

Council Business Meeting

May 7, 2019

Agenda Item	Resolution to Join the Jail Service District	
From	Tighe O'Meara	Police Chief
Contact	Tighe.omeara@ashland.or.us 541-552-2142	

SUMMARY

Sheriff Nate Sickler is asking for the Council to approve a Resolution to join a service district in support of the new jail and let the voters of Ashland decide whether or not the special district should be funded.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

N/A

BACKGROUND AND ADDITIONAL INFORMATION

Sheriff Sickler has presented information previously that demonstrates the need for a new county jail. The current jail is not adequate to meet the community's needs. Sheriff Sickler has been developing plans to build a new jail that will better serve the needs of the community and the police departments as well as those arrested.

The Jackson County Board of Commissioners intends to form a county service district (the District) for law enforcement services under the authority of Oregon Revised Statute (ORS) 451.010(1)(n). The Board of Commissioners proposes to include all county territory within the boundaries of the District, which would include the city of Ashland. The name of the proposed district is the Jackson County Local Correctional Facility Service District. The proposed District would have authority to construct, operate, and maintain a local correctional facility in Jackson County.

Jackson County voters will be asked to establish a permanent property tax rate limit of \$.8353 per \$1,000 of assessed value for the District as authorized by ORS 451.547. For a residential property, for example, this would yield a property tax rate increase of \$83.53 per \$100,000 of assessed value.

In order for the city of Ashland to be included in the District, the City Council must pass a Resolution consenting to the inclusion of the city into the District boundaries. Citizens of Ashland will only have the opportunity to vote on the District and associated tax if the City Council passes such a resolution.

FISCAL IMPACTS

To construct a new jail may have a positive impact on the City. For example, with a larger jail the City may not have to buy bed space to ensure that those who violate the law will not be immediately released. The cost of not building a new jail has its financial consequences as well. For example, the Sheriff has presented information suggesting that the cost of crime per capita annually in Jackson County is approximately \$800.

STAFF RECOMMENDATION

Staff recommends that the Council approve the resolution and allow the Ashland voters to be part of the new jail assist in making the decision making process to fund this project.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the resolution titled “Resolution Approving a Jackson County Order to Initiate Formation of a Jackson County Law Enforcement Service District and Consenting to the Inclusion of City Territory Within the Boundaries of the District”.

REFERENCES & ATTACHMENTS

Attachment 1: City of Ashland Resolution

Attachment 2: Proposed Jackson County Order to Initiate Formation

RESOLUTION NO. 2019-05

Resolution Approving a Jackson County Order to Initiate Formation of a Jackson County Law Enforcement Service District and Consenting to the Inclusion of City Territory Within the Boundaries of the District

The City Council of the City of Ashland, Oregon, finds:

- a. The Jackson County, Oregon, Board of Commissioners intends to form a county service district for law enforcement services under the authority of Oregon Revised Statute (ORS) 451.010(1)(n). The name of the proposed district is the Jackson County Local Correctional Facility Service District (hereinafter "District"). The proposed District would have authority to construct, operate, and maintain a local correctional facility in Jackson County.
- b. The Jackson County Board of Commissioners may initiate the formation of the District by adopting an order under authority of ORS 198.835. The Board proposes to include all county territory within the boundaries of the proposed District.
- c. Jackson County voters will be asked to establish a permanent property tax rate limit of \$.8353 per \$1,000 of assessed value for the District as authorized by ORS 451.547.
- d. The territory of the City may only be included within the boundaries of the District if the City Council adopts a resolution approving the proposed Jackson County Order Initiating Formation of a Jackson County Law Enforcement Service District. The proposed order is attached hereto.
- e. The City Council believes that a law enforcement service district for the construction, operation, and maintenance of a local correctional facility in Jackson County is in the best interests of the citizens of the City.

The City Council of the City of Ashland Resolves:

The City of Ashland, Oregon, hereby consents to the inclusion of all the territory of the City within the boundaries of the proposed Jackson County Local Correctional Facility Service District, and approves the Jackson County Board of Commissioners' proposed Order Initiating Formation of a Jackson County Law Enforcement Service District in substantially the form attached hereto.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of May, 2019.

John Stromberg, Mayor

Reviewed as to form:

David Lohman, City Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

IN THE MATTER OF INITIATING THE) ORDER NO. _____
FORMATION OF A JACKSON COUNTY LAW)
ENFORCEMENT SERVICE DISTRICT)

WHEREAS, when the current Jackson County jail opened in 1981, the population of Jackson County was approximately 134,500 residents; and

WHEREAS, due to the increase in the population of Jackson County since the opening of the current Jackson County Jail and other factors, the current Jackson County Jail is insufficient for the needs of the County; and

WHEREAS, in 2017, the Jackson County Jail was required to release approximately 7,000 inmates prior to their first court appearance solely due to a lack of capacity; and

WHEREAS, forced releases of inmates due to lack of capacity in the Jackson County Jail have impacted the entire criminal justice system in Jackson County including, in 2017 alone, over 10,000 warrants being issued for criminal defendants failing to appear for required court appearances and over 7,000 lodgings into the jail for repeat offenders; and

WHEREAS, the current Jackson County jail, due to its design and limited capacity, is not conducive to providing comprehensive services to inmates suffering from mental health issues or addiction; and

WHEREAS, Chapter 451 of the Oregon Revised Statutes (ORS) provides for the establishment of a county service district for law enforcement services which includes authority for the construction, maintenance, and operation of installations, works, or services provided for the purpose of law enforcement services; and

WHEREAS, the construction, maintenance, and operation of a local correctional facility is a law enforcement service purpose; and

WHEREAS, without the establishment of a county service district for law enforcement services, Jackson County will not be able to construct, operate, and maintain a new local correctional facility which adequately meets the needs of the County; and

WHEREAS, ORS 451.435 provides that all county service districts shall be initiated, conducted, and completed as provided by ORS 198.705 to 198.955; and

WHEREAS, ORS 198.835 authorizes of the county board of commissioners to initiate the formation of a district by an order and sets forth the requirements of that order including setting the date, time, and place of a public hearing on the proposal to form the district; and

WHEREAS, ORS 198.840 requires that notice of the public hearing on the proposal be given in the manner set forth in ORS 198.800, except that the notice shall state that the county board has entered an order declaring its intention to initiate the formation of the county service district.

Now, therefore,

The Board of County Commissioners of Jackson County ORDERS:

1. The Board intends to initiate formation of a county service district for law enforcement services in Jackson County as authorized pursuant to ORS 451.010(1)(n) and ORS Chapter 541, which is the principal act governing the formation of such a district, for the purpose of constructing, operating, and maintaining a local correctional facility in Jackson County.
2. The name of the proposed district is the Jackson County Local Correctional Facility Service District (District).
3. The boundaries of the District shall include all territory within Jackson County, less the territory within any incorporated city that chooses not to be part of the District; *[If any city opts out, the following language would be inserted into the final order – “The city or cities choosing not to be included within District territory are: list.]*.
4. As required by ORS 198.835(3), certified copies of City Council Resolutions of each city approving this Initiation Order and formation of the District are attached.
5. The Jackson County Board of Commissioners will serve as the governing body of the District as required pursuant to ORS 451.485; and
6. The District will have all of the general powers granted by ORS Chapter 451 (the Principal Act) necessary and convenient for providing law enforcement services as permitted by ORS 451.010(1)(n).
7. The District will be authorized to construct, maintain, and operate a law enforcement service facility, specifically a local correctional facility, pursuant to ORS 541.420.
8. Jackson County voters will be asked to establish a permanent property tax rate limit of \$.8353 per \$1,000 of assessed value for the District as authorized by ORS 451.547. The District will have authority to levy and collect general property taxes up to the approved rate limit.
9. Pursuant to ORS 198.800 and 198.835, a public hearing on the formation of the Jackson County Local Correctional Facility Service District shall be held at the Board’s regular meeting on June 26, 2019, beginning at 9:30 a.m., in the Auditorium of the Jackson County Courthouse, 10 South Oakdale, Medford, Oregon 97501. All interested persons may appear and be heard. At this hearing, the Board will hear testimony and receive written comment on the proposed formation of this District, including information about the services to be provided by the District, the economic feasibility of the District, and the permanent tax rate limit. At the conclusion of the hearing, the Board shall determine, in accordance with criteria described in ORS 198.805, whether Jackson County could be benefited by the formation of the service district and whether the County should continue with the formation process.
10. Notice of the hearing shall be provided to interested persons in accordance with ORS 198.800.

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DATED this 22nd day of May, 2019, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS

Bob Strosser, Chair

Colleen Roberts, Commissioner

Rick Dyer, Commissioner

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