



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

## Board Clerk Use Only

Meeting Date: 11/01/11  
Agenda Item #: ES.2  
Est. Start Time: 9:30 am  
Date Submitted: 10/17/11

**Agenda Title:** Executive Session Pursuant to ORS 192.660 (2) (h).

*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: November 1, 2011 Amount of Time Needed: 30 minutes  
Department: Non-Departmental Division: County Attorney  
Contact(s): Jenny Morf  
Phone: 503-988-3138 Ext. 83138 I/O Address: 503/500  
Presenter(s): Jacquie Weber, Deputy County Attorney

## General Information

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

No final decision will be made in the Executive Session.

### 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.

To discuss anticipated litigation. Online Travel Companies ("OTC") collect transient lodging taxes in connection with hotel rentals. Although the tax is collected from consumers, it is not passed onto the County as required by Ordinance. The County seeks to require OTCs to remit taxes collected over the past 10 years.

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

Minimal.

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

ORS 192.661(2)(h) authorizes a public body to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.

On February 22, 2007, the Board adopted Resolution 07-037 delegating to the County Attorney authority to initiate legal proceedings upon approval by the Board of County Commissioners.

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

The City of Portland will also be a plaintiff in the anticipated litigation

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**Required Signature**

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**Elected Official or  
Department/  
Agency Director:**



**Date:** 10/17/11