

W. 3. B. 1.

## ABBREVIATED CONSENT CALENDAR MEMO

Memorandum Date: 2 May 2007

Order Date: 16 May 2007

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TO: Board of County Commissioners

DEPARTMENT: Lane County Sheriff's Office

PRESENTED BY: Judy Simpson

**AGENDA ITEM TITLE: IN THE MATTER OF DELEGATING AUTHORITY  
TO THE COUNTY ADMINISTRATOR TO EXECUTE  
INTERGOVERNMENTAL AGREEMENT BETWEEN  
WEST LANE EMERGENCY OPERATIONS GROUP  
AND LANE COUNTY TO TRANSFER OWNERSHIP  
AND MAINTENANCE RESPONSIBILITY FOR  
HARBOR VISTA PARK TSUNAMI SIREN**

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### I. MOTION

MOVE TO APPROVE EXECUTION OF INTERGOVERNMENTAL AGREEMENT  
BETWEEN WEST LANE EMERGENCY OPERATIONS GROUP AND LANE  
COUNTY FOR TRANSFER OF HARBOR VISTA PARK TSUNAMI SIREN  
RESPONSIBILITIES

### II. DISCUSSION

#### A. Background/Analysis

Pursuant to the provisions of Oregon Revised Statutes Chapter 401, the responsibility for preparation and response to major emergencies within Lane County is vested with the Board of County Commissioners.

Lane County Emergency Management Program's purpose is to increase the County's resiliency and to increase its ability to respond and recover from the hazards that threaten it.

The need to warn the public of impending danger or a disaster event could arise at any moment, and in order to reduce loss of lives, adequate and timely warnings must be provided.

A tsunami is considered a possible threat off the coast of the Pacific Northwest, from Northern California to Northern Vancouver Island.

During the fall of 2005, Siuslaw Valley Fire and Rescue requested that Lane County participate financially in placing a tsunami siren at Harbor Vista Park, Florence, Oregon.

Lane County purchased a Tsunami Siren and had it installed at Harbor Vista Park for a total of \$21,251.

West Lane Emergency Operations Group (WLEG) is an intergovernmental entity formed as an organization of governments by an intergovernmental agreement (IGA). The agencies which form WLEG are: City of Florence; City of Dunes City; the Port of Siuslaw; Siuslaw Valley Fire and Rescue; Western Lane Ambulance District; and the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians Police Department.

The purpose of the WLEG IGA is to form an intergovernmental entity to coordinate the emergency planning, response and recovery activities of participating emergency providers in West Lane County.

Under the IGA, WLEG is authorized to enter into contracts for the lease, purchase and ownership of real and personal property.

An Intergovernmental Agreement (IGA) has been prepared to transfer the ownership and responsibility for operation and maintenance of the Harbor Vista Park Tsunami Siren to the West Lane Emergency Operations Group.

The IGA will become effective on the date of execution and shall continue indefinitely.

Lane Manual 21.145 requires Board of Commissioner approval for execution of contracts exceeding three years in length.

#### B. RECOMMENDATION

Staff recommends approving execution of Intergovernmental Agreement with WLEG.

The tsunami siren was purchased at the request of one of the entities forming the West Lane Emergency Operations Group, and ownership along with the responsibility for operation and maintenance should be transferred.

#### III. ATTACHMENTS

1. Proposed Board Order No. \_\_\_\_\_.
2. Intergovernmental Agreement between WLEG and Lane County.

**IN THE BOARD OF COUNTY COMMISSIONERS OF Lane County, OREGON**

**ORDER NO.**

**)IN THE MATTER OF DELEGATING AUTHORITY  
)TO THE COUNTY ADMINISTRATOR TO EXECUTE  
)INTERGOVERNMENTAL AGREEMENT BETWEEN  
)WEST LANE EMERGENCY OPERATIONS GROUP  
)AND LANE COUNTY TO TRANSFER OWNERSHIP  
)AND MAINTENANCE RESPONSIBILITY FOR  
)HARBOR VISTA PARK TSUNAMI SIREN**

**THIS MATTER** having come before the Board of County Commissioners for approval of an Intergovernmental Agreement between West Lane Emergency Operations Group and Lane County to transfer ownership and responsibility for operation and maintenance of a tsunami siren installed at Harbor Vista Park, Florence, Oregon.

**WHEREAS**, Lane Manual 21.145 requires Board of Commissioner approval for execution of contracts exceeding three (3) years in length.

**WHEREAS**, the term of the Agreement is indefinite in length.

**IT IS HEREBY ORDERED** that the Board of County Commissioners delegate authority to the County Administrator to execute Intergovernmental Agreement between West Lane Emergency Operations Group and Lane County for the Harbor Vista Park Tsunami Siren, in substantial conformity with the attached Exhibit "A".

Signed this                      day of                      , 2007

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 5/3/07 lane county  
Thaidlaw  
OFFICE OF LEGAL COUNSEL

## INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is entered into by and between LANE COUNTY, a political subdivision of the State of Oregon, hereinafter referred to as "COUNTY," and the WEST LANE EMERGENCY OPERATIONS GROUP", an intergovernmental entity, hereinafter referred to as "WLEG."

### RECITALS

WHEREAS, ORS 190.010 and the Lane County Home Rule Charter provide that units of local governments may enter into agreements for the performance of any or all functions and activities that a party to the agreements, its officers or agents, have authority to perform, and

WHEREAS, the Lane County Sheriff's Office purchased a tsunami siren for installation at the Harbor Vista County Park and;

WHEREAS, that siren was installed in January 2006 and;

WHEREAS, the siren requires proper operation and maintenance and;

WHEREAS, the City of Florence Police Department handles the activation of the siren and is the Public Safety Answering Point (PSAP) for the area affected by this siren

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Responsibility for the ongoing operation and maintenance of the siren will be the responsibility of WLEG at WLEG's own expense and;
2. Ownership for the siren is hereby transferred from the Sheriff's Office to the West Lane Emergency Operations Group.
3. The applicable provisions of the Lane Manual setting forth standard provisions for public contracts (LM 21.130) are incorporated by this reference as if fully set forth.

### INDEMNITY

4. Each of the parties agrees to defend, indemnify and hold the other harmless from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses, resulting from or arising out of any negligent performance or failure to perform on the part of the indemnifying party, its officers, employees or agents. The parties' indemnity and hold harmless obligations are subject to the limitations of the Oregon Tort Claims Act and any applicable limitations of the Oregon Constitution.

### TERM AND TERMINATION

5. This agreement shall be effective upon execution and shall continue indefinitely.

### AMENDMENTS

6. No amendment to this agreement shall be effective unless made in writing and signed by both parties.

WEST LANE EMERGENCY  
OPERATIONS GROUP

By: \_\_\_\_\_

Title: City Manager

Date: \_\_\_\_\_

LANE COUNTY

By: \_\_\_\_\_  
William A. Van Vactor

Title: County Administrator

Date: \_\_\_\_\_