

RESOLUTION A

RECEIVED

BEFORE THE BOARD OF COUNTY COMMISSIONERS DEC 9 1983

OF MULTNOMAH COUNTY, OREGON

FISCAL ADMINISTRATION

In the matter of Phasing Out of Delivery of Urban Level of Services in the Unincorporated Area of Multnomah County during the next three years (Resolution A)))) RESOLUTION

WHEREAS, the Board of County Commissioners is considering the mission and purpose of Multnomah County; and

WHEREAS, the 150,000 persons currently residing within Multnomah County's urban growth boundary outside incorporated cities require long-range planning for services; and

WHEREAS, it is in the public interest to clearly express the County's mission regarding providing services in mid-Multnomah County; and

WHEREAS, Multnomah County's resources are insufficient to continue current service levels and the government is facing a significant revenue shortfall of approximately \$14 million in general resources for FY 1983-84; and

WHEREAS, the first priority for the available resources of Multnomah County shall be for those services available to all residents of the County, such as Assessment and Taxation, Elections, Corrections, Libraries and Health Services; and

WHEREAS, "municipal services" is defined as governmental services usually provided by city governments and shall include but not be limited to police service, neighborhood parks, and land-use planning and permits, "urban" shall be defined as governmental service comparable in quantity and quality to incorporated municipalities, and "rural" shall be defined as governmental service comparable in quantity and quality to unincorporated service areas outside urban growth boundaries.

THEREFORE BE IT RESOLVED, that County services generally described as "municipal services" at a level considered "urban" rather than "rural" shall be proportionately reduced starting FY 1983-84 through FY 1986-87 to establish a minimal and essentially rural level of municipal services throughout Multnomah County.

ADOPTED March 15, 1983

APPROVED AS TO FORM:

John B. Leahy

(SEAL)

BOARD OF COUNTY COMMISSIONERS FOR MULTNOMAH COUNTY, OREGON

By Gordon Shadburne Presiding Officer

Far more
no contact.

Mark Gardner

Public Financial
Management

223-3383

Susan Schneider
TO BAC

Outline of Urban Services Discussion

- I. The State of City/County Transportation Funding in the early 1980's
 - a. Multnomah County Financial Planning Report #8, 1977
 - first look at who pays and who receives county services.

Conclusion - subsidy from cities to unincorporated area existed

City of Portland subsidy for FY 76-77 - \$32 per capita
Roads only, less bridges - \$7.50 per capita
 - b. Multnomah County Municipal Service Reexamined: 1979
 - County contracts with PSU for independent verification.

Conclusion: Confirm basic discoveries of FPR #8
Gas tax generated 65.3% in Portland
 - c. In the spring of 1982 City documented a City general fund subsidy of transportation budget.
 - gas tax provided only 30% of non-grant or fee supported transportation budget.
 - d. In September, 1982 City Public Works published urban services policy reports on EMC.
 - high level of transportation services being provided in EMC.
 - City transportation only if annexation and then only if urban subsidy resolved.
 - e. Also in the fall of 1982 County DES contracted for a major road maintenance management study in three parts.
 - first two parts concluded basically that county road work appropriate.

ADD
Res "A"
material

- third part by Barney and Associates was completed in December 1982; it looked at both City and County operation in MC and concluded that either resources and responsibilities for roads need to be reallocated or that responsibilities could be combined in one road maintenance agency. The report recommended that responsibilities and resources be reallocated.
- The County report documented that road resources had been falling far short of resources in all MC and that the jurisdictions have responded in a variety of ways.
 - o The small cities had to cut services on local roads.
 - o The City of Portland began to subsidize transportation from general revenues.
 - o MC imposed a gas tax; option not available to the cities
- The County's report also concluded that the states gas tax sharing formula favored counties over cities creating an imbalance between workload and revenues.

Portland had 2/3 of traffic volume but got less than 1/3 of locally available gas taxes. A result was that spending priorities in MC could not be tied to the needs of the County-wide system.

- f. In February and March 1983 the City and MC adopted urban service policies which called for the re-allocation of services.
 - urban levels of services to be provided by cities.
 - rural levels of service or county-wide services by the County.

II. What followed was the implementation of Resolution A by Gresham, Portland and Multnomah County through a series of intergovernmental agreements.

- Among other things, the City agreed to take a substantial financial risk: 1) take more deputies than needed; 2) extend service to 122nd in return for agreement on roads.

III. Result Now

- a. Jurisdictions have performed and received what was bargained for:
 - City goal to correct urban subsidy and achieve a better balance of system responsibility and allocation of gas tax revenue being addressed not the same as needs being met.

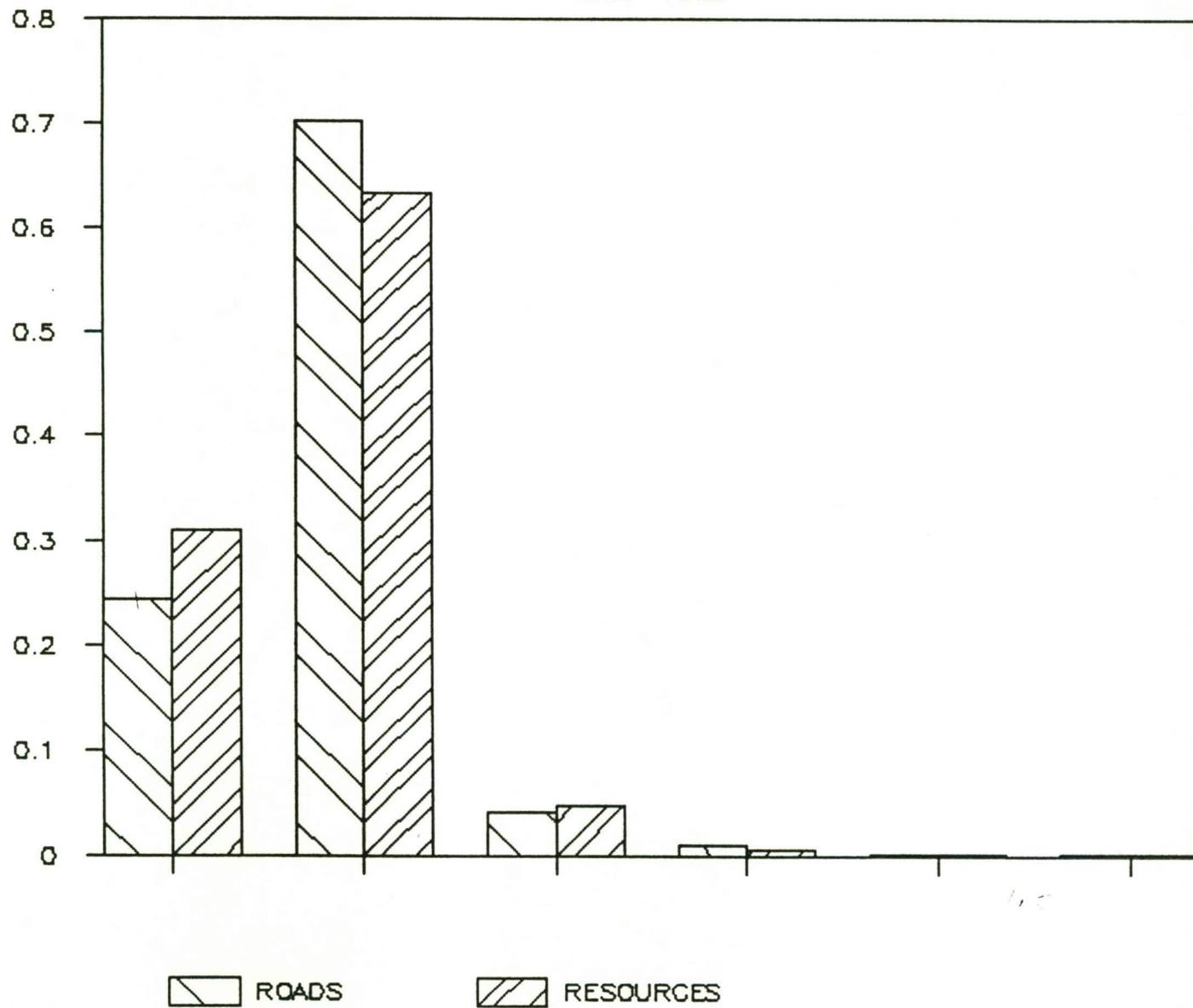
ROADS AND RESOURCES

1983-1984



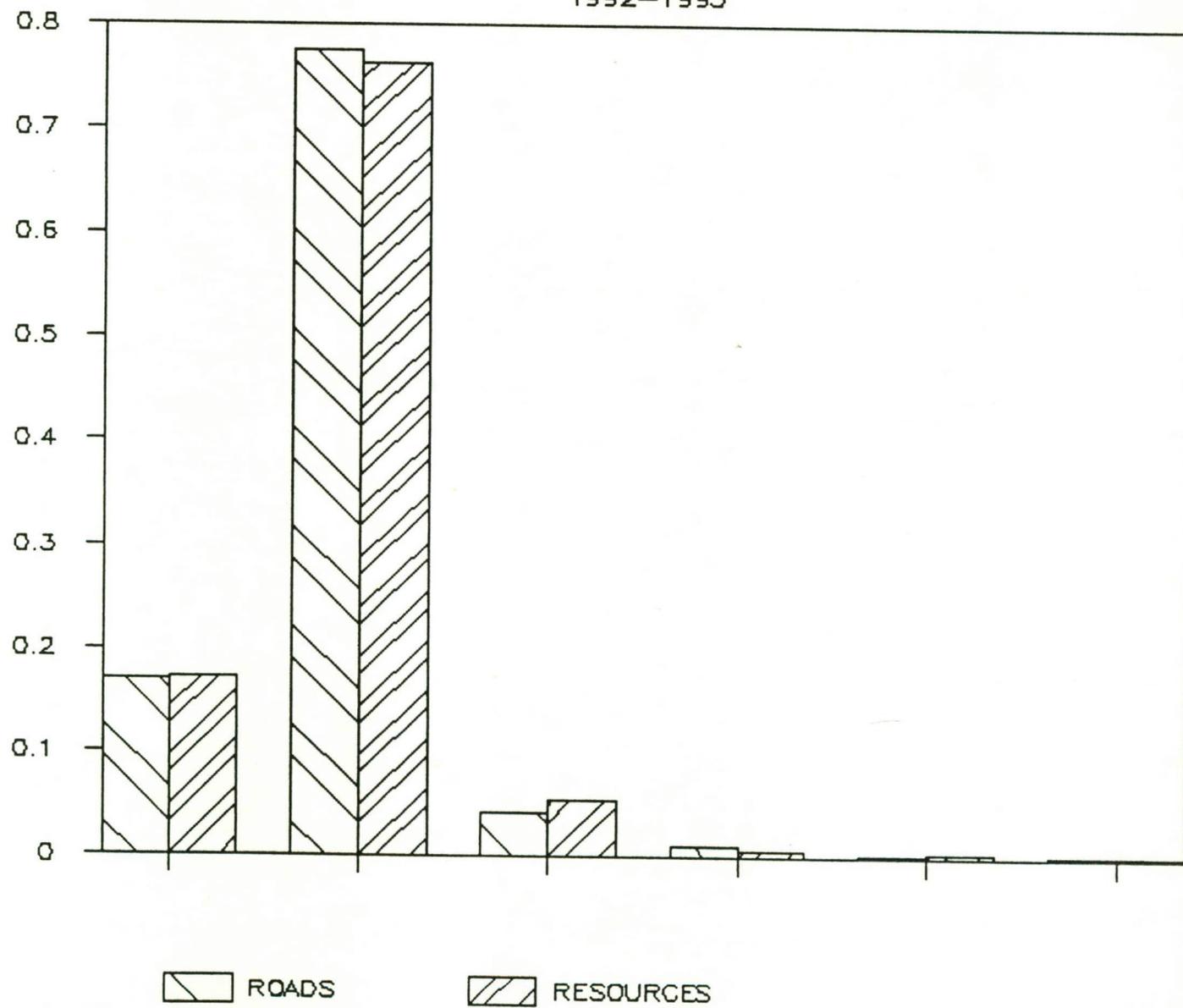
ROADS AND RESOURCES

1987-1988

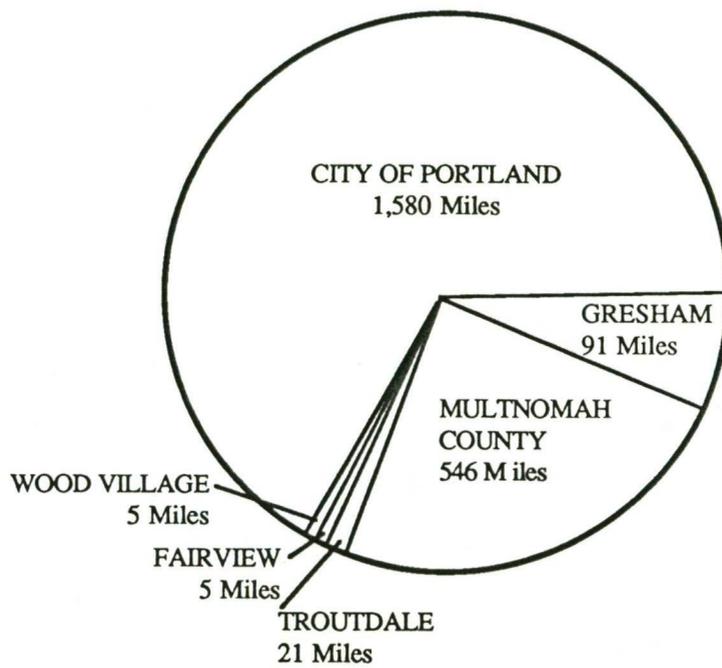


ROADS AND RESOURCES

1992-1993



**STREETS AND ROADS
IN MULTNOMAH COUNTY
TOTAL = 2,247 MILES**



INTERGOVERNMENTAL AGREEMENT

Transition of Urban Services

The City of Portland and Multnomah County enter into this agreement pursuant to the authority granted in Chapter 190 of Oregon Revised Statutes for the purpose of providing for the transition of responsibility for urban services from the City of Portland to Multnomah County.

PARTIES TO THE AGREEMENT

The CITY OF PORTLAND is a municipal corporation organized and existing under the laws and constitution of the State of Oregon and is hereinafter referred to as "the City".

The COUNTY OF MULTNOMAH is a Home Rule political subdivision of the State of Oregon organized and existing under the laws and constitution of the State of Oregon and is hereinafter referred to as "the County".

RECITALS

WHEREAS, to serve economic development goals, public health, and public safety, there is a need for a higher level of urban services in the urban, unincorporated areas of the County; and

WHEREAS, to adequately meet human services justice services, library services and other County-wide needs, and to eliminate the duplicative payment for County urban services by City taxpayers, the County must concentrate resources on these County-wide services; and

WHEREAS, the City and the County find that the most cost effective and rational method for the delivery of urban services in urban, unincorporated areas is through full service City government; and

WHEREAS, many citizens and property owners in currently unincorporated areas of the County desire to have the City meet the area's service needs; and

WHEREAS, the city and the county anticipate the city will annex by July, 1986 substantially all of the urban unincorporated areas of the County within the City's currently proposed urban services boundary; and

WHEREAS, the County has adopted Resolution A which provides for the reduction of County urban services to rural levels and for the concentration of County resources on County-wide services such as human services, justice services and library services; (a copy of Resolution A is attached as Appendix A); and

WHEREAS, the city has adopted an urban services policy which provides for the assumption by the City of urban service responsibilities in currently urban, unincorporated areas of the County by means of annexation or, on an interim basis, through alternative approaches (Resolution 33317, a copy of which is attached as Appendix B); and

WHEREAS, the County and the City recognize that the long-term interests of each jurisdiction are best served through the full implementation of the City's Urban Services Policy and the County's Resolution A; and

WHEREAS, it is in the public interest for the City and the County to plan together for the orderly transition of service responsibilities as annexations occur and as the City and County policies are implemented in response to citizen requests; and

WHEREAS, ORS 190.010 and 190.030 provide for intergovernmental agreements between units of local government, including the City and the County, to allow the performance of functions or activities by one unit of local government for another; and

WHEREAS, ORS 190.020 requires that an intergovernmental agreement contemplating the performance of functions or activities by one unit of local government for another shall specify the responsibilities and the apportionment of funds between the parties;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES CONTAINED HEREIN AND PURSUANT TO THE PROVISIONS OF ORS 190.010-290.030, THE CITY AND THE COUNTY AGREE AS FOLLOWS:

ARTICLE ONE: PURPOSE

SECTION I: PURPOSE

The general purposes of this agreement are:

- A. To enable the City to provide urban services where it is logical and efficient to do so, and to enable the County to cease providing these services in order to concentrate on the provision of County-wide services.
- B. To provide a logical plan for the provision of full urban services to urban areas within the City's urban services boundary, thereby allowing sufficient service coordination and fiscal planning to avoid the costly duplication of

similar services to the same area by the City and the County.

- C. to enable the County to use County-wide revenues for county services and to enable the City to use its revenues for urban services delivered within its boundaries.
- D. To provide for the orderly transition of urban services delivery from the County to the City.
- E. To provide for the efficient distribution of transportation delivery resources and responsibilities between the City and the County.
- F. To provide for the protection of the rights of City and County employees.
- G. To provide a mechanism by which the City and the County may evaluate the efficiency, funding levels, quality and future administrative responsibilities for certain services currently provided by both jurisdictions.

ARTICLE TWO: DEFINITIONS

As used in this agreement the following terms and phrases are defined as follows:

- 1) Budget estimate. That figure which appears within the Adopted Budget for the County.
- 2) City Urban Services Boundary. Substantially that geographical boundary as identified on the map attached as Exhibit A and incorporated by this reference. This shall include all roads coincident with the boundary line on that map.
- 3) County Roads. All public roads under the jurisdiction of Multnomah County as defined by ORS 368.001(1), (5) and (6) which have been formally adopted and accepted or legalized by the Board of County Commissioners as a County road and designated as such by the County Engineer.
- 4) County Road Fund. That fund which includes all County Road Revenues as defined below.
- 5) County Road Revenues. All revenue received by the County from its share of the Oregon State Highway Funds pursuant to ORS 366.525 to ORS 366.540, the Federal Forest Reserve Yield pursuant to ORS 293.560, the County fuel tax and all future revenue sources dedicated for road purposes, excepting new capital funding for the Willamette River Bridges.

- 6) County Services. Public services usually provided by County governments including but not limited to Assessment and Taxation, Elections, Justice Services, Libraries and Health Services.
- 7) Improvement. All capital projects relating to road purposes including, but not limited to, road construction.
- 8) Jurisdiction. Authority of a unit of local government to regulate, operate, maintain, improve, plan, direct or manage streets and roads within the territorial boundaries of that government.
- 9) Local Access Roads. All public roads under the jurisdiction of Multnomah County as defined by ORS 368.001(3), (5) and (6) which have not been adopted and accepted or legalized as County roads.
- 10) Maintenance. The term "maintenance" includes, but is not limited to, road surface reconstruction overlay, resurfacing, rehabilitation, repair and widening; sidewalk construction and repair; installation, replacement and repair of traffic control devices such as signs, signals, pavement markings and barricades; street sweeping and drainage.
- 11) Population. The census developed by the Portland State University Center for Population Studies as of July 1 of each fiscal year.
- 12) Urban Services. Public services usually provided by City governments, including but not limited to, police service, neighborhood parks, transportation, sewers, water, fire service and land use planning and permits.
- 13) Willamette River Bridges. The following County-owned or maintained bridges that cross the Willamette River: Hawthorne Bridge, Morrison Bridge, Sellwood Bridge, Burnside Bridge, Broadway Bridge, and Willamette Slough Bridge. This includes the approaches connecting the bridges to the nearest at grade intersection with other City or State-owned roads.

ARTICLE THREE: TRANSPORTATION

SECTION I: RECITALS

- A. By this agreement the County and the City have deemed it necessary, expedient and in the best interest of the County and the City to equitably redistribute transportation service delivery requirements and resources in accordance

with the geographical boundary of each political subdivision.

- B. The County and the City recognize that the County's jurisdiction of County roads and local access roads should be transferred to the City in a logical sequence and geographical pattern to best serve the public interest through implementation of the City Urban Services Policy and County Resolution A.
- C. The City and the County recognize that the use of transferred County Road Revenues is subject to statutory restrictions.
- D. The City and the County recognize the long term objective of equitable distribution of transportation responsibilities and revenue and that strategies for accomplishing this objective may include County actions to increase resources.

SECTION II: AGREEMENT

A. County roads, land and facilities currently within the City's boundaries.

- 1) Within 30 days of the execution of this agreement, the County shall initiate a proceeding for the transfer of the jurisdiction to the City of all County roads within the City's boundaries, except the Willamette River bridges. This transfer proceeding shall be in accordance with ORS 373.270.
- 2) Effective July 1, 1984, the City shall accept jurisdiction of all County roads except the Willamette River bridges that are approved for transfer in accordance with Section IIA(1) of this article. The City's acceptance shall be in accordance with ORS 373.270.
- 3) The County shall transfer to the City-County Road Revenue the amount of \$2,445,000 for fiscal year 1984-85. This amount shall be paid in four equal quarterly installments beginning on August 15, 1984 and continuing through June 30, 1985. The County shall transfer to the City-County Road Revenues for succeeding fiscal years in an amount to be determined by the formula set out in Exhibit A, attached and incorporated by this reference. This formula shall be recalculated quarterly to incorporate County road mileage transferred to the City during the preceding quarter. Appropriate allowance will be made in the remaining quarterly installments of the current fiscal year.

4) The County shall transfer to the City equipment that is used for County street maintenance and operations. The amount of equipment transferred shall be in the same proportion as the relative jurisdictions of the City and County over roads within their respective boundaries. This transfer shall be at no cost to the City and shall create no rental or capital obligations on the part of the City. The County land and facilities located at S.E. 21st Avenue and Morrison Street are specifically excluded from the provisions of this paragraph and Section IIA(3) of this Article.

5) Effective July 31, 1984, The County shall transfer to the City all County-owned land and facilities of County Road District #2. This transfer shall be at no cost to the City and shall create no rental or capital obligations on the part of the City.

B. County roads, land and facilities outside the City's boundaries and within the City Urban Services Boundary.

1) Upon annexation of unincorporated areas of the County that are within the City Urban Services Boundary, the County shall initiate proceedings for the transfer of all County roads, except the Willamette River Bridges, within the annexed areas. These transfer proceedings shall be in accordance with ORS 373.270.

2) The City shall accept jurisdiction of all County roads that are approved for transfer in accordance with Section IIB(1) of this article. The City's acceptance shall be in accordance with ORS 373.270.

3) The County shall transfer to the City all remaining County-owned land and facilities used for County road and local access road maintenance and operations that are now located outside the City's boundaries and within the City Urban Services Boundary, as they fall within the geographical areas annexed to the City. These transfer(s) shall be at no cost to the City and shall create no rental or capital obligations on the part of the City.

4) The County shall transfer to the City equipment that is used for County street maintenance and operations. The amount of equipment transferred shall be in the same proportion as the relative jurisdictions of the City and County over roads within their respective boundaries. This transfer shall be at no cost to the City and shall create no rental or capital obligations on the part of the City.

C. Maintenance of County roads and local access roads in Errol Heights and unincorporated Multnomah County west of Willamette River.

1) Effective July 1, 1984, the City shall maintain all County roads in the following unincorporated areas of the County: (a) that portion of Errol Heights within the City's Urban Services boundary; and (b) that area west of the Willamette River that is within the City's Urban Services Boundary. These areas are depicted on the map attached as Exhibit B and incorporated by this reference.

2) The City shall indemnify, defend and hold harmless the County from any and all claims, judgments, settlements, costs or fees incurred for injury or damage that may arise as a result of maintenance activities or omissions of the City, its employees or agents on or after July 1, 1984 in Errol Heights and west of the Willamette River.

3) Article Three (Section II C) shall continue in effect indefinitely unless terminated by either party. Such termination shall be effective one (1) year after written notification is provided by the terminating party to the other party.

4) In the event Article Three (Section II C) is terminated, the City shall transfer back to the County an amount of equipment, and rolling stock proportionate to the maintenance responsibilities reassumed by the County, effective on the date of termination.

D. Other Transfers and Improvements.

1) Beginning in fiscal year 1985-86, and in addition to the transfers provided for in this agreement, the County shall transfer quarterly any County Road Revenue in excess of Fiscal Year 1983-84 receipts in an amount calculated using the following formula:

Funds transferred to City = (Net for distribution) X
(Population Ratio)

"Net for distribution" is defined as:

Actual quarterly receipts of County Road Revenues FY	\$
Less actual average quarterly receipts in County Road Revenue FY 83-84	\$
NET FOR DISTRIBUTION	\$

"Population Ratio" is defined as:

City population** , July 1,
Divided by County population** , July 1

*Fiscal Year in which transfer occurs.

**Beginning calendar year in which transfer occurs.

2) The County shall complete the following proposed improvement projects as identified in the capital improvement plans for the County:

- a) Payment of local match to City on Airport Way in an amount not to exceed \$1.8 million..
- b) Marine Drive in an amount not to exceed \$600,000.
- c) Improvements for Cornell Bridges as defined in the application pending before the FHWA.

3) The City and the County shall annually review with other jurisdictions all County capital road and bridge improvement projects.

E. Access to Records.

County shall have access to such books, documents, papers and records of City as are necessary to audit or determine the City's compliance with the terms of this agreement and the use of transferred road revenues for road purposes.

ARTICLE FOUR: GENERAL URBAN SERVICES

SECTION I: RECITALS

Fiscal year 1984-85 budgets for the City and the County are intended to allocate the resources and requirements of each jurisdiction in recognition of the fiscal and service impacts of expected annexations to the City and the implementation of Resolution A and the Urban Services Policy. This will assure that there will be coordinated provision of municipal and County services; minimal taxation of City and County taxpayers; minimum duplication of service expenditures; and that all essential service needs will be funded.

SECTION II: ANIMAL CONTROL

The City agrees to provide assistance for County Animal Control activities through June 30, 1985. The City shall pay to the County Animal Control Fund \$300,000 for assistance for Animal

Control activities. This amount shall be paid in semi-annual installments on December 15, 1984 and June 15, 1985.

SECTION III: POLICE SERVICES

A. The transition of police services from the County to the City shall be accomplished primarily through annexation of unincorporated areas of the County to the City.

B. The City projects that by June 30, 1985 approximately 15 square miles of the County will have been annexed to the City which, in the aggregate, is expected to generate 26,000 calls for service between July 1, 1984 and June 30, 1985. If, by January 1, 1985, sufficient annexations have not occurred to represent 26,000 calls for service annually, the City will provide police service to a portion of the unincorporated areas. The portion of unincorporated area to be served shall be an area that together with the previously annexed area generates 26,000 calls for service in a twelve month period.

C. The unincorporated areas to be served by the City shall be those determined by the Sheriff of Multnomah County and the Chief of Police of the City of Portland based upon the following factors:

- Contiguity or proximity to the City limits.
- Relationship to the existing City patrol districts.
- Isolated areas which due to their physical separation or limited transportation access are more accessible through the City.

D. The City shall indemnify, defend and hold harmless the County from any and all claims, actions, judgements, settlements, costs or fees incurred for injury that may arise as a result of police activities or omissions of the City, its employees or agents in the areas of unincorporated Multnomah County that are patrolled by the City under this section.

SECTION IV: HAYDEN ISLAND

In all annexations to the City of land known as the developed portions of Hayden Island, the City and the County shall request that the Portland Metropolitan Area Local Government Boundary Commission set an effective date(s) of said annexation(s) not earlier than June 1, 1985, unless otherwise mutually agreed upon.

SECTION V: TERMINATION OF ARTICLE FOUR

Except as provided below, Section III of this Article shall continue in effect until July 1, 1986.

The provisions of Article IV may be terminated effective July 1, 1985 by either party on five (5) months advance written notification provided to the other party.

In the event of placement of a property tax limitation measure on the November, 1984 ballot and passage of such a measure, either party may terminate Sections II and III. Such termination shall be delivered to the other party in writing within 30 days after the election, and shall be effective retroactive to the date of the passage of the ballot measure.

If Sections II and III are terminated as a result of passage of such a measure, the City and the County shall meet within 30 days to discuss the impacts of the measure and to explore alternatives to these Sections that would assist both jurisdictions in managing those impacts.

ARTICLE FIVE: CITY-COUNTY SERVICES EVALUATION

Section I: AGREEMENT

- A. The City and the County agree to further define urban services and County services. The City and the County shall, pursuant to the subsections below, establish a process involving citizens, service users, administrators and service providers to evaluate these services as to their organization, scope, efficiency, purpose, levels of funding, service areas, client convenience, and future potential.
- B. Evaluation of those services shall be undertaken and completed between July, 1984 and July, 1986. Any implementation measures which alter the manner in which these services are currently provided shall be pursued solely on the merit of the recommendations coming out of the evaluation process.
- C. In the event that any recommendation may involve transfer of administrative responsibilities between the City and the County, a pre-condition for such a transfer shall be that the level of funding provided for the services by the

government requesting a transfer shall be equal to, or greater than the level of funding provided by the government providing the service at the time of the transfer.

- D. Before any evaluation of an existing citizen commission is undertaken, the Commission shall first be notified of the evaluation and its intended scope.
- E. The City and the County agree that it is a goal of this agreement to allocate savings from the County's reduction of all urban services except County road functions, for the enhancement of County services.
- F. To facilitate the further definition and evaluation of urban and County services, the City and the County agree to establish a Joint Task Force. The County and the City shall each appoint an equal number of representatives to the task force. In selecting representatives, the City and the County shall attempt to obtain equal representation of citizen, service users, administrators and service providers on the task force.

ARTICLE SIX: STATEMENT OF INTENT AND FURTHER NEGOTIABLE MATTERS

A. The City and the County recognize that to completely implement the Urban Service Policy and Resolution A, it is necessary to further define what services and resources are to be transferred to the City. Therefore, the County directs that the Director of the Department of Environmental Services and the County Engineer shall negotiate all further agreements on the topics listed below. The City directs that the Director of the Portland Office of Transportation and the City Engineer shall negotiate these matters on behalf of the City. The Board directs that the County Executive's Office shall serve as the Board's liaison during this process, and the Council directs that the Commissioner of Public Works shall serve as the Council's liaison. The following matters shall be negotiated:

1) The transfer of County Road Fund employees to the City Road Fund personnel in connection with the transfer of the County roads to the City and in accordance with ORS 236.610 et seq.

2) Further transfers of County Road Fund equipment, facilities and land to the City in consideration for the City's acceptance of jurisdiction over County roads which are now or may come within the City's limits. The transfers shall be proportionate to the road jurisdiction assumed by the City.

3) The potential joint occupancy of County Road Fund land and facilities that are outside current and future City corporate limits. Pursuant to an agreement between the owner and occupant, such joint occupancy shall be reasonably in accordance with redistributed road jurisdiction. The City and the County acknowledge that certain portions of jointly occupied facilities can best be used on a shared basis and intend to do the same without either party incurring capital or rental obligations.

4) The City and the Council recognize that the County has outstanding contracts relating to County roads. These contracts shall be identified as those roads are transferred to the City's jurisdiction. The City and the County shall agree which contracts shall be assigned to the City and under what terms.

5) The City agrees in principle to contract with the County to provide operating and maintenance transportation services within that portion of the County west of the Willamette River and outside the Urban Services Boundary. The City and the County agree that the exact nature of these services and additional fund transfers will be negotiated and the subject of a subsequent agreement. The County reserves the right to use other service providers in lieu of contracting with the City.

6) This agreement shall supersede portions of the outstanding agreements between the City and the County regarding street and road improvements on S.W. Vermont Street, City agreement No. 21044. The negotiating team identified in Section A above shall identify which provisions of City agreement No. 21044 are superseded by this agreement.

7) The negotiating teams identified in paragraph A above shall arrive at an agreement on the above topics and present this agreement for consideration to the County Board and the City Council not later than June 30, 1984.

B. The City and the County further establish the objective of transferring Parks services to the City and ensuring the completion of the 40 Mile Loop. The County directs that the Director of the Department of Environmental Services or his designee shall negotiate all further agreements on the topics listed below. The City directs that the Director of the Bureau of Parks shall negotiate these matters on behalf of the City. The Board directs that the County Executive's Office shall serve as the Board's liaison during this

process, and the Council directs that the Commissioner of Parks shall serve as the Council's liaison.

The following matters shall be negotiated.

1) The City and the County shall develop a plan for the completion of the 40 Mile Loop. The plan shall be prepared and presented to the Board and Council not later than January 1, 1985. The City and the County shall develop the plan and shall also consider the proposals of the 40 Mile Loop Trust.

2) The City and the County shall develop a Parks Master Plan. Further, the City and County shall develop a process for transferring County owned parks to the City. The transfer process shall be consistent with the parks Master Plan when adopted and shall be presented to the County Board and the City Council.

3) In the development of these plans the City and the County will establish a process involving citizens and other appropriate groups or agencies.

C. The City and the County recognize that to further implement the objectives of this agreement additional transfers of planning and permits services could occur. Therefore, the County directs that the Director of Department of Environmental Services, Director of Planning and Development and the Manager of Permits and Sanitation shall negotiate all further agreements related to the above functions. The City directs the Director of the Bureau of Planning, Director of the Bureau of Buildings and the Urban Services Manager to negotiate these matters on behalf of the City. The Board directs that the County Executive's Office shall serve as the Board's liaison during this process and the Council directs that the Commissioner in charge of the affected Bureau shall serve as the Council's liaison.

ARTICLE SEVEN: GENERAL TERMS

SECTION I: DISPUTE RESOLUTION

Any disputes that may arise under this agreement shall be resolved by arbitration or by employing a private judge under an approved plan upon the written request of either party.

A. Arbitration: The parties shall select an arbitrator from the American Association of Arbitrators or the Multnomah County Circuit Court list of arbitrators. If the parties are unable to agree upon an arbitrator, they shall request a list of seven arbitrators from each organization and an

arbitrator shall be chosen by alternate striking of names; the order of striking shall be determined by lot. The arbitrator's decision shall be final and binding, but he shall have no power to alter, modify or amend the terms of this agreement. The arbitrator's fees shall be borne equally by both parties.

- B. Alternative Means of Resolution: The parties shall be allowed to use any plan approved by the State of Oregon or Multnomah County Circuit Court that may allow attorneys or former judges to preside as Circuit Court judges for a fee paid by the parties.

SECTION II: NON-APPROPRIATION CLAUSE

This agreement is subject to future appropriations by any future City Council or Board of County Commissioners.

SECTION III: PERSONNEL MATTERS

The parties have recognized that in the future, implementation of this agreement may have an effect upon personnel employed by each jurisdiction, some of whom may be represented by labor organizations with which the City or the County may have a bargaining and a contractual relationship. The parties also recognize that the Employment Relations Board has ruled, in Case No. C-21-84, that the County, having fully complied with the collective bargaining agreement between the County and AFSCME Local 88 and having bargained in good faith with Local 88 concerning the effect of a possible transfer of work to the City under this agreement, has no further obligation to bargain with Local 88 concerning the subject of this agreement. It is further recognized that employees of the County who are subsequently employed by the City as a result of this agreement will be fully integrated into the City workforce in bargaining units already covered by a collective bargaining agreement and represented by a bargaining representative. The City agrees that on timely request it will bargain with any representative with which the City maintains an existing collective bargaining relationship as of the date of this agreement concerning the effect of employment of former County employees on employees in established City bargaining units.

Nothing in this agreement should be construed to alter established patterns of collective bargaining, bargaining units, or jurisdiction or impose on either party any obligation to recognize or bargain with any other organization other than those labor organizations with which each party has an established bargaining relationship as of the date of this agreement.

SECTION IV: SEPARABILITY

If any section, subsection, clause or phrase of this agreement is determined by any court or arbitrator of competent jurisdiction, to be invalid or unenforceable for any reason, such determination shall not affect the validity of the remaining agreement, which shall continue to be in effect.

SECTION V: TERMINATION

Except as provided in Article Three, Section I C4, and Article Four, Section V, this agreement shall continue indefinitely unless terminated by mutual written consent of the parties.

SECTION VI: AMENDMENTS

This agreement may be amended by mutual agreement of the parties.

SECTION VII: CAPTIONS

The captions and headings used in this agreement are not a substantive part of this agreement. They are intended as a reference tool and shall not be used in interpreting the terms of this agreement.

IN WITNESS WHEREOF, the authorized representatives of the City and County, as parties hereto, acting pursuant to the authority granted to them, have

HEREBY AGREED:

CITY OF PORTLAND

By *Francis J. Ivancie*
Francis J. Ivancie, Mayor

Date _____

By *Jewel Lansing*
Jewel Lansing, Auditor

Date _____

COUNTY OF MULTNOMAH

By *Dennis Buchanan*
Dennis Buchanan, Executive

Date 8-21-84

By *Fred B. Pearce*
Fred B. Pearce, Sheriff

Date 8-28-84

APPROVED AS TO FORM:

By *C. P. Thomas*
Christopher P. Thomas
City Attorney

APPROVED AS TO FORM:

By *Noelle Mair*
Noelle Mair
Assistant County Counsel

RECEIVED

BEFORE THE BOARD OF COUNTY COMMISSIONERS DEC 9 1983

OF MULTNOMAH COUNTY, OREGON

FISCAL ADMINISTRATION

In the matter of Phasing Out of Delivery of Urban Level of Services in the Unincorporated Area of Multnomah County during the next three years (Resolution A)))) RESOLUTION)

WHEREAS, the Board of County Commissioners is considering the mission and purpose of Multnomah County; and

WHEREAS, the 150,000 persons currently residing within Multnomah County's urban growth boundary outside incorporated cities require long-range planning for services; and

WHEREAS, it is in the public interest to clearly express the County's mission regarding providing services in mid-Multnomah County; and

WHEREAS, Multnomah County's resources are insufficient to continue current service levels and the government is facing a significant revenue shortfall of approximately \$14 million in general resources for FY 1983-84; and

WHEREAS, the first priority for the available resources of Multnomah County shall be for those services available to all residents of the County, such as Assessment and Taxation, Elections, Corrections, Libraries and Health Services; and

WHEREAS, "municipal services" is defined as governmental services usually provided by city governments and shall include but not be limited to police service, neighborhood parks, and land-use planning and permits, "urban" shall be defined as governmental service comparable in quantity and quality to incorporated municipalities, and "rural" shall be defined as governmental service comparable in quantity and quality to unincorporated service areas outside urban growth boundaries.

THEREFORE BE IT RESOLVED, that County services generally described as "municipal services" at a level considered "urban" rather than "rural" shall be proportionately reduced starting FY 1983-84 through FY 1986-87 to establish a minimal and essentially rural level of municipal services throughout Multnomah County.

ADOPTED March 15, 1983

APPROVED AS TO FORM:

John B. Leahy

(SEAL)

BOARD OF COUNTY COMMISSIONERS FOR MULTNOMAH COUNTY, OREGON

By Gordon Shadburne Presiding Officer

APPENDIX "B"

WHEREAS, the City of Portland finds there is a need for a higher level of urban services in the urbanized, unincorporated area surrounding Portland, and that it is in the City's interest to participate in resolving the service needs and

WHEREAS, the City recognizes the integrated nature of the metropolitan area and the essential role of the central city and wishes to enhance the economic well-being of the entire area and

WHEREAS, the present lack of services constrains the region's economic growth and its residential, commercial and industrial development and

WHEREAS, the service deficiencies may also create long-term health hazards for the region and

WHEREAS, the City has established the existing physical financial and institutional capacity to serve a wider area particularly for the most costly, capital-intensive services such as sanitary sewage collection and treatment and drinking water and

WHEREAS, future jobs for City residents depend upon timely provision of a full range of urban services to developable industrial sites, while many of the region's potential industrial sites presently unserved are located within the City's rational service area, but outside present City boundaries and

WHEREAS, the City finds it must establish an urban services boundary to know where it will ultimately be responsible for providing services so that it may efficiently plan, design, finance and construct facilities to serve both existing and prospective areas, and

WHEREAS, the City's Comprehensive Plan calls for an urban services boundary, prepared in coordination with Multnomah County and adjacent jurisdictions, and

WHEREAS, the City of Portland finds Portland taxpayers may bear a significant cost of future services to the urbanized unincorporated area surrounding Portland, even if these services are delivered by other jurisdictions, and that there is a need to spread the cost of providing urban services in the region more equitably among all residents and property owners receiving services, and

WHEREAS, the City finds that the most cost effective and rational method for the delivery of urban services within the urban services boundary is through full-service city government but is prepared to consider other service delivery approaches that may be effective and efficient, such as contract agreements with those desiring City services and

WHEREAS, the City is prepared to provide property owners and residents in portions of the urbanized unincorporated area with the option of receiving urban services from Portland upon request of those desiring such services

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Portland that the City of Portland hereby adopts the following Urban Services Policy

- 1 The City shall establish in cooperation with neighboring jurisdictions, an urban services boundary for the City of Portland that defines a rational service area within which the City can meet the service needs most effectively and at the lowest cost. The urban services boundary shall be approved by the City Council upon completion of the public process provided for amendment of the City's Comprehensive Plan and may be amended from time to time in accordance with this policy and the

- 2 The City shall acknowledge its role as principal provider of urban services within the established boundary and plan for the eventual delivery of urban services according to a phased program of improvements meeting the service needs of individual areas.

- 3 The City shall coordinate closely with other jurisdictions providing services within the established Portland urban services boundary to ensure continuing delivery of effective and efficient urban services.

- 4 The City shall consider requests for delivery of services within the urban services boundary wherever the following conditions exist:
 - A majority of residents and property owners within an area to be served desire delivery of services by the City of Portland
 - The City can meet the new demands without diminishing its ability to serve existing City of Portland residents and businesses.
 - The City can supply the needed services most effectively and efficiently.
 - The City can expect to recapture its service investment

- 5 The City shall deliver services within the urban services boundary by means of annexation to Portland or, on an interim basis, through alternative approaches that are demonstrated to be in the best long-term interest of both the City and future service areas.

- 6 The City shall consider delivery of services to areas outside the established City of Portland urban services boundary only where the City determines that there is a clearly defined need for each service, that expansion of the urban services boundary and full-service provision by the City are not appropriate, that the conditions in number 4, above, are met and that improved services may be expected to enhance the City's ability to meet the service needs of existing City residents and businesses.

- 7 The City shall initiate and maintain a public education program within the Portland urban services boundary to inform residents and property owners of the need, benefits and costs to deliver City of Portland services within that area. The City will coordinate this public education program with similar efforts by service providers and community organizations operating in the Portland metropolitan area.

- 8 The City shall provide for a process of public participation in the implementation of this policy, assuring that property owners, residents, and existing community organizations in areas affected by proposed changes in service delivery have opportunity to review and comment on plans for such changes

BE IT FURTHER RESOLVED that nothing in the Urban Services Policy shall be construed to amend or repeal the City of Portland's existing service and annexation commitments stated in Resolutions 31762 and 32750

Adopted by the Portland City Council
February 23 1983

County Road Fund Fixed Overhead: County Road Funds share of general County government and Department of Environmental Services administrative and support costs. The amount of this line shall not exceed:

FY 84-85	\$1,500,000
FY 85-86	750,000
FY 86-87 & beyond	400,000

State 1% Bike/Pedestrian Monies: The 1% of State Highway Fund apportionment required by the County and dedicated to bike/pedestrian use by ORS 366.514.

ROAD MILEAGE RATIO

$$\frac{\text{Road Miles within City}}{\text{Road Miles in County}} = \text{Mileage Ratio}$$

DEFINITION OF TERMS:

Road Miles in City: Those road miles over which the City exercises jurisdiction by virtue of transfers resulting from this agreement. There are 189 miles within the corporate limit as of February 28, 1984. Within the City Urban Services Boundary identified on the Attached Map 'A' there are 523 miles subject to this agreement. This total is subject to adjustment if the City Urban Services Boundary is altered.

Road Miles in County: Those road miles which the County presently has jurisdiction over. For use in calculations pursuant to this agreement, there are 907 miles. This number shall remain fixed for the life of this agreement.

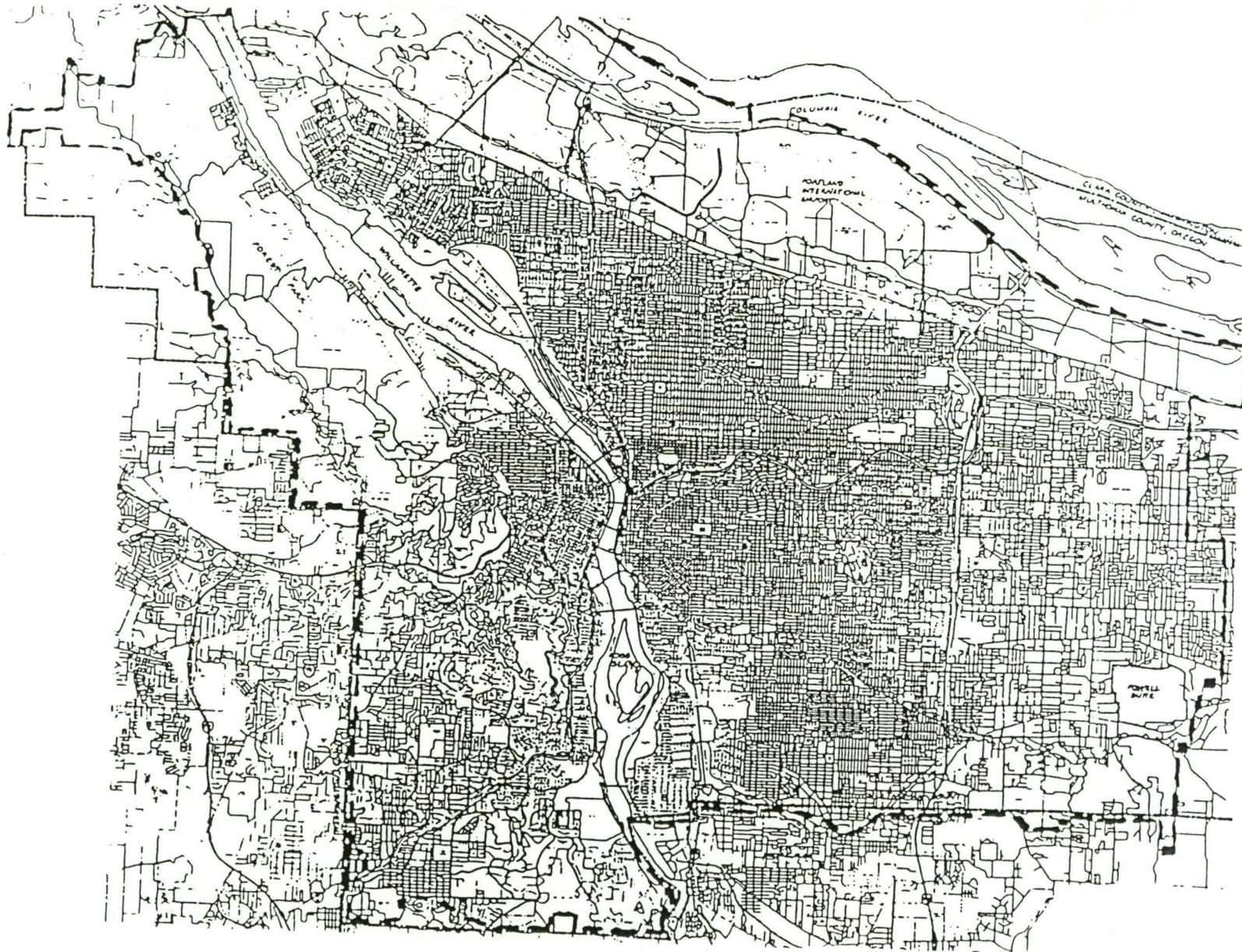
TRANSFER CALCULATION

The annual amount of County Road Revenues to be transferred to the City is calculated as follows:

$$\text{Transfer to City} = (\text{Net for Distribution}) \times (\text{Mileage Ratio}) + (\text{Mileage Ratio}) \times (\text{State 1\% Bike/Pedestrian Monies})$$

$$\text{Quarterly Installment} = \text{Transfer to City} \div 4.$$

MAP A



URBAN SERVICES BDR

SCALE
0 1000 2000 3000 4000 FEET



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City and county differ
on who pays for what
under 1983 resolution

by SARAH CARLIN AMES 3/1/90
of The Oregonian staff

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Although the senior centers will get city money, the debate now will turn to other programs such as police service, water service, aid to the homeless and anti-prostitution programs.

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The basis of Clark's argument is this: Portland taxpayers pay just as much county tax as the county residents outside the city pay. If the county offers more services to the non-city residents — which it does — Portland taxpayers are subsidizing services for others.

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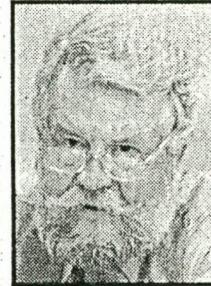
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PORTLAND

COMMUNITY
NEWS AND
FEATURES

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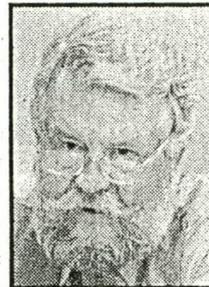
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They would include homeless programs, the Council for Prostitution Alternatives, and a van service that takes intoxicated people to a detox center. The combination of programs costs the city more than \$300,000 a year.

But Clark also has brought up other beefs.

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of Portland under annexations. The Water Bureau is supposed to serve city residents.

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He criticized the sheriff's department for taking on contract projects — such as patrols at the Columbia Villa housing project, or work for the state Marine Board — in which outside agencies pay for extra deputies. He said that the deputies shouldn't train Rose Festival drivers and escort princesses while Portland police are forced to take emergency calls in Dunthorpe, an unincorporated area.

Such arguments make Sheriff Bob Skipper angry. Portland police turned down the chance to patrol Columbia Villa, and Skipper said that he is hiring new deputies only to replace retiring ones. His deputies answer calls in east Portland proportionally more often than Portland police answer calls in Dunthorpe, he said.

Only 33 deputies — about six cars a shift — patrol a scattered territory with 75,000 residents, Skipper said. Three times as many do other, countywide jobs, he said, such as river patrol or guarding jails.

"I think he needs to come out and have a conversation with me and say, 'Bob, what have you got?'" Skipper said of Clark. "I feel that a meeting is long overdue."

Clark said he'd like to resolve some of the nagging responsibility questions by April's public budget hearings. He anticipates more top level staff work — the sort of negotiations that his aides did that led to Wednesday's announcement. Full-blown public discussions are not part of his game plan to win agreements.

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Portland will fund centers, but debate goes on

City and county differ
on who pays for what
under 1983 resolution

By SARAH CARLIN AMES 3/1/90
of The Oregonian staff

Portland Mayor Bud Clark conceded one point to Multnomah County on Wednesday: The city will pay to run the eight senior service centers.

But Clark wasn't giving up the whole game. He and Gladys McCoy, chairwoman of the county Board of Commissioners, still have many rounds to go. For more than a year they have been struggling over which government has to pay for what. The struggle may be quieter after Wednesday's announcement, but it will continue.

Although the senior centers will get city money, the debate now will turn to other programs such as police service, water service, aid to the homeless and anti-prostitution programs.

Commissioners on both sides have become frustrated that the whole range of issues is so far from resolved.

"This is all the same taxpayers' money," said county Commissioner Gretchen Kafoury, who is running for the Portland City Council. "I think it's pathetic and tragic."

"The people don't like to see their leaders arguing," Clark said. "But sometimes that's necessary to get political action."

Clark and McCoy have met several times, but are not ready to agree on much.

McCoy is still wary of Clark. Last year she thought he had promised to keep paying for the senior centers only to realize that Clark was still talking about giving them no money. She would not make any comment on Clark's turnaround on the senior centers until

she talked to him and knew more specifics.

McCoy's press aide, Terri Duffy, said that Clark had promised Wednesday to give "concrete details" to McCoy.

The senior centers are located throughout the city-county area from Southwest and Northwest Portland to as far east as Gresham.

Turf battles and questions of authority are natural as Multnomah County and Portland try to serve overlapping constituencies.

The county's control has been whittled away as cities within it — notably Portland — grew. In some cases, governments offered the same services. To cut costs and duplication, the city and county in 1983 approved "Resolution A."

It said that the city should provide urban services, such as neighborhood parks and policing, and that the county should concentrate on human services and corrections.

While the county still provides many services countywide — jails and health clinics are high-profile examples — it provides others, such as roads or policing, only in unincorporated areas.

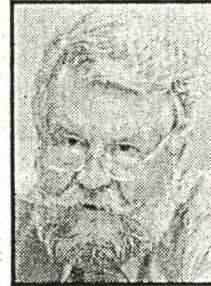
The basis of Clark's argument is this: Portland taxpayers pay just as much county tax as the county residents outside the city pay. If the county offers more services to the non-city residents — which it does — Portland taxpayers are subsidizing services for others.

In many ways, Resolution A is working.

Portland has worked to annex areas within its urban services boundary, although not as quickly as some county officials would like. And the county has given up some sheriff's deputies, who were transferred to the Port-



McCoy



Clark



Kafoury

land Police Bureau. Some human service programs within the city have been shifted to the county, and all roads within Portland are now the city's responsibility.

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