



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST CONTINGENCY REQUEST

(revised 12/31/09)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-3 DATE 7-22-2010  
LYNDA GROW, BOARD CLERK

## Board Clerk Use Only - REVISED

Meeting Date: 7/22/2010  
Agenda Item #: R-3  
Est. Start Time: 10:00 AM

## BUDGET MODIFICATION: MCSO - 01

**Agenda Title:** BUDGET MODIFICATION MCSO - 01 requesting General Fund Contingency Transfer to ~~the Sheriff's Office in the amount of \$242,609 and the District Attorney's Office in the amount of \$196,034 for the Kyron Horman Investigation. The total contingency request is \$438,643. As amended by the Board of County Commissioners on July 22, 2010.~~

*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.*

<b>Requested Meeting Date:</b>	<u>July 22, 2010</u>	<b>Amount of Time Needed:</b>	<u>10 minutes</u>
<b>Department:</b>	<u>Sheriff's Office/District Attorney</u>	<b>Division:</b>	<u>Enforcement/Administration</u>
<b>Contact(s):</b>	<u>Wanda Yantis (MCSO) &amp; Scott Marcy (DA) 503-988-3863, I/O Address 101/600</u>		
<b>Phone:</b>	<u>503-988-4455</u>	<b>Ext.</b>	<u>84455</u>
<b>I/O Address:</b>	<u>503/350</u>		
<b>Presenter(s):</b>	<u>Sheriff Dan Staton, District Attorney Mike Schunk, Lieutenant Ned Walls</u>		

## General Information

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

~~Appropriation of \$242,609 in general fund contingency to the Sheriff's Office which will support 4 months of investigator overtime (July through October) of the ongoing Kyron Horman investigation as well as a one year limited duration investigative technician position. The District Attorney's appropriation of \$196,034 will support one limited duration Deputy DA 3 and one limited duration Investigator to help backfill through the remainder of the fiscal year.~~

### 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.

~~The Multnomah County Sheriff's Office is leading the ongoing investigation for Kyron Horman, a 7 year old student of Skyline Elementary School who disappeared from the school on Friday, June 4. To date this investigation has generated over 3000 leads that fill up 38 four inch binders which continually need to be followed up on as this case continues. Additionally we have subpoenaed 200 sets of records each record can generate from 10 pages to hundreds of pages of paper records. Both~~



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST CONTINGENCY REQUEST

(revised 12/31/09)

**REVISED R-3 FOR YOUR FILE  
Reviewed & Approved  
by County Attorneys 7/22/2010**

**Board Clerk Use Only - REVISED**

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Agenda Item #: R-3

Est. Start Time: 10:00 AM

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~~of these items will be the full time work of a lead investigator, two detectives and an investigative technician. This contingency request provides the overtime funding of these positions for four months, at which time we will come back to the Board to discuss the progress on the case and what additional resources may be necessary. The limited duration investigative technician position is budgeted for one year to aid in filling the position. If the investigation were to conclude during this time then the limited duration position would also end.~~

The District Attorney's Office has invested substantial resources during the search and investigation phases of the Kyron Horman disappearance. With a dozen staff and well over 1,200 man-hours through July 9<sup>th</sup>, the office is in it for the long haul. But this does take much needed resources away from working other cases that routinely come into the DA Office. If and when an arrest is made the continues for the DA Office through the trial and penalty phases and will also require resources to coordinate the thousands of documents associated with the case. The office is asking for one limited duration Deputy DA 3 and one limited duration Investigator to help backfill through the remainder of the fiscal year.

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

~~This contingency request would increase funding for program offer 60066 MCSO Detectives. The duration for this investigation is unknown at this time and It is planned that the Sheriff and the District Attorney will provide a status update to the Board in October.~~

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

None.

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

The search and investigation for Kyron Horman has to date involved over 42 agencies and has received extensive local and national media coverage.

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## ATTACHMENT A

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### Budget Modification

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If the request is a Budget Modification, please answer all of the following in detail:

- What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).  
Not applicable.
- What budgets are increased/decreased?  
The Sheriff's Office Detectives cost center 601640 is increased by \$242,609.  
The District Attorney's Office cost centers 151301 and 15051 are increased by \$196,034.  
The County Risk Fund cost center 705210 is increased by \$64,708.\$35,256
- What do the changes accomplish?  
For the Sheriff's Office, this request would provide overtime funding of a lead investigator and 2 detectives as well as a one year limited duration investigative technician. And for the DA's Office, this request would provide funding for a one year limited duration Deputy DA 3 and for a one year limited duration DA Investigator.
- Do any personnel actions result from this budget modification? Explain.  
For the Sheriff's Office, a one year limited duration investigative technician will be hired. And for the DA's Office, a one year limited duration Deputy DA 3 and a one year limited duration DA Investigator.
- If a grant, is 100% of the central and department indirect recovered? If not, please explain why.  
Not applicable.
- Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?  
Not applicable.
- If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?  
Not applicable.

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### Contingency Request

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If the request is a Contingency Request, please answer all of the following in detail:

- Why was the expenditure not included in the annual budget process?  
The disappearance of Kyron Horman occurred after the FY 2011 budget was submitted.
- What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?  
Our entire detective team is has been involved with this case and most are actively working on it.

This funding will provide for the overtime and FTE expenses that are required.

- **Why are no other department/agency fund sources available?**

Since we are in the first month of the new fiscal year and do not have actual expenses posted yet, the current year spending is projected at 100% of the budgeted appropriation. The investigation costs were unanticipated at the time of budget submission and this is our first opportunity to inform the Board of the expected expenditures and the need for contingency funding. ~~Any Sheriff's Office under spending in the current fiscal year budget is already earmarked to be applied to the FY11 mid-year budget process addressing the announced State revenue shortfall.~~

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account. What are the plans for future ongoing funding?**

There is no anticipated payback to the contingency account and ongoing funding (if needed) will be requested through contingency.

- **Has this request been made before? When? What was the outcome?**

There was a FY 2010 year end contingency request for \$500,000 approved by the Board on June 17th which was not used and returned to the general fund at year end.

<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense &amp; Revenues Worksheet and/or a Budget Modification Personnel Worksheet. If it is a General Fund Contingency Request a memo from the Budget Office must be submitted.</i></p>
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## ATTACHMENT B

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BUDGET MODIFICATION: MCSO - 01

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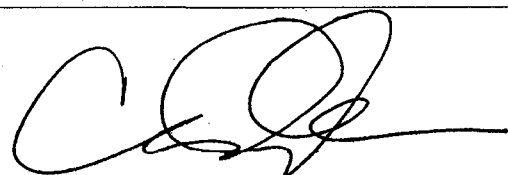
### Required Signatures

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Elected Official or  
Department/  
Agency Director:

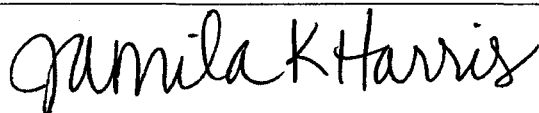


Date: 7/22/2010



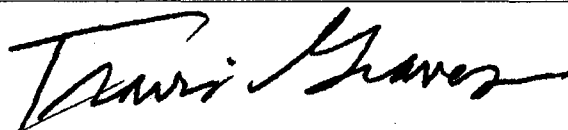
7/22/2010

Budget Analyst:



Date: 7/22/2010

Department HR:



Date: 7/22/2010

Countywide HR:

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

**AS AMENDED BY THE BOARD OF COUNTY COMMISSIONERS ON JULY 22, 2010**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

**Budget/Fiscal Year: 2011**

Fund Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit Cost Center	WBS Element	Cost Element	Current Amount	Revised Amount	Change Increase/(Decrease)	Subtotal	Description
1						SHERIFF'S OFFICE PORTION				0			
2	49	4000		20		9600004000		60470		(242,600)	(242,600)		CGF Contingency
3										0			
4	60-50	4000	60066	50			SOOPS.SSS	60000		44,308	44,308		Permanent
5	60-50	4000	60066	50			SOOPS.SSS	60140		112,764	112,764		Overtime
6	60-50	4000	60066	50			SOOPS.SSS	60130		56,085	56,085		Salary Related
7	60-50	4000	60066	50			SOOPS.SSS	60140		20,462	20,462		Insurance
8										0			
9	72-10	3500		20		705210		50316		(20,452)	(20,452)		Risk Fund
10	72-10	3500		20		705210		60330		20,452	20,452		Risk Fund
11						DISTRICT ATTORNEY'S OFFICE PORTION							
12	19	1000		20		9500001000		60470		(196,034)	(196,034)		CGF Contingency
13										0			
14	15-10	1000				151301	da horman.unitc			73,656	73,656		Permanent
15	15-10	1000				151301	da horman.unitc			22,112	22,112		Salary-Related
16	15-10	1000				151301	da horman.unitc			18,521	18,521		Insurance
17										0			
18	15-10	1000				151051	da horman.investigation			50,000	50,000		Permanent
19	15-10	1000				151051	da horman.investigation			15,010	15,010		Salary-Related
20	15-10	1000				151051	da horman.investigation			16,735	16,735		Insurance
21										0			
22	72-10	3500		20		705210		50316		(35,256)	(35,256)		Risk Fund
23	72-10	3500		20		705210		60330		35,256	35,256		Risk Fund
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
Total - Page 1										0	0		
GRAND TOTAL										0	0		



Department of County Management  
**MULTNOMAH COUNTY OREGON**

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Budget Office

501 SE Hawthorne Blvd., Suite 531  
Portland, Oregon 97214  
(503) 988-3312 phone  
(503) 988-5758 fax  
(503) 988-5170 TDD

TO: Board of County Commissioners

FROM: Christian Elkin, Principal Budget Analyst

DATE: July 13, 2010

SUBJECT: REVISED General Fund Contingency request of ~~\$242,609 for the Sheriff's Office and~~ \$196,034 for the District Attorney's Office to cover the unanticipated expenses of the search for Skyline Elementary School 2<sup>nd</sup> grade student Kyron Horman who has been missing since June 4, 2010. (Budget Modification MCSO-01). *Amended by the Board of County Commissioners on July 22, 2010.*

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~~The Sheriff's Office is requesting \$242,609 of General Fund contingency be appropriated to cover the unanticipated costs associated with the search for Kyron Horman. The funding will support the full-time work of a lead investigator, two detectives and a limited duration investigative technician.~~

The District Attorney's Office is requesting \$196,034 of General Fund contingency be appropriated to fund one limited duration Deputy DA 3 and one limited duration Investigator to help backfill through the remainder of the fiscal year.

Because the investigation is so close to the beginning of the fiscal year both Office's are currently estimating 100% spending for FY 2011. ~~The Sheriff's Office has earmarked any underspending in the current fiscal year to the FY 2011 midyear rebalance to address the state shortfall.~~ The contingency appropriation will be used solely for the costs associated with the search for Kyron and any unused balance will be returned to the General Fund.

**General Fund Contingency Policy Compliance**

The Budget Office is required to inform the Board if contingency requests submitted for approval satisfy the general guidelines and policies for using the General Fund Contingency.

In particular,

- Criteria 1 states contingency requests should be for one-time-only purposes. If this is not judged to be one-time-only transition funding, the request essentially funds ongoing programs with one-time-only emergency contingency funds. **The request does meet this criterion.**
- Criteria 2 Addresses emergencies and unanticipated situations. **This request does meet this criterion.**



- Criteria 3 addresses items identified in Board Budget Notes. **This item was not identified in the budget notes.**