



## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 8/18/11)

### Board Clerk Use Only

Meeting Date: 8/29/13  
Agenda Item #: R.2  
Est. Start Time: 9:40 am  
Date Submitted: 8/14/13

**Agenda Title:** **Acting as the Library District,, Consider ORDER Consenting to the Area 93 Transfer Plan Agreement and Declaring that Area 93 is Withdrawn from the Multnomah County Library District**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

**Requested Meeting Date:** August 29, 2013 **Time Needed:** 10 minutes  
**Department:** Community Services **Division:** LUT Planning  
**Contact(s):** Karen Schilling  
**Phone:** 503-988-5050 **Ext.** 29635 **I/O Address:** 455/1<sup>st</sup> Floor  
**Presenter Name(s) & Title(s):** Courtney Lords, County Attorney's Office

### General Information

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

Acting as the Library District, approve the Area 93 Transfer Plan Agreement. The transfer of Area 93 results in a change in boundaries for the Multnomah County Library District ("Library District"). The Agreement provides that the Library Board will consent to the Agreement, and Area 93 will be removed from the Library District, effective FY 2014-15. Thus, the Library Board Order is included consenting to the Agreement and recognizing the Library District Board's approval of such Agreement.

#### 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.

HB 3067, passed in May 2013 establishes the process for Multnomah County to transfer Area 93 to Washington County. Area 93 was included within Metro's urban growth boundary in 2002. This area is adjacent to an urbanized portion of Washington County and separated from urbanized portions of Multnomah County and the City of Portland and more than one-half mile from the City of Portland's urban service district. In 2012, the Land Conservation and Development Commission acknowledged the designation of urban and rural reserves for the Portland metropolitan region, including a rural reserve that further isolates Area 93 from urbanized portions of Multnomah County. Rural reserves are areas that may not be included within an urban growth boundary for a period of 50 years.

On or before January 1, 2014, the governing bodies of Multnomah County and Washington

County may approve a transfer of the territory known as Area 93. HB 3067 requires that the governing bodies of each county shall appoint two members of their governing boards. Chair Jeff Cogen and Commissioner Deborah Kafoury were appointed to the committee on July 11, 2013. A majority of the Transfer Plan Committee may present the plan to transfer Area 93 to the respective governing boards for approval. Within 10 days of both counties acting, they will jointly notify the Governor of their approval of the plan. Within 10 days of the Governor receiving the notice from the counties, the Governor shall issue a proclamation declaring approval of the change in county boundaries.

Multnomah Chair Jeff Cogen and Commissioner Deborah Kafoury, and Washington County Chair Andy Duyck and Commissioner Greg Malinowski comprised the Area 93 Transfer Plan Committee. They met on July 25, 2013 and recommended the Agreement shown in Attachment A. Their agreement is shown in Attachment B as the Commissioners' Recommendation of the Area 93 Transfer Plan.

The Agreement establishes the terms of transferring Area 93 including the transfer of responsibilities and assets and a schedule of transfer.

The transfer of Area 93 results in a change in boundaries for the Multnomah County Library District ("Library District"). The Agreement provides that the Library Board will consent to the Agreement, and Area 93 will be removed from the Library District, effective FY 2014-15. Thus, included in the Agenda item is the Library Board Order that consents to the Agreement and recognizes the Board's approval of such Agreement.

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

The fiscal impact of transferring Area 93 includes the cost of copying and transferring documents that Washington County will receive from Multnomah County. Multnomah County has agreed to pay the outstanding General Obligation Refunding Bonds, Series 2010 obligations. Bond payments that would otherwise be billed to property owners in Area 93 will be made from reserve funds that are currently held in the General Obligation Bond Sinking Fund. Total payments are estimated to be less than \$5,000 over the remaining life of the bonds. For FY14 (Tax Year 2013), the total tax revenue is estimated to be approximately \$85,000 for the less than 70 properties being transferred.

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

Changing the county boundary is a unique situation and unlikely to occur in the future. Transferring Area 93 to Washington County addresses a long-standing problem of land in the urban growth boundary and no service providers. Metro brought this area into the urban growth boundary in 2002 with Multnomah County being the responsible jurisdiction for concept planning and implementation. Due to the isolated location of Area 93 and the County's Resolution A, public services essential to developing Area 93 could not be provided in a timely and cost-effective manner by the County or the City of Portland.

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

The transfer of Area 93 has had extensive outreach to citizens living within the area. The bill had hearings in Salem as it progressed through the House and Senate. Public testimony will also be taken at the Multnomah County Board hearing that precedes this item. Washington County has a hearing scheduled for August 27, 2013 when they approve the agreement.

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**Required Signature**

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**Elected  
Official or  
Department**

**Director:** Kim Peoples /s/

**Date:** 8/14/13