

IN THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORDER NO. 97-7-9-2

FILED

JUL 17 1997

COUNTY CLERK

BY M. Bullock

The Lane County Board of County Commissioners finds that:

) IN THE MATTER OF AMENDING ORDER
) NO. 97-6-30-1 REGARDING THE WEST
) EUGENE ENTERPRISE ZONE AND
) APPOINTING TWO MEMBERS TO THE
) WEST EUGENE ENTERPRISE ZONE
) COMMITTEE

A. On June 30, 1997, the Board of County Commissioners approved Order No. 97-6-30-1 and the City Council approved Resolution No. 4529, in order to adopt local criteria applicable to the West Eugene Enterprise Zone. As part of those actions, the Council and Board adopted a process for implementing the local criteria.

B. The County believes the process for implementing the local criteria should be clarified.

C. The County needs to appoint two Commissioners to serve on the West Eugene Enterprise Zone Committee.

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

1. Based upon the above findings, which are adopted herein, Section 3 of Order No. 97-6-30-1 is amended to read as follows:

"3. The Enterprise Zone Committee shall include six members: two city councilors chosen by the City Council; two county commissioners chosen by the Board of Commissioners; one additional elected official; and a representative from the West Eugene Enterprise Zone businesses. The additional elected official and business representative shall be chosen by the other four members, and each shall serve a term of one year. The additional elected official shall be a member of a governing body of one of the local educational institutions (i.e., a school district, Lane Community College or Lane Educational Service District), and the position shall be rotated amongst the institutions. The Enterprise Zone Committee shall be responsible for: (a) making recommendations to the City Council and the Board of Commissioners about how to determine the amount of the public benefit contribution based on the criteria in Section 4; and (b) recommendations on how to allocate the funds received from the public benefit contributions as provided in Section 5. In making these

recommendations, the Committee shall follow the procedures specified in Section 6."

2. Section 6 of Order No. 97-6-30-1 is amended to read as follows:

"6. (A) After all 6 members of the Enterprise Zone Committee have been selected, the Committee shall hold one or more public hearings to take public input about a point system for the seven local criteria listed in section 4. The point system shall be structured such that it removes all subjectivity from the determination about the percentage of public benefit contribution each company must make, with a floor of 0% and a maximum of 15%. The Committee's action shall be in the form of a recommendation to the City Council and Board of Commissioners. Upon receipt of the Committee's recommendation, the Council and Board shall consider the recommendation and either adopt the recommendation or adopt a different point system. Both the Council and Board must agree before the point system takes effect. In the event it becomes necessary to act on a pre-certification application before the Council and Board have agreed to a point system, then the provisions of subsection (B) of this Section 6 shall govern.

"(B) The provisions of this subsection shall apply only in the event that the Council and Board have not agreed on a point system prior to the time it is necessary to act on a pre-certification application or in the event of a court decision rendering Section 6(A) above invalid. Following receipt of a pre-certification application for the enterprise zone tax exemption, the Enterprise Zone Committee shall hold a public hearing. The purpose of the public hearing shall be to receive input about both the appropriate amount of a public benefit contribution, and how the funds, if any, should be allocated among the city, county and local educational institutions. Notice of the public hearing shall be published in a newspaper of general circulation in Lane County. In addition, individual notices of the public hearing shall be provided to the local educational institutions, requesting their input. Following the public hearing, the Enterprise Zone Committee shall determine the amount of the public benefit contribution, and how the funds shall be allocated. The Committee's decision shall be a recommendation forwarded to the Board of Commissioners and the City Council. In the event the Board of Commissioners or the City Council does not agree, the amount of the payment shall be the percentage recommended by the Committee or 10%, whichever is less. The City Council and Board of Commissioners may by mutual agreement select a percentage different than that recommended by the Committee, so long as the percentage is less than 15%.

These local criteria shall govern all pending applications for pre-certification filed by a company prior to the expiration of the zone, and all applications filed by a company participating in the West Eugene Enterprise Zone at the time the zone expires when that company seeks an exemption for future investments after expiration of the zone.

ATTACHMENT B

**Outline of the Work Program
Veneta Coordination Agreements**

1. Agree on a Process

- Establish ground rules.
- Agree on use and the role of a facilitator.
- Decide on frequency, schedule and length of negotiation meetings.
- Agree on the method for making decisions.
- Decide on process for communicating and consulting with other agency staff and decision-making bodies.

2. Gather Information

- Review existing legal and policy framework.
- Review existing agreements and identify gaps.
- Identify issues and interests (substantive, procedural, relationship).
- Share information about issues and interests.
- Identify topics to be addressed in the agreements.
- Identify, obtain and review other data needed to deal with issues and topics.

3. Develop Options to Address Issues and Topics

- Identify options to fill gaps, deal with issues, address topics, and satisfy interests.
- Consider language from model and sample agreements.

4. Prepare Draft Agreements

- Evaluate options.
- Propose language for agreements.

5. Review and Approve Agreements

- Review and revise draft agreement.
- Refer draft agreement for internal review by each agency (legal and other staff).
- Revise draft agreement.
- Refer proposed agreements to decision-making bodies for approval.