



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

## Board Clerk Use Only

**Meeting Date:** 12/17/15  
**Agenda Item #:** R.2  
**Est. Start Time:** 9:45 am  
**Date Submitted:** 12/9/15

**Agenda Title:** **Resolution Authorizing the County Chair to Execute an IGA with Oregon DAS and OJD for Funding the Central Courthouse Project, Phase I.**

*Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.*

## Requested

**Meeting Date:** December 17, 2015 **Time Needed:** 10 minutes  
**Department:** DCA **Division:** Facilities  
**Contact(s):** Cliff Serres and JD Deschamps  
**Phone:** (503) 988-3284 **Ext.** 83284 **I/O Address:** 274/FPM  
**Presenter Name(s) & Title(s):** Ken Elliott, Asst. County Attorney; JD Deschamps, Central Courthouse Project Manager; Mark Campbell, Chief Financial Officer; Claudia Black, Director, Office of Government Relations

## General Information

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

Authorize the County Chair to Execute the Multnomah County Courthouse Funding Agreement – Phase I with the State of Oregon, acting by and through its Department of Administrative Services (DAS) and the Oregon Judicial Department (OJD), for funding Phase I of the Multnomah County Central Courthouse Project (Project), providing for a state match of state-approved County Courthouse expenditures.

### 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.

Chapter 705, Oregon Laws 2013, authorized creation of the Oregon Courthouse Capital Construction & Improvement (OCCCI) Fund and provided for the sale of Article XI-Q bonds to finance the State's matching share of costs for new or renovated courthouses, or portions thereof, owned or operated by the State under a long-term lease or IGA with each county.

Prior to the sale of the Article XI-Q bonds, the county and state executed an Interim Funding IGA providing for state reimbursement or matching of county expenses incurred prior to the bond sale. Resolution No. 2014-099.

On March 31, 2015, the State of Oregon Treasurer sold Article XI-Q Bonds to provide the State's matching funds for Phase I of the Project, including State-approved Project costs incurred prior to the bond sale. Phase I of the Project is comprised of the site acquisition, reference design, final architectural design, engineering, and entitlements phases of the Project.

The State match for the Project pursuant to the 2015 bond sale is \$15,000,000, and the funding IGA establishes the terms upon which the State match will be distributed.

Under the funding IGA, the County will submit County-approved invoices to the State Project Monitor for its review and approval of the expenditures as "approved courthouse costs."

Further, under the funding IGA, the County will authorize transfer of funds to pay courthouse invoices from its account in the Local Government Investment Pool (LGIP) into the OCCCI Fund. In turn, OJD will reimburse the County's deposits back into the County's account in the LGIP and begin paying the State's matching share of approved courthouse costs from the OCCCI Fund.

In 2017, Article XI-Q bonds are expected to be sold to provide the state's \$17,400,000 in matching funds authorized by the Oregon Legislative Assembly during the 2015 Legislative Session for Phase II of the Project, the initial construction phase. The execution of additional intergovernmental agreement(s) is anticipated for Phase II and for Phase III, the final construction phase.

At this time, the Oregon Legislative Assembly has not authorized any additional State funds for the Project beyond the Phase I and II funds from the 2015 and 2017 bond sales.

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

FPM's 2015 budget included funding for a site solicitation, programming and site evaluation, negotiation of a site purchase agreement and other pre-development activities. FPM's 2016 budget includes funding for programming, schematic design, reference design, final design and engineering, entitlements and construction drawings. Upon execution of the Funding IGA, the state will begin paying its matching share of approved courthouse costs through Phase I and up to its \$15,000,000 commitment.

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

Oregon Revised Statute § 1.185 requires each County to "provide suitable and sufficient courtrooms, office and jury rooms for the court, the judges, other officers and employees of the court and juries in attendance upon the court, and provide maintenance and utilities for those courtrooms, offices and jury rooms."

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

Beginning in 2013, the County's Central Courthouse team and the County's Governmental Relations directors have negotiated legislative amendments and IGAs with DAS and OJD to provide state approval and matching funds for the Courthouse project. On March 16, 2015, the County Chair received letters from Chief Justice Thomas A. Balmer and from DAS, approving the Courthouse Application to utilize state matching funds from the OCCCI Fund for construction of the new Central Courthouse.

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**Required Signature**

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*Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.*

**Elected**

**Official or**

**Department  
Director:**

**Sherry Swackhamer, Director,  
Department of County Assets**

**Date:**

December 9, 2015