

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-031

Affirming the Economic Importance of the Film and Video Industry in Multnomah County and Directing Facilities to Develop Administrative Procedures for Filming Requests in Multnomah County Facilities

The Multnomah County Board of Commissioners Finds:

- a. In October of 2007, Commissioner Rojo de Steffey convened a committee to study how Multnomah County responds to requests to use the county's resources from the film and video industry. The committee consisted of representatives from Multnomah County Facilities, Sheriff's office, Multnomah County Transportation, the Oregon Film & Video Office, Portland Oregon Visitors Association, office of Mayor Tom Potter, and office of Commissioner Rojo de Steffey.
- b. The Portland-metro area is home to many of the television broadcasting, film and video production and creative freelance talent in the state of Oregon. Film and video productions can benefit the economic vitality of Multnomah County.
- c. The Oregon Film & Video Office states the film and video industry generates \$189,995,000 in direct spending in the Portland-metro area. Overall economic impact is \$385,312,000; 8,384 FTE impacted jobs and an estimated generated local tax of \$6,773,733 (2005 estimates).
- d. While the county has a streamlined process for requesting use of its bridges and roads for filming, the committee found the process for requesting use of its buildings and facilities in need of efficiencies. The committee found issues with:
 - i) Deposits and costs the county should charge
 - ii) Who to contact
 - iii) The need for the Board of County Commissioners to prioritize and set policy and procedures for film and video requests

The Multnomah County Board of Commissioners Resolves:

1. The Board affirms the importance of the Film and Video industry in Multnomah County and will work to nurture economic opportunities in this field. Further, Multnomah County will work collaboratively with the City of Portland and other related businesses to find efficiencies and streamline procedures.

2. The Facilities Director is directed to supervise and coordinate all requests for filming in Multnomah County facilities. Requests for filming in Sheriff-operated facilities will also require approval and coordination from the Sheriff.
3. The Facilities Director shall present an administrative procedure for "Required Form and Documentations for Use of Multnomah County Facilities for the Purpose of Film/Video Production" to the County Chair for approval and signature.

ADOPTED this 20th day of March, 2008.



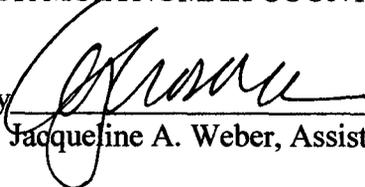
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Commissioner Maria Rojo de Steffey

**MULTNOMAH COUNTY, OREGON
ADMINISTRATIVE PROCEDURE
FAC-18**

SUBJECT: Film and Video Productions

PURPOSE: To establish a standard Countywide procedure for use of County property for commercial & non-commercial film/video productions

ORGANIZATION RESPONSIBLE: Facilities & Property Management

DATE:

ORGANIZATIONS AFFECTED: All Departments/Offices/Commercial & Non-Profit Film and Video Organizations:

LEGAL CITATION/ REFERENCE: Executive Rule

I. INTRODUCTION

Multnomah County is committed to the security and safety in County facilities and on County controlled property for the protection of staff, the public, and the County property. This procedure will standardize how requests to use County property for film and video production are processed and the rules for use.

II. ORGANIZATIONS AFFECTED:

This Administrative Procedure applies to all the following:

- A. County Departments, Divisions, Sections, and other Agencies.
- B. County Program-Partner Organizations that have a current program or service contract with a County Agency and occupy space within a County building.
- C. Other Non-County Organizations seeking use of a County Building or Facility for video/film production.

III. COUNTY PROPERTY AVAILABLE FOR USE

A. County Property is defined as buildings owned, leased, sub-leased, or occupied by a County agency or County staff, or otherwise controlled by or maintained by the County.

B. Not all county properties have spaces available for use by organizations other than the county occupants of that building.

C. County Property does not include parking lots or public sidewalks. Building parking is not included or guaranteed as part of any *Film/Video Use Application*, but may be negotiated on an individual basis.

D. Requests to use Multnomah County Correctional or Secured Facility Property for film and video productions, must be approved by the Multnomah County Sheriff's Office, in addition to the Multnomah County Facilities and Property Management Division.

E. Requests to use Department of Community Justice Secured Facility for film and video productions, must be approved by the Multnomah County Department of Community Justice, in addition to the Multnomah County Facilities and Property Management Division.

F. A copy of the application form will be provided to the Chair's office.

IV. Requests for film/video access to county property.

A. All requests for film/video access to county property shall be forwarded to the Facilities and Property Management Division (FPM). FPM will manage, interpret, and enforce this Administrative Procedure as follows:

1. Provide tours of requested property with assigned property managers.
2. Assist video/film Company with application forms (see Attachment A).
3. Process all applications to use County Property as quickly as possible, not to exceed 30 weeks of receipt of completed application.
4. Coordinate use of property/building with tenants/departments.
5. Develop cost estimates for use of County Property, including County personnel costs.

B. Applications will be approved only if the film/video production submits a completed Film/Video Use Application of Multnomah County Facilities Application and agrees to the following:

1. Sign Indemnity Agreement
2. Provide Certificate of Insurance
3. Remit non-refundable deposit to reserve facility (may be waived at the discretion of the Director, Facilities and Property Management)
4. Do not start set up or make plans until receiving written authorization.
5. Coordinate use of property/building with FPM Property Manager.
6. Protect employees and the public safety at all times.

7. Protect all property and structures.
8. Comply with all County Regulations, Requirements, and Rules of Behavior and Use of Buildings.
9. No events shall exceed the Fire Marshall's Maximum Occupancy of a room or space or create unusual or excessive demands upon the Buildings' systems, such as, heating, cooling, lighting or power.

II. FACILITY USE APPLICATION AND APPROVAL PROCESS

A. The Application is available from Facilities and Property Management Division and from the FPM web page. FPM will maintain the Application form and may from time to time revise these forms to respond to changes in this Administrative Procedure, permitted uses, priorities, regulations, requirements, use fees, or other forms.

B. The Property Management Supervisor is the initial point of contact for Film/Video production requests to use County Facilities. The Property Management Supervisor will assign a Property Manager to assist in the application process and ensure all required documentation has been provided.

C. The Property Management Supervisor will review and make recommendations for the approval or denial of the Application.

D. The Director of Facilities and Property Management grants final approval of the Application and issues a Certificate of Approval.

E. A copy of the approved Film/Video use of Multnomah County Facilities Application is forwarded to Multnomah County Chair's office.

SAMPLE

**MULTNOMAH COUNTY, OREGON
EXECUTIVE RULE NO. _____**

**FILM/VIDEO PRODUCTIONS IN COUNTY FACILITIES
Road and Bridge Permit Applications Are Separate From This Rule**

I. Introduction

Multnomah County, Oregon (hereafter referred to as "County") has the responsibility for the management of County property (MCC § 7. 351). The Chair of the Board of County Commissioners, as the County's Chief Executive Officer, is authorized to adopt Executive Rules to carry out the County's duties and responsibilities under the Charter (MCC § 7.007).

The creation of this rule provides a process that expedites and encourages the film & video industry to utilize Multnomah County, thereby providing economic growth.

II Facilities & Property Management's Responsibilities

- A. Monitor & manage requests to use Multnomah County owned or leased property for film or video production. Application must be submitted to Property Management Supervisor, Facilities & Property Management Division, 401 N. Dixon St. Portland Oregon 97227, phone number (503) 988-4238, fax number (503)988-5082. (Application forms available on Facilities MINT page.)
- B. Obtain valid Indemnity Agreement, proof of insurance, and deposit from applicant. (Forms available on Facilities MINT page.)
- C. Send authorization letter to proceed to applicant prior to scheduling.

III Cross-References

- A. Additional administrative requirements and related information may be found in
 - 1. FPM Procedures, Guidelines, and Standards
 - 2. Multnomah County Administrative Procedures for FPM (FAC)

Authorization to use County controlled premises shall not be considered as a County endorsement or approval of the activity. A signed location shall not interfere with normal County business operations, block communication routes, access or egress, create a nuisance, damage premises, or cause injury to others. Application requests may be denied if the County Attorney's Office deems the activity illegal or reflect an image contrary to the County's mission.

The following Multnomah County Executive Rule is adopted:

Dated this _____ day of _____ 2008

Ted Wheeler, Multnomah County Chair

REVIEWED:
Agnes Sowle, County Attorney
For Multnomah County, Oregon



Film/Video Use of Multnomah County Facilities Application

- This application does not cover use of Roads or Bridges -

(Please Type or Print Clearly)

Today's Date _____

Production Company: _____

Telephone: _____ Mobile: _____

Address: _____

Local Production Manager: _____

Telephone _____ Mobile: _____

Address: _____

TYPE of Production: Feature Film ___ Commercial ___ TV Programming ___ Documentary ___
Still Photo ___ Music Video ___ Other (if other, please specify _____)

Title/Product: _____

Submit script (if available) and description of project

Producer: _____

Production Mgr/Coord: _____

Location Mgr: _____

Filming Impact Details:

1. Proposed date(s) of filming: _____

2. What hours?

a. Date: _____ From: _____ am/pm To: _____ am/pm

b. Date: _____ From: _____ am/pm To: _____ am/pm

c. Date: _____ From: _____ am/pm To: _____ am/pm

d. Date: _____ From: _____ am/pm To: _____ am/pm

e. Date: _____ From: _____ am/pm To: _____ am/pm

f. Additional dates: _____

3. Which buildings or properties are you planning to use? _____

4. The approximate number of people involved and on site (total Crew and Talent) _____

5. The number and types of vehicles that will be going to the site _____

6. Do you anticipate lights, excessive noise, special effects or other? _____

7. Do you anticipate attaching any objects to the building? _____

8. Are modifications or changes to the site expected? _____

9. Describe in detail what you will be doing on the property. Provide any information on how set and equipment will impact the building (e.g. covering windows, taping or adhering objects to walls, construction of sets). _____

10. Are any utilities required (water, electricity etc)? Please describe the extent of use. _____

(Use additional sheets of paper as needed)

The use of alcohol, tobacco or drugs on County Property is not permitted without prior authorization from the Board of County Commissioners.



Multnomah County Facilities Use Cost Sheet

This represents the minimum costs associated with use of County facilities. FPM may from time to time revise these fees. Additional costs may be assessed to cover additional expenses, including but not limited to, County staff time, equipment use, clean up, unforeseen repairs, overtime costs. An estimate of the particular costs associated with your project will be provided prior to filming. These fees may be waived in the case of small budget independent filmmakers. Waiver of any fees will be made at the discretion of the Director of Multnomah County Facilities and Property Management Division.

Non-refundable Deposit to reserve facilities:

- \$600 Deposit per facility due prior to the start of filming for one and two day productions
- \$700 Deposit prior to start of filming for two day to one week production
- \$950 Deposit due 10 days prior to start of filming for one week and longer productions.

Set Up/Completion Costs:

- Minimum fee for set up, which includes the initial tour, completion of legal paperwork, pre-set up walk through, and approval of set-up is included in the deposit and covers walk-through upon completion.
- If other actions are required by the County to set up during set up, or as a result of the walk-through, this fee will be raised to the actual cost of any materials and \$ 100 per hour for staff time.

Facility use rates:

- The minimum cost to use a facility is \$400.00 not including County provided services, personnel, or contracted services.
- An administrative charge of 8% will be added to the total cost.
- Costs beyond the minimum fee may be incurred for running background checks, providing escorts within secured buildings, additional onsite security or staff, use of County equipment, property management assistance, or technical assistance.
- The user of the facility will be billed directly for any repairs, damages, cleaning, or related expenses upon completion and final walk-through.

The production company/organization is required to designate a local agent who will have authority to represent the permittee in all matters relating to the exercise of the privileges granted and who shall be responsible for compliance with those conditions.

Production Company Name:

Print _____

Production Company Representative

Title _____

Sign _____

Print _____

Date _____

Authorized Local Agent

Sign _____

Print _____

Date _____

Contact Number of Local Agent

Day _____

Evening _____

Emergency _____

Email _____

SAMPLE



**Certificate of Approval from Multnomah County
Facilities and Property Management Division**

Production Company: _____

Production Title: _____

Approved Dates: _____

Attach:

1. Application
2. Project Cost Estimate (or Fee Waiver)

Onsite Property Manager Contact Information

Name: _____

Title: _____

Phone: _____

Email: _____

Authorized Representative of Multnomah County Sheriff's Office for Purposes of
Approval for use of Correctional Security Facility

[Insert Name]
Title, MC Sheriff's Office

Date

Phone: _____

Email: _____

Authorized Representative of Multnomah County Department of Community Justice for
Purposes of Approval for use of Secured Facility

[Insert Name]
Title, MC Department of Community Justice

Date

Phone: _____

Email: _____

Authorized Representative of Facilities and Property Management for Purposes of
Project Approval and Payment for use of the Facility:

[Insert Name]
Supervisor, Property Management Section

Date

Phone: _____

Email: _____

Application Approved by:

[Insert Name]
Director, Facilities and Property Management
Multnomah County

Date

SAMPLE

INDEMNITY AGREEMENT

Dated _____, 20____

In consideration of the issuance of a permit by Multnomah County for:

The following event (Name and Description of the Activity)

_____;

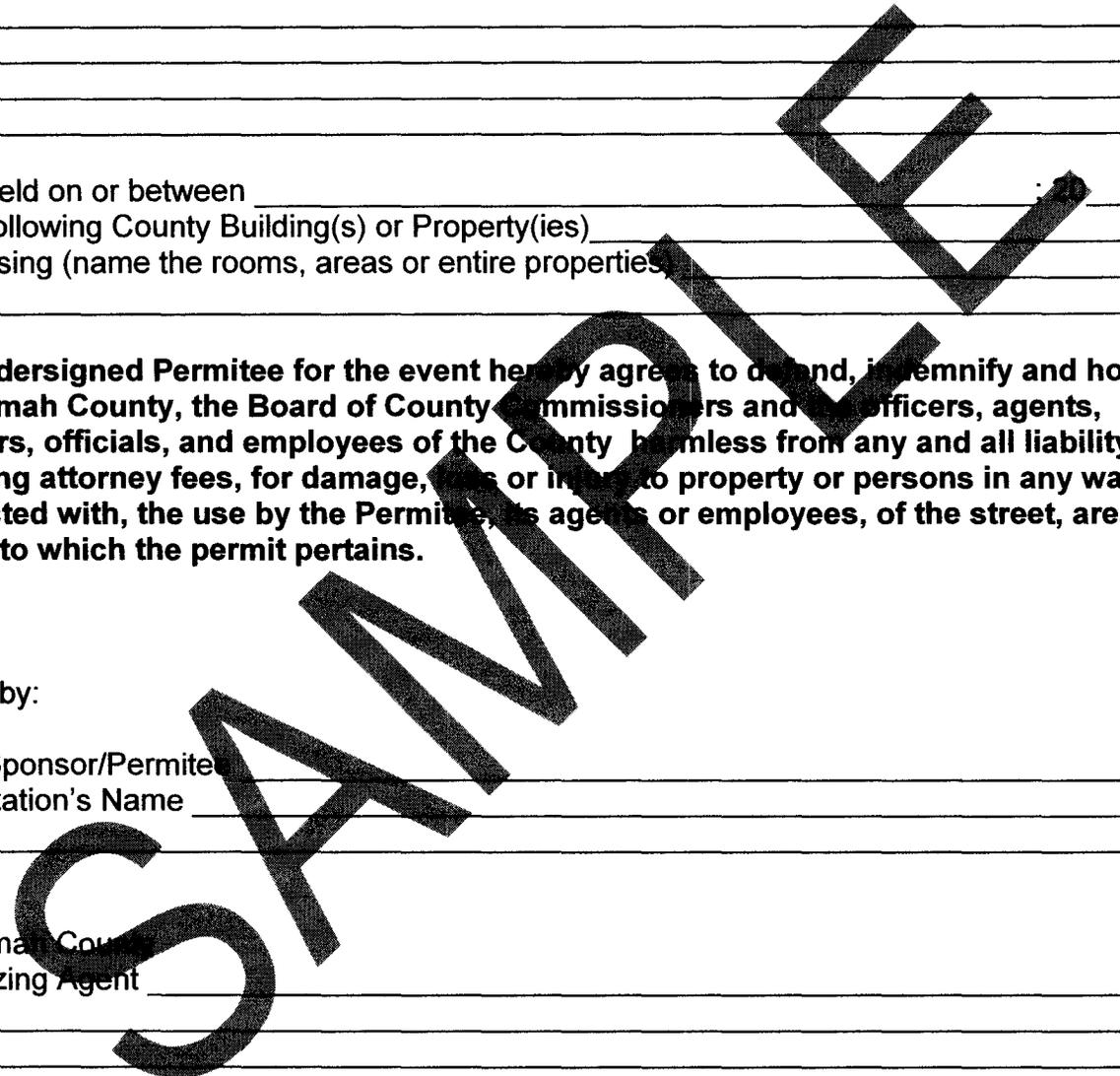
To be held on or between _____;
At the following County Building(s) or Property(ies) _____
While using (name the rooms, areas or entire properties) _____

The undersigned Permittee for the event hereby agrees to defend, indemnify and hold Multnomah County, the Board of County Commissioners and all officers, agents, directors, officials, and employees of the County harmless from any and all liability, including attorney fees, for damage, loss or injury to property or persons in any way connected with, the use by the Permittee, its agents or employees, of the street, area or facility to which the permit pertains.

Signed by:

Event Sponsor/Permittee _____
Organization's Name _____
Date _____

Multnomah County _____
Authorizing Agent _____
Title _____
Date _____



Give This Sheet To Your
Insurance Carrier

This page is to be made a
Part of Insurance Policy

#

Insurance Requirements

Before Multnomah County will issue a permit for a film/video production, the sponsor must provide a current Certificate of Insurance showing proof of Commercial General Liability Insurance covering all the sponsor's activities, including volunteers, arising out of the film/video production.

The Sponsor/Permitee must carry Commercial General Liability Insurance, on an occurrence basis; with a combined single limit of not less than \$1 million each occurrence for Bodily Injury and Property Damage, with an annual aggregate limit of \$1 million. The insurance must include Contractual Liability coverage. A cross-liability clause or separation of insureds condition must be included in the Commercial General Liability policy. Coverage must be provided by an insurance company authorized to do business in Oregon and rated A- or better by Best's Insurance Rating. This insurance will be primary in the event of a loss.

The policy by endorsement also shall include as additional insureds under this policy, Multnomah County and all other governmental and private bodies having jurisdiction involving in the facility and /event, their agents, officers, directors, officials, and employees as to any claim or claims for injury to person, including death, or damage to property, resulting from or growing out of the activities of the insured, including all volunteers. A copy of this endorsement shall be attached to the Certificate of Insurance. All additional insured provisions will include coverage that is primary and non-contributory.

Coverage information shall indicate the dates of coverage for the event. If there is a change in coverage, the Sponsor/Permitee is to provide 30 days advance notice that such a change has occurred. In entering into this agreement, the Sponsor/Permitee understands that Multnomah County has the right to terminate the agreement if the insurance no longer meets minimum qualifications.

A certificate evidencing such insurance shall be submitted to the County and shall be subject to the approval of County Counsel on behalf of Multnomah County as to adequacy of protection prior to any work beginning by the Sponsor/Permitee.

The submission is to be faxed to 503 988-5082, ATTN: Property Management Supervisor, no later than 5 days before the first day of production.