



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

## Board Clerk Use Only

**Meeting Date:** 8/14/14  
**Agenda Item #:** R.1  
**Est. Start Time:** 9:30 am  
**Date Submitted:** 8/6/14

**Agenda Title:** **RESOLUTION Authorizing the County Chair to Execute an Interim IGA with Oregon DAS for Funding the Central Courthouse Project.**

*Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.*

## Requested

**Meeting Date:** August 14, 2014 **Time Needed:** 15 minutes

**Department:** DCA **Division:** Facilities

**Contact(s):** Michael Bowers and JD Deschamps

**Phone:** (503) 988-6294 **Ext.:** 86294 **I/O Address:** 274/FPM

**Presenter Name(s) & Title(s):** Michael Bowers, Director of Facilities & Property Management; Clifton Serres, Engineering Services Manager; JD Deschamps, Central Courthouse Project Manager; and Kenneth Elliott, Assistant County Attorney

## General Information

### 1. What action are you requesting from the Board?

Authorize the County Chair to Execute the Intergovernmental Agreement with the Oregon Department of Administrative Services (DAS) for Interim Funding of the Multnomah County Central Courthouse Project providing for a state match of DAS-approved County Courthouse expenditures.

### 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Chapter 705, Oregon Laws 2013, authorized creation of the Oregon Courthouse Capital Construction & Improvement (OCCCI) Fund and provided for the sale of Article XI-Q bonds to finance the State's matching share of costs for new or renovated courthouses, or portions thereof, owned or operated by the State under a long-term lease or IGA with each county.

DAS, the Oregon Judicial Department (OJD) and the County agreed in early 2014 that the 2013 statute did not provide for state reimbursement or matching of county expenses incurred prior to execution of a long-term lease or IGA for "ownership and operation" of the completed courthouse. The parties agreed an interim funding IGA is needed to grant DAS such authority until the parties finalize grant agreements detailing use of the proceeds from each bond sale.

The County has submitted its 2015 bond funding request to OJD, and the Oregon Chief Justice has recommended approval of the County's request for the state's matching share of Courthouse costs, with the first bond sale projected for April 2015. At least two, and perhaps three, bond sales are anticipated to fund the state's entire matching share through the end of the 2017-19 biennium.

Under the interim funding IGA, the County will submit County-approved invoices to DAS for its review and approval of the expenditures as "approved courthouse costs." The interim IGA also provides for DAS' retroactive approval of county invoices paid on the courthouse starting last fall and prior to execution of this interim funding IGA.

Under the interim funding IGA, the County will authorize transfer of funds to pay courthouse invoices from its account in the Local Government Investment Pool (LGIP) into the OCCCI Fund. At its September 2014 meeting, the Emergency Board will be asked by DAS and OJD to authorize expenditure of the state's up to \$15 million match for the remainder of the 2013-15 biennium. This expenditure authority will empower DAS to reimburse the County's deposits (made between now and the April 2015 bond sale) back into the County's account in the LGIP and to begin paying DAS's matching share of approved courthouse costs from the OCCCI Fund.

3. Explain the fiscal impact (current year and ongoing).

The County staff and Chair's office successfully pursued \$15 million from the State of Oregon in the FY 2013-15 biennium for a prospective Central Courthouse site purchase, which received strong support from the Oregon Legislature. FPM's 2015 budget includes funding for a site solicitation, programming and site evaluation, negotiation of a site purchase agreement and other pre-development activities. Following the anticipated September 2014 Emergency Board action, DAS will begin to pay its matching share of approved courthouse costs from the OCCCI Fund.

4. Explain any legal and/or policy issues involved.

Oregon Revised Statute § 1.185 requires each County to "provide suitable and sufficient courtrooms, office and jury rooms for the court, the judges, other officers and employees of the court and juries in attendance upon the court, and provide maintenance and utilities for those courtrooms, offices and jury rooms."

5. Explain any citizen and/or other government participation that has or will take place.

Beginning in 2013, the County's Central Courthouse team and the County's Governmental Relations directors have negotiated legislative amendments and IGAs with DAS and OJD to provide state approval and matching funds for the Courthouse project.

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**Required Signature**

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**Elected  
Official or  
Department  
Director:**

Sherry Swackhamer

**Date:**

8/6/14

*Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.*