

AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Special Meeting

Friday, January 21, 2022

GoToMeeting: <https://global.gotomeeting.com/join/995233189>

Or Dial 1 (408) 650-3123; **Access Code** 995-233-189#

Livestream: <http://facebook.com/BentonCoGov>

- I. Introductions and Announcements
- II. Public Comments
- III. Topic of Discussion
 - 3.1 Discussion and Decision on the final Justice System Improvement Project (JSIP) site selection.
- IV. Other

ORS 192.640(1)" . . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects."

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session. However, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)) and the notice shall state the specific reason for the executive session as required by ORS 192.660.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Board of Commissioners Office, (541) 766-6800.

MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
GoToMeeting link: <https://global.gotomeeting.com/join/995233189>
Livestream: <http://facebook.com/BentonCoGov>
Tuesday, January 21, 2022
9:00 a.m.

Present: Nancy Wyse, Chair; **Xanthippe Augerot**, Commissioner; **Pat Malone**, Commissioner; **Joe Kerby**, County Administrator

Staff: **John DeVaney**, **Greg Ridler**, **Jef Van Arsdall**, Sheriff's Office; **John Haroldson**, District Attorney's Office; **Nick Kurth**, JSIP Manager; **Erika Milo**, BOC Recorder; **JonnaVe Stokes**, BOC Staff; **Matt Wetherell**, Juvenile Department

Guests: **G. Baleph**, **Kitty Bartee**, **Chris Bentley**, **Yong Chen**, **Ann Eissinger**, **Scott Elmshauser**, **Philip Gutt**, **Brad Hamlin**, Helen Higgins, **Geoff Hollinger**, **J. Jensen**, **Jeremy Jewell**, **Nance Kiesling**, **Arlene Merems**, **Claire Pate**, **Paul Richard**, **Randy Rosenberger**, **Linda S.**, **Jay S.**, **Shelley S.**, **Chris Smith**, **Cynthia Stickle**, Corvallis residents; **Laurie Chaplen**, City of Corvallis; **Lori Copenrath**, **Mitch Hein**, DLR Group; **Cody Mann**, Mid-Valley Media

Chair Wyse called the meeting to order at 9:01 a.m.

I. Introduction and Announcements

No announcements were made.

II. Comments from the Public

No comment was offered.

III. Topic of Discussion

3.1 *Discussion and Decision on the Final Justice System Improvement Program (JSIP) Site Selection

Kurth displayed a JSIP presentation (exhibit 1), reviewing previous and future JSIP milestones. The decision to purchase either the north or west site knocks the other site out of contention. If the west site is chosen, the next step would be a Purchase and Sale Agreement (PSA), to be signed by January 31, 2022. If the north site is chosen, the County must consider how and at what cost to acquire it. If neither site is chosen, the County could reconsider the south site if still available, or start over on site selection. The Crisis Resource Center (CRC) will be in downtown City of Corvallis. Kurth displayed test-fit maps for locating a new Courthouse (NCH), Correctional Facility (CF), Sheriff's Office (SO), and Emergency Operations Center (EOC). There is enough room on both sites, and both ranked well on selection criteria. There is strong public opposition to the west site. Being closer to downtown, the north site creates a better a Justice System campus. At a public engagement meeting last night, community members were concerned about site proximity to a neighborhood. The site selection team decided early on not to put the JSIP campus in the middle of a residential neighborhood (bordered on three to four sides). But the criteria placed the campus near a neighborhood (bordered on one or two sides). All three sites have neighborhoods within a half mile or less. The south site is the farthest from a neighborhood, the north site is second nearest, and the west site is nearest. A community member

asked whether the team re-examined the top ten sites. This was done about three months ago and led to revisiting the north site. The team also looked at a new site. After seven months of negotiations, the County and the north site owner are still far apart on price, and no Letter of Intent (LOI) has been issued. The north site costs at least six times the nominal cost of the west, or three times the cost per useable acre (this is based on the County's rejected offer for the north site, so the cost could go even higher). Thirty to 40% of site purchase cost could be used for the County's match against NCH funds from the State. The bottom line is that the north site scores higher than the south site. The negotiating team views site access to multi-modal paths as a positive factor for people without transportation, although some community members see this as a negative because of adults-in-custody being released in the area.

The west site's lower acquisition/development cost provides margin for including potential transportation infrastructure in the bond measure. An offset to purchase cost is that the north site's proximity to essential services could yield \$5-7 million in operational savings over 20 years. The north site's high cost could require additional County borrowing or put other JSIP facilities that have already received funding allocations in jeopardy. An approximately \$20 million match for the NCH has been discussed; Chief Financial Officer Rick Crager is comfortable with that amount of borrowing with some draw from reserves. However, Crager has stressed that the County also has funding gaps, such as a \$3-5 million gap for the CRC and a \$2.75 million gap for the EOC. Both of those facilities have pledges of State or Federal funding. The County is trying to fill those gaps with additional requests from the State. If those requests do not come through and the County pays a sizeable premium for the north site, the County must either borrow more to fill those gaps, a level of borrowing Crager does not suggest, or forego some other facilities.

Kurth noted comments at last night's meeting about rebuilding on the current site. This was extensively examined by the Community Advisory Committee, Technical Advisory Committee, Operations Team, and through public engagement. The Board has decided to repurpose the Historic Courthouse (HCH); it will not be part of justice system any more. The County is hesitant about building another Law Enforcement Building on top of the old one, which would affect HCH uses; also, there is not enough space. Building the NCH there would dwarf the HCH, which could create issues with historic preservation guidelines.

Wyse thanked Malone for contributions on the north site.

Van Arsdall thanked Kurth and Malone for work leading to revisiting the north site. It is paramount for the JSIP facilities to have the least impact on community livability. It is also important to ensure ease of access to resources and to the CF for Mental Health providers, public defenders, visitors, family members, and people who need to access the SO and CRC. The SO's ability to respond to calls throughout the County should also be considered. Van Arsdall praised the process and hoped to continue to gather community input.

Haroldson acknowledged that the Board has made information about the JSIP process available to increase transparency. Haroldson emphasized the community's responsibility to build an infrastructure that represents its values and sets a statewide and nationwide example. Benton County has always had a reason to feel proud. Haroldson thanked the Board, Kerby, Kurth and others who have worked on the project.

Board Deliberations

Augerot stated a strong preference for the north site; it is the best site for a Justice System campus due to proximity to downtown and other services. The west site has great features, but

proximity to natural areas and residential neighborhoods make it less attractive. Anyone involved in the Justice System has a need to lower stress and anxiety, so it is good to have access to natural areas, but the larger community has understandable concerns about that. There is an opportunity to create a campus on the north site that reflects County values; amenities can be added. There can be a balance of treatment and accountability, providing an equitable, efficient, and effective system.

Malone appreciated the interest and comments at last night's meeting and agreed that this has been a good process. The south site initially seemed like a good option, but ultimately involved too much cost before the County received benefit. At that point Malone suggested returning to the north site, which was dropped in March 2021 due to problems with the owner. Malone agreed with Augerot that the west site is viable and has some advantages, but the north site scored higher. The north site feels like a better fit because it is relatively close to downtown and does not impact neighborhoods as much as the west site. A downside to the north site is not having come close to an agreement with the owner during months of negotiation. There is likely to be some short-term pain in getting the north site, but these are long-term projects. The north site offers flexibility and is appropriate for the County's current and future needs. Malone was willing to proceed with steps to obtain the north site.

Wyse reviewed the JSIP vision statement: "The residents of Benton County require an effective, efficient and equitable Criminal Justice System that maintains public safety and holds people accountable while providing treatment opportunities that address underlying causes of criminal behavior." Wyse's main criteria for JSIP decision making:

- Community support: public comment has overwhelmingly supported the north site over the west; while there are probably voices the Board has not heard from, this is the available information.
- Up-front costs: the west site costs \$1.5 million; the north site cost is unknown, but likely to be much higher. It is the Board's job to be fiscally responsible with taxpayer money.
- Long-term costs: the west site has costs for development and wetland mitigation, but is still cheaper than just the acquisition cost for the north.
- Hurdles in the process: north site hurdles include partitioning and/or zone changes, but the north site is only 3.6% wetlands, whereas the west site is 47% wetlands. Eminent domain is a potential north site hurdle, which is not being decided today. The County has had months of negotiation with the property owner, who has been professional and cordial, but the parties remain far apart on price. The Board still prefers reaching a negotiated settlement with the owner, and is willing to pay a reasonable premium for the property, but still has fiduciary responsibilities to the community. Paying an excess premium also raises equity questions.
- LE accessibility to other areas, or Sheriff's response access: the west site scored higher, with two roads instead of one, but Wyse still felt the north has good accessibility.
- Wyse also considered future expansion possibility, flooding concerns, travel time and proximity to downtown, best practices, efficiency, equity, and traffic concerns.

In sum, Wyse chose the north site, noting that all three Commissioners were aligned.

Kerby requested a formal motion.

MOTION: Augerot moved to choose the north site and direct staff to continue to pursue this property. Malone seconded the motion, which **passed 3-0.**

Augerot noted a question in the chat from Jay S. about the HCH process.

Kurth replied that repurposing the HCH has always been a JSIP goal. Once the Board decided to have a campus including the NCH and District Attorney's office, Kerby directed Natural Areas, Parks & Events Director Lynn McKee to commission a preservation plan for the HCH structure and a feasibility study of options for new uses. Seismic upgrades to preserve the HCH will be part of the funding model. Seed money to help repurpose the HCH may be included in the May 2023 bond measure. McKee is recruiting for a year-long community task force to begin by late February 2022. There will be opportunity to serve and have input on that task force.

Malone expressed appreciation for all the feedback from the community and hoped that community interest will help the County complete this project.

Kurth thanked Copenrath, Hein, and the entire DLR Group team for help and guidance.

Kerby noted that another meeting on this topic was tentatively scheduled for January 31, 2022, but is no longer needed; any updates from the negotiating team will be given at the February 1, 2022 Board Meeting.

Malone suggested cancelling an appraisal commissioned last month examining property value if the north site were zoned differently from General Industrial.

Wyse asked if this topic should be discussed in Executive Session.

Kerby agreed that the negotiating team needs to discuss that topic over the next two weeks, and will take Malone's sentiments into consideration.

The Board thanked all staff and the negotiating team, and the public who shared thoughts.

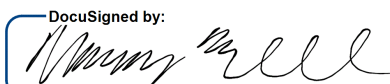
{Exhibit 1: BOC Final Site Selection Presentation}

IV. Other

No other business was discussed.

VIII. Adjournment

Chair Wyse adjourned the meeting at 9:47 a.m.

DocuSigned by:

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Nancy Wyse, Chair

DocuSigned by:

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Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

Building a Justice System for the Future

Board of Commissioner Special Meeting
January 21, 2022

Justice System Improvement Program
Nick Kurth, Manager



Key JSIP Milestones

- November 30 – South site removed from current consideration
- December 7/14 – County advances new courthouse project; favors co-location of DA with new courthouse
- January 4 – County favors new courthouse on campus location
- January 18 – Preliminary site decision West or North
- January 21 – Final site decision West or North

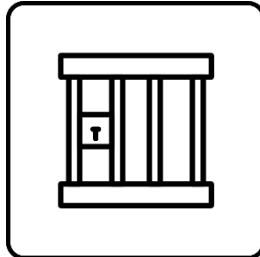
Site Decision Implications

- Binary outcome – a decision to purchase either North or West knocks the other from contention
- If West Site, then next step is executing a PSA
- If North Site, then must consider how and at what cost to acquire it
- If neither site, then could reconsider South Site (if still available) or re-commence site selection

Proposed locations for the facility concepts

Concepts may include the following facilities

Crisis
Center



Correctional
Facility

County
Courthouse



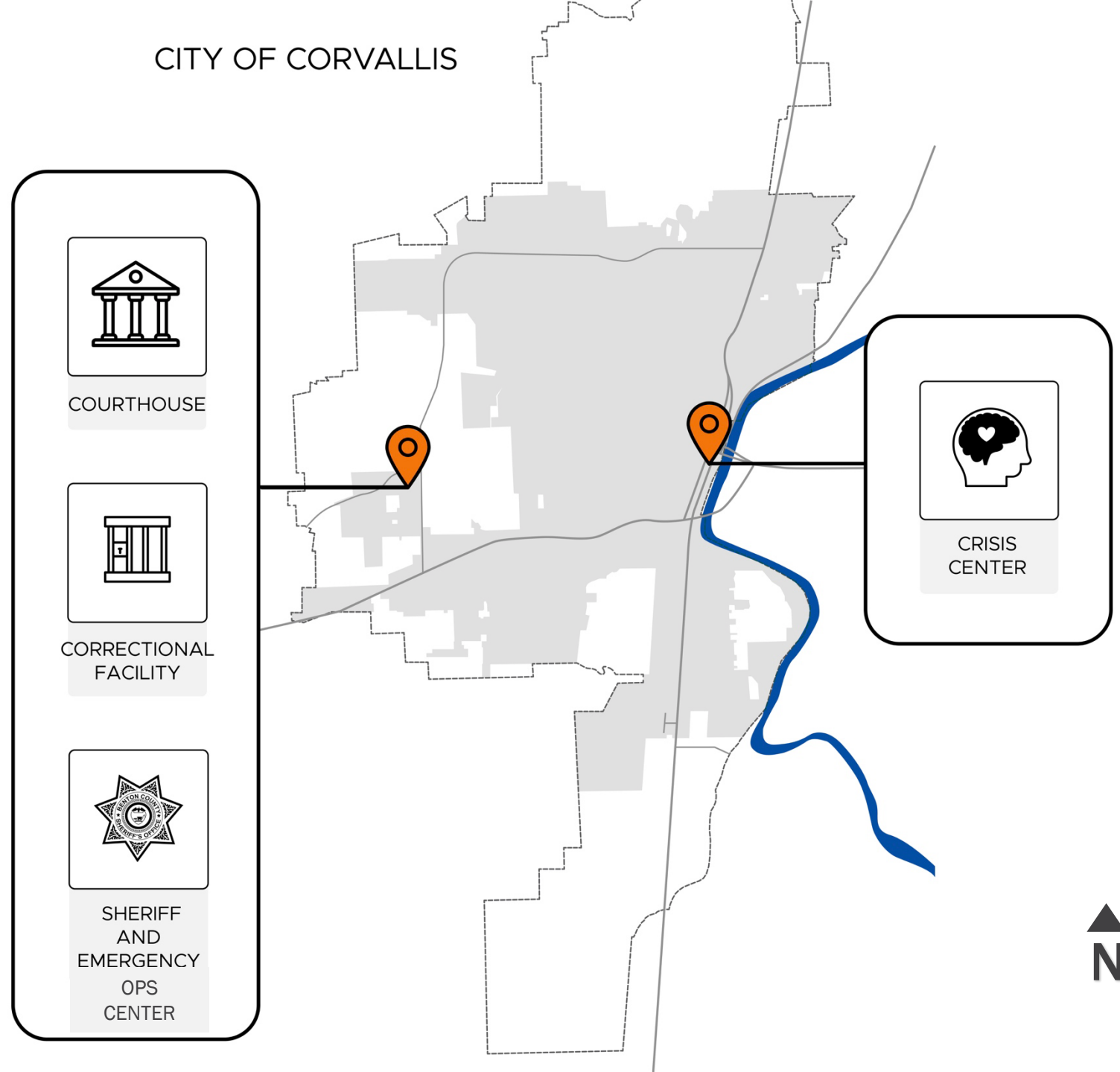
Sheriff &
Emergency
Operations



CONCEPT 1

West Campus

CITY OF CORVALLIS



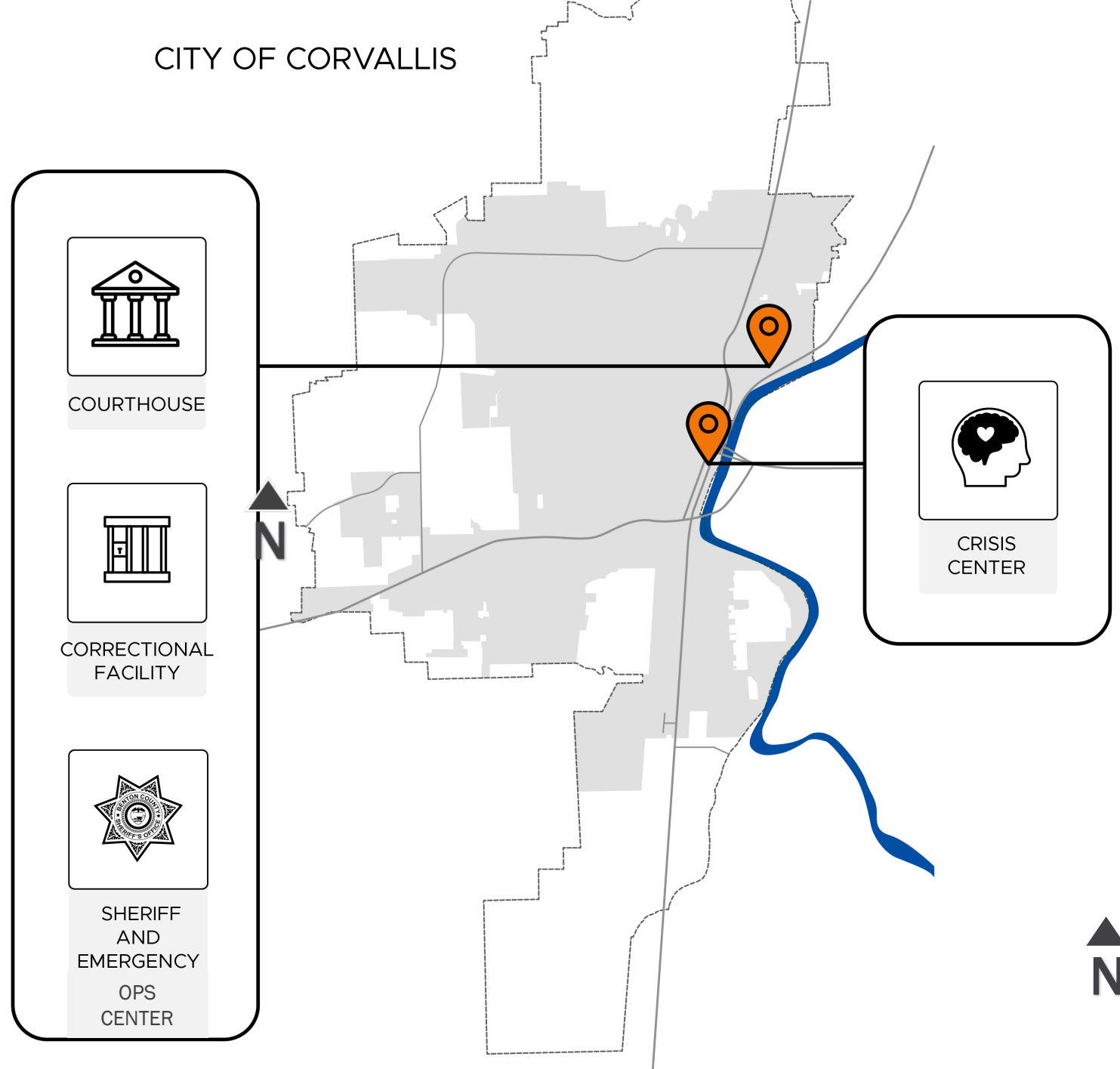
Concept 1: West Campus (test fit)



CONCEPT 2

North Campus

CITY OF CORVALLIS



Concept 2: *North Campus (test fit)*



Summary Points

- Both West and North ranked well against selection criteria
- Public opposition to West site
- North site better suited for integrated justice system campus
- After 7 months of negotiations, parties far apart on North LOI
- North 6X nominal cost of West; 3X per useable acre
- 30-40% of West or North acquisition cost used for courthouse match

Ranking of Proposed Sites

		West				North			
	Total Acreage (approximate)	35				20	28		
	Percent Wetlands	47%				0%	3.6%		
	Acquisition Cost	\$1,500,000				\$5,662,800	\$7,927,920		
	Acquisition Cost per Acre	\$42,857				\$283,140			
	Development Cost (JSIP Facilities Only, incl. wetland mitigation and contingency)	\$450,000	\$735,000			\$1,000,000			
	Development Cost per Acre	\$12,857	\$21,000			\$50,000	\$35,714		
	Acquisition & Development Cost per Acre	\$55,714	\$63,857			\$333,140	\$318,854		
150%	Partition/Annexation Likely (No=1, Yes=0)	No		1	1.5	Yes		0	0
	Access with Flood Event (Good=1, Challenging=0)	Good				Good			
150%				1	1.5			1	1.5
150%	Potential for Future Expansion other than JSIP (Minimal=0, Moderate=1, Extensive=2)	Minimal		0	0	Moderate		1	1.5
150%	Sheriff's Response Access (Good=0, Better=1)	Better		1	1.5	Good		0	0
	Adjacent to existing residential: No = +1, One side = 0, Two sides = -1)	One Side				No			
150%				0	0			1	1.5
100%	Adjacent to Multi-Model Paths (Yes=1, No=0)	Yes		1	1	No		0	0
100%	Travel Time to City Hall (Good = 0, Better = 1)	Good		0	0	Better		1	1
100%	Node / Anchor tenant potential (Yes=1, No=0)	No		0	0	Yes		1	1
		Unweighted Score		4			Unweighted Score	5	
		Weighted Score			5.5		Weighted Score		6.5

Cost Considerations

- West site's lower acquisition/development cost provides margin for potential transportation infrastructure in bond measure
- North site's strong campus potential could yield \$5-7M operational savings over 20 years
- North site cost could require additional county borrowing or put other JSIP facilities with funding allocations in jeopardy
 - Crisis Center gap = approx. \$3M - \$5M
 - EOC gap = approx. \$2.75M



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