649	4/01/20 – 3/31/23	-	\$37,638.85	12,177.31 x 3% each year after	Negotiating with new contract			
Bear Mtn	ODF South Cascade	LCSO	*	*	-	-	None	Sharing /* Negotiating with new contract			
Bear Mtn	LRIG	LCSO	LRIG		-	-	None	Radios/Network gear in shelter, tower space			
Bear Mtn	FBI	LCSO		10/01/2005 – 10/21/2038	-	-	None	No cost lease as part of older agreement			
Bear Mtn	UoFO	LCSO	56481	6/14/2019 – 10/31/2023	-	-	None	Camera agreement			
Belknap Springs	LCSO	EWEB	52080	7/01/15 – 12/31/28	-	-	None	Repeater and Tower space	US Forest Svc	EWEB	EWEB
Belknap Springs	LRIG	EWEB	LRIG		-	-	None	Building and tower space			
Blanton Heights	LCSO	EWEB	LRIG 53486	7/01/17 – 6/30/26	-	-	None	Portion of Tower allowed for LRIG	Vertical Bridge	Vertical Bridge	Vertical Bridge
Blanton Heights	LRIG	EWEB	LRIG		-	-	None	Radios/Network gear in shelter			
Cape Perpetua	LCSO	Lincoln County	55238	7/01/19 – 6/30/24	-	-	None	Repeater and Tower space	Lincoln County	Lincoln County	Lincoln County
CLCC	SW7/LRIG	COE			-	-	None	Motorola radio core and MW links	COE	COE	COE
Coburg Ridge	LCSO, City of Eugene, State of OR	EWEB	LRIG	7/11/22 – 3/31/23	\$105,225.25	-	LCSO Portion	PROJECT	WAB Properties	WAB Properties	WAB Properties
Coburg Ridge	LRIG		LRIG		-	-		Radios/Network gear in shelter, tower space			
Dead Mtn	LCSO	Woods Communications	*		-	-		*None at this Time, New build coming soon	US Forest Svc	Woods Coms	Woods Coms
Frissell Point	LCSO	US Forest Service	53965	1/01/16 – 12/31/26	-	-	None	Shared Equipment	US Forest Svc	US Forest Svc	US Forest Svc
FS7	LRIG	COE	LRIG		-	-	None	Tower and inbuilding rent	COE	COE	COE
Glenada	LRIG	WLT	LRIG	1/01/20 – No End Date	-	-	None	Buildings and tower space	WLT	WLT	WLT
Glenada	LCSO	LRIG	LRIG		-	-	None	Sub space from LRIG			
Glenada	LRIG	ODOT	LRIG		-	-	None	MW Lease agreement			
Hanson	LRIG	Day Wireless	*	*				*No Contract Found			
Harness Mtn	LCSO	Weyerhaeuser	53997_1	6/22/18 – 2/18/24	\$77,620.90	-	\$12,000 x 3% each year after	BO# 18-05-22-08	Weyerhaeuser	LCSO	LCSO
Harness Mtn	ODOT	LCSO	56395	2/19/21 – 2/18/24	-	\$59,273.43	\$19,177.08 x 3% each year after	BO# 21-06-22-04			
Harness Mtn	DFPA (Douglas Forest Protective Assoc.)	LCSO	*	*	-	-	None	Sharing /* Negotiating with new contract			
Harness Mtn	FBI	LCSO		10/01/2005 – 10/21/2038	-	-	None	No cost lease as part of older agreement			
Harness Mtn	UoFO	LCSO	56481	6/14/2019 – 10/31/2023	-	-	None	UoFO Camera Agreement			
Hendrick Park	LRIG	COE	LRIG					Tower and inbuilding rent	City of Eugene	City of Eugene	City of Eugene
Herman Peak	LCSO	Siuslaw Valley F&R	53948	5/07/18 – 5/06/28	-	-	None	Sharing Equipment	Siuslaw Nat'l Fst	SV Fire&Rescue	SV Fire&Rescue
Herman Peak	LRIG	Siuslaw Valley F&R	LRIG					Will be removed in future			
Indian Ridge	Army Corp of Engineers	LCSO	5662	7/01/2021 – 6/30/2026	-	\$13,479.91	\$2,539 x 3% each year after	BO# 21-06-22-04	Will Nat'l Forest	Will Nat'l Forest	LCSO
Indian Ridge	LCSO	US Dept of Agriculture	54116	7/10/18 – 12/31/38	-	-	None	Permit for access to Willamette Nat'l Forest			
Mapleton	LCSO	Silke and/or land owner	*	*	-	-		*Contract Not Yet Set Up	FIA LLC	LCSO	LCSO
Mapleton	LRIG	LCSO	LRIG					Sub from LCSO for space			
Mt. Hagan	LRIG	Vertical Bridge	53489	7/01/17 – 6/30/26	-	-		Radios/Network gear in shelter, tower space	Vertical Bridge	Tower Destroyed	LCSO Equipmnt
Nebo	LCSO	Weyco	*	*	-	-		*Working on contract with Weyerhaeuser	Weyerhaeuser	ODF	LCSO
Nebo	LCSO	ODF	*	*	-	-		*Working on contract with ODF			
Prairie Peak	City of Eugene	LCSO	52395	2/15/16 – 12/31/25	-	\$36,300.64	\$3,168.28 x 3% each year after		BLM	LCSO	LCSO
Prairie Peak	ODOT	LCSO	53879_2	1/01/2020 – 6/30/2029	-	\$21,000.00	30% of Electric Costs	Shared Equipment for partial cost of services			
Prairie Peak	BLM	LCSO	51629	1/01/2015 – 12/31/29	-	\$42,014.86	\$2,459 x 3% each year after	BO# 10-07-07-06			
Prairie Peak	LCSARO	LCSO	54242	7/01/18 – 6/30/28	-	\$180.00	\$12 per year				
Prairie Peak	ODF Western Lane District	LCSO	*	*	-	-		Sharing /* Negotiating with new contract			
Prairie Peak	LCSO	BLM	4382	6/01/2005 – 12/31/2025	-	-	None	Site agreement for land use, no cost			
Prairie Peak	LRIG	LCSO	LRIG		-	-	None	Future LRIG Agreement			
Prairie Peak	UoFO	LCSO	56481	6/14/2019 – 10/31/2023	-	-	None	Camera agreement			
PSB Tower/Radio Room	TS	LCSO	MOU	12/01/2021 – 12/31/2023	-	-	None	Microwave link and dish on tower	LCSO	LCSO	LCSO
PSB Tower/Radio Room	UoFO	LCSO	56481	6/14/2019 – 10/31/2023	-	-	None	Possible future expansion of there needs			
Quarry Hill	LRIG	Day Wireless	LRIG 52483_1	9/01/21 – 8/31/26	\$166,832.00	-	30,801.72 x 4% each year after		DayWireless	DayWireless	DayWireless
Roman Nose	LCSO	Douglas County	51622_3	7/01/21 – 6/30/26	\$30,430.25	-	\$4,704.44 x 3% each year after	BO# 14-12-16-03	Douglas County	Douglas County	Douglas County
Skinnners Butte	LRIG	COE	LRIG					LRIG Site building and tower rent	COE	COE	COE
Table Rock	LCSO	ODOT	53577_1	11/01/20 – 10/31/25	\$2,609.21	-	\$488.61 x 3% each year after		ODOT	ODOT	ODOT
Vida	LRIG	COE	LRIG		-	-	None	In building rent	Crown Castle	Crown Castle	COE
Vida	LRIG	Crown Castle	LRIG		-	-	None	Tower Rent			
Walker Point	LCSO	ODOT	53878_1	10/21/2018 – 10/21/38	\$20,000.00	-	33% of Electricity Costs	Tower and inbuilding rent	OR Dept. Forest	ODOT	ODOT
Walker Point	LRIG	ODOT	LRIG		-	-	None	Tower and inbuilding rent			
Wolf Mtn	LCSO	Vertical Bridge	50881_1	11/01/21 – 10/31/24	\$27,540.00	-	CPI annual pmt adjustments	BO# 18-12-04-04	Vertical Bridge	Vertical Bridge	Vertical Bridge
Smith Ridge	LRIG	EWEB	LRIG		-	-	None	Tower and inbuilding rent	Forest Svc	EWEB	EWEB

LRIG Project

\$888,237.61
(\$105,225.25)
\$783,012.36

Highlighted Areas: LRIG