



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

REVISED

JULY 22 & 24, 2008

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

Email: mult.chair@co.multnomah.or.us

Maria Rojo de Steffey, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: district1@co.multnomah.or.us

Jeff Cogen, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: district2@co.multnomah.or.us

Lisa Naito, Commission Dist. 3

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: district3@co.multnomah.or.us

Lonnie Roberts, Commission Dist. 4

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: lonnie.j.roberts@co.multnomah.or.us

On-line Streaming Media, View Board Meetings

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On-line Agendas & Agenda Packet Material

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Americans with Disabilities Act Notice: If you need this agenda in an alternate format, or wish to participate in a Board Meeting, please call the Board Clerk (503) 988-3277, or the City/County Information Center TDD number (503) 823-6868, for information on available services and accessibility.

Pg 2	9:00 a.m. Tuesday Executive Session
Pg 2	9:30 a.m. Thursday Opportunity for Public Comment on Non-Agenda Matters
Pg 2	9:30 a.m. Thursday Authorizing Tax-Exempt Revenue Bonds to Pacific Northwest College of Art Project
Pg 3	10:05 a.m. Thursday Resolution Declaring a Vacancy in the Office of County Sheriff, Calling an Election for November 4, 2008, and Setting the Candidate Filing Deadline for August 26, 2008
Pg 3	10:25 a.m. Thursday Opportunity for Board Comment on Non-Agenda Matters

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30

Saturday, 10:00 AM, Channel 29

Sunday, 11:00 AM, Channel 30

Tuesday, 8:15 PM, Channel 29

Produced through MetroEast Community Media

(503) 667-8848, ext. 332 for further info

or: <http://www.metroeast.org>

Tuesday, July 22, 2008 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.
-

Thursday, July 24, 2008 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

- C-1 Amendment to 10 Intergovernmental Expenditure Agreement 4600001503 with City of Portland for FY08-09 Maintenance of County Roads in Unincorporated Western Multnomah County

REGULAR AGENDA

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

DEPARTMENT OF COUNTY MANAGEMENT – 9:30 AM

- R-1 **9:30 A.M. TIME CERTAIN:** RESOLUTION Authorizing Approval of the Issuance of Tax-Exempt Revenue Bonds (Pacific Northwest College of Art Project), in one or more Series, in an Aggregate Principal Amount Not to Exceed \$10,000,000; Designating an Authorized Representative; and Related Matters

HOSPITAL FACILITIES AUTHORITY – 9:45 AM

(Recess as the Multnomah County Board of Commissioners and convene as the Hospital Facilities Authority of Multnomah County, Oregon)

- R-2 RESOLUTION Approving an Intergovernmental Agreement and Issuance of Revenue Bonds (Legacy Health System), Series 2008 by the Hospital Facility Authority of Clackamas County, Oregon

(Adjourn as the Hospital Facilities Authority of Multnomah County, Oregon and reconvene as Multnomah County Board of Commissioners)

DEPARTMENT OF COUNTY HUMAN SERVICES – 10:00 AM

- R-3 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody [**Rescheduled from July 17, 2008**]

NON-DEPARTMENTAL - 10:05 AM

- R-4 First Reading of an ORDINANCE Amending Multnomah County Code Chapter 7.450 et seq. Relating to Art Acquisition and Approving Regional Arts and Culture Council Contract Renewal [**Rescheduled from July 17, 2008**]

- R-5 RESOLUTION Declaring a Vacancy in the Office of County Sheriff, Calling an Election for November 4, 2008, and Setting the Candidate Filing Deadline for August 26, 2008

DEPARTMENT OF COMMUNITY JUSTICE – 10:20 AM

- R-6 Budget Modification DCJ-02 Appropriating \$34,812 from the Portland Community College U.S. Department of Education Grant to Support the Londer Learning Center

- R-7 Budget Modification DCJ-03 Appropriating \$1,000 from a Private Donation to Support the Londer Learning Center

DEPARTMENT OF HEALTH – 10:25 AM

- R-8 NOTICE OF INTENT to Submit a Proposal for up to \$40,000 to the Food and Drug Administration's Innovate Food Defense Projects Grant Competition



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BOARD OF COMMISSIONERS

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BOARD COMMENT – 10:25 AM

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.



Ted Wheeler, Multnomah County Chair

501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214
Phone: (503) 988-3308
Email: mult.chair@co.multnomah.or.us

MEMORANDUM

TO: Commissioner Maria Rojo De Steffey
Commissioner Jeff Cogen
Commissioner Lisa Naito
Commissioner Lonnie Roberts
Clerk of the Board Deb Bogstad

FROM: Tara Bowen-Biggs Staff Assistant to Chair Ted Wheeler

DATE: June 24, 2008

RE: Board Briefing Excuse Memo

Chair Wheeler will not participate in the Board Briefing and if-needed Executive Session on July 22, 2008. He will be out of town.

Lonnie Roberts
Multnomah County Commissioner
District 4



501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214
(503) 988-5213 phone
(503) 988-5262 fax
Email: lonnie.j.roberts@co.multnomah.or.us
www.co.multnomah.or.us/cc/ds4/

MEMORANDUM

DATE: July 17, 2008

TO: Chair Ted Wheeler
Commissioner Maria Rojo de Steffey, District 1
Commissioner Jeff Cogen, District 2
Commissioner Lisa Naito, District 3
Board Clerk Deb Bogstad

FROM: Kristen West
Staff Assistant to Commissioner Lonnie Roberts

RE: Notice of Meeting Excuse

Commissioner Roberts will not be attending the July 22, 2008 Executive Session due to a doctors appointment. Thank you.

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: 07/24/08

SUBJECT: REAP After School Programs

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Jeannele Joseph

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: _____

SUBJECT: Reeve Org

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Justus Gibson

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

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MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: 7-24-08

SUBJECT: After school Programs

AGENDA NUMBER OR TOPIC: Public Comment

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Chom Sou

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

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MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/22/08
 Agenda Item #: E-1
 Est. Start Time: 9:00 AM
 Date Submitted: 07/16/08

Agenda Title: Executive Session Pursuant to ORS 192.660(2)(d),(e)and/or(h)

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: 07/22/08 **Amount of Time Needed:** 15-55 minutes
Department: Non-Departmental **Division:** County Attorney
Contact(s): Agnes Sowle
Phone: 503 988-3138 **Ext.** 83138 **I/O Address:** 503/500
Presenter(s): Agnes Sowle and Invited Others

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.

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.

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

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

ORS 192.660(2)(d),(e)and/or(h)

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

Required Signature

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

Date: 07/16/08



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/24/08
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 07/09/08

Agenda Title: **Amendment to 10 Intergovernmental Expenditure Agreement 4600001503 with City of Portland for FY08-09 Maintenance of County Roads in Unincorporated Western Multnomah County**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 24, 2008 **Amount of Time Needed:** Consent Calendar
Department: Community Services **Division:** Road Services
Contact(s): Tom Hansell
Phone: 503 988-5050 **Ext.** 29833 **I/O Address:** 425
Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

The Department of Community Services recommends approval of an amendment to an Intergovernmental Agreement with the City of Portland for providing road and drainage facility maintenance on county roads in unincorporated western Multnomah County during FY2008-2009.

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.

In 1984, Multnomah County and the City of Portland agreed that the City would maintain, through an IGA, all County roads in unincorporated western Multnomah County that were within the Urban Services Boundary. The City of Portland did not receive compensation for these services since the area was presumed to be annexed to the City shortly. Annexation of the westside unincorporated areas has proceeded at a slower pace than was anticipated in 1984. In 1997, the City informed the County it would no longer maintain these roads. During 1997, representatives of the City and County developed the terms of this IGA. The City and County find the most rational and efficient method for delivery of road and drainage facility maintenance in this Westside area is for the City to continue to provide services. This amendment authorizes the City to provide road and drainage maintenance of the area for an additional year.

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

The City agrees to maintain the roads during fiscal year 2008-09 for approximately \$158,000. The amount remains unchanged from the previous agreement in the previous fiscal year. County and City Transportation will establish a work program that will address the County's western service area. The funds necessary for maintenance of these roads are budgeted in the county road fund.

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

This IGA is an extension of the County policy set in 1983 and 1984 concerning the maintenance of county roads within the Urban Services Boundary.

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

Negotiations of this amendment were discussed with staff from County Transportation and the City Office of Transportation. This Amendment will move to the Portland City Council for review upon approval.

Required Signature

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



Date: 07-09-08

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached Contract #: 4600001503
 Amendment #: 10

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input checked="" type="checkbox"/> Expenditure Contract
PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Community Services Division/ Program: Land Use and Trans Program Date: 06/16/2008
 Originator: Tom Hansell Phone: (503) 988-5050 x29833 Bldg/Room: #425/Yeon
 Contact: Cathy Kramer Phone: (503) 988-5050 x22589 Bldg/Room: #425/Yeon

Description of Contract: Amendment No. 9 to Intergovernmental Agreement with the City of Portland to extend maintenance of county roads in unincorporated Multnomah County during FY 07-08.

RENEWAL: PREVIOUS CONTRACT #(S) _____ EEO CERTIFICATION EXPIRES _____

PROCUREMENT, _____ ISSUE _____ EFFECTIVE _____ END _____
 EXEMPTION OR _____ DATE: _____ DATE: _____ DATE: _____
 CITATION # _____

CONTRACTOR IS: MBE WBE ESB QRF State Cert# _____ or Self Cert Non-Profit N/A (Check all boxes that apply)

Contractor	City of Portland/Bureau of Transportation			Remittance address (If different)	
Address	120 SW 5 th Ave Room 800				
City/State	Portland OR			Payment Schedule / Terms:	
ZIP Code	97204-1914			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	(503) 823-7140 (Ken Kinoshita)			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	N/A			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	07/01/07	Term Date	06/30/08	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	07/01/08	New Term Date	06/30/09		
Original Contract Amount	\$ 360,505.00			Original PA/Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$ 1,353,500.00			Total Amt of Previous Amendments	\$ _____
Amount of Amendment	\$ 158,000.00			Amount of Amendment	\$ _____
Total Amount of Agreement \$	\$ 1,872,005.00			Total PA/Requirements Amount	\$ _____

REQUIRED SIGNATURES:

Department Manager _____ DATE _____
 County Attorney _____ DATE _____
 CPCA Manager _____ DATE _____
 County Chair _____ DATE _____
 Sheriff _____ DATE _____
 Contract Administration _____ DATE _____

COMMENTS: (ROADM2)

**CONTRACT AMENDMENT NO. 10
TO INTERGOVERNMENTAL AGREEMENT
for Westside Maintenance**

**COUNTY No. 4600001503
and CITY No. 51062**

This is an amendment to Intergovernmental Agreement No. 51062 (Portland), and No. 4600001503 (Multnomah County), as follows:

1. Under Article Three, Section V (A): TERM, the existing text is deleted and the following is substituted:
 - A. The term of this agreement shall be from July 1, 2008, to and including June 30, 2009, unless sooner terminated or renewed under the provisions hereof.
2. Under Article Three, Section VI (5): COMPENSATION, the existing text is deleted and the following is substituted:

The County agrees to compensate the City as follows:

5. Up to \$158,000 for the performance of work at the rates authorized under this Agreement including up to \$3,500.00 for snow and ice response in fiscal year 2007, in the Westside Contract Maintenance Service Area. The City shall not perform any services that will exceed \$158,000.00 in total billing under this Agreement without the County's prior written consent.
3. All other terms and conditions of the referenced intergovernmental agreement, excepted as amended herein, shall remain in full force and effect.

CONTRACTOR DATA AND SIGNATURE

Contractor Address: 1120 SW 5th Avenue, Portland OR 97204-1914

Federal Tax ID# or Social Security #: N/A

Is Contractor a nonresident alien? Yes No

Business Designation (check one): Sole Proprietorship Partnership
 Corporation-for profit Corporation-non-profit
 Other [describe here: Governmental Agency]

Federal tax ID numbers or Social Security numbers are required pursuant to ORS 305.385 and will be used for the administration of state, federal and local laws. Payment information will be reported to the Internal Revenue Service under the name and Federal tax ID number or, if none, the Social Security number provided above.

Signature Commissioner of Public Utility
Title

Sam Adams
Name (please print) _____
Date

Signature Auditor
Title

Gary Blackmer
Name (please print) _____
Date

APPROVED AS TO FORM:

Signature Chief Deputy City Attorney
Title

Linda Meng
Name (please print) _____
Date

MULTNOMAH COUNTY SIGNATURE

(This contract is not binding on the County until signed by the Chair or the Chair's designee)

Ted Wheeler, County Chair _____
Date

Department and County Counsel Approval and Review

Approved: _____
M. Cecilia Johnson, Department Director _____
Date

Reviewed: _____
Matthew O. Ryan, Assistant County Attorney _____
Date

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 4600001503

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached

Amendment #: 10

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Department: Community Services

Division/

Program: Land Use and Trans Program

Date: 06/16/2008

Originator: Tom Hansell

Phone: (503) 988-5050 x29833

Bldg/Room: #425/Yeon

Contact: Cathy Kramer

Phone: (503) 988-5050 x22589

Bldg/Room: #425/Yeon

Description of Contract: Amendment No. 10 to Intergovernmental Agreement with the City of Portland to extend maintenance of county roads in unincorporated Multnomah County during FY 08-09.

RENEWAL: PREVIOUS CONTRACT #(S) _____

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PROCUREMENT, EXEMPTION OR CITATION # _____ ISSUE DATE: _____ EFFECTIVE DATE: _____ END DATE: _____

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Employer ID# or SS#	N/A			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
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Amendment Effect Date	07/01/08	New Term Date	06/30/09		
Original Contract Amount	\$ 360,505.00	Original PA/Requirements Amount	\$ _____		
Total Amt of Previous Amendments	\$ 1,011,291.77 *	Total Amt of Previous Amendments	\$ _____		
Amount of Amendment	\$ 158,000.00	Amount of Amendment	\$ _____		
Total Amount of Agreement	\$ 1,529,796.77	Total PA/Requirements Amount	\$ _____		

REQUIRED SIGNATURES:

Department Manager _____

County Attorney _____

CPCA Manager _____

County Chair _____

Sheriff _____

Contract Administration _____

DATE 7/9/08

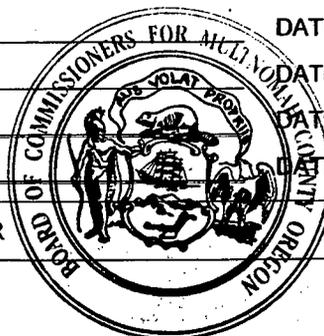
DATE 7/23/08

DATE _____

DATE 7/24/08

COMMENTS: (ROADM2)

* CORRECTS A PREVIOUS ERROR



**CONTRACT AMENDMENT NO. 10
TO INTERGOVERNMENTAL AGREEMENT
for Westside Maintenance**

**COUNTY No. 4600001503
and CITY No. 51062**

This is an amendment to Intergovernmental Agreement No. 51062 (Portland), and No. 4600001503 (Multnomah County), as follows:

1. Under Article Three, Section V (A): TERM, the existing text is deleted and the following is substituted:
 - A. The term of this agreement shall be from July 1, 2008, to and including June 30, 2009, unless sooner terminated or renewed under the provisions hereof.
2. Under Article Three, Section VI (5): COMPENSATION, the existing text is deleted and the following is substituted:

The County agrees to compensate the City as follows:

5. Up to \$158,000 for the performance of work at the rates authorized under this Agreement including up to \$3,500.00 for snow and ice response in fiscal year 2007, in the Westside Contract Maintenance Service Area. The City shall not perform any services that will exceed \$158,000.00 in total billing under this Agreement without the County's prior written consent.
3. All other terms and conditions of the referenced intergovernmental agreement, excepted as amended herein, shall remain in full force and effect.

CONTRACTOR DATA AND SIGNATURE

Contractor Address: 1120 SW 5th Avenue, Portland OR 97204-1914

Federal Tax ID# or Social Security #: N/A

Is Contractor a nonresident alien?

Yes No

Business Designation (check one):

Sole Proprietorship Partnership
 Corporation-for profit Corporation-non-profit
 Other [describe here: Governmental Agency]

Federal tax ID numbers or Social Security numbers are required pursuant to ORS 305.385 and will be used for the administration of state, federal and local laws. Payment information will be reported to the Internal Revenue Service under the name and Federal tax ID number or, if none, the Social Security number provided above.

Signature Commissioner of Public Utility
Title

Sam Adams
Name (please print) _____
Date

Signature Auditor
Title

Gary Blackmer
Name (please print) _____
Date

APPROVED AS TO FORM:

Signature Chief Deputy City Attorney
Title

Linda Meng
Name (please print) _____
Date

MULTNOMAH COUNTY SIGNATURE

(This contract is not binding on the County until signed by the Chair or the Chair's designee)

Ted Wheeler
Ted Wheeler, County Chair _____
Date 7/24/08

Department and County Counsel Approval and Review

Approved: M. Cecilia Johnson
M. Cecilia Johnson, Department Director _____
Date 7/9/08

Reviewed: Matthew O. Ryan
Matthew O. Ryan, Assistant County Attorney _____
Date 7/23/08





**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)**

Board Clerk Use Only

Meeting Date: 07/24/08
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 07/16/08

Agenda Title: **RESOLUTION Giving Final Approval of Issuance of Tax-Exempt Revenue Bonds (Pacific Northwest College of Art Project), in One or More Series, in an Amount Not to Exceed \$10,000,000; Authorizing Publication of a Notice of Intent to Issue Revenue Bonds; and Authorizing Execution of a Letter of Intent**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 24, 2008 **Amount of Time Needed:** 15 Minutes
Department: County Management **Division:** Finance & Risk Management
Contact(s): Mindy Harris
Phone: 503-988-3786 **Ext.** 83786 **I/O Address:** 503/531
Presenter(s): Mindy Harris, Harry Morton, and Doug Goe

General Information

- 1. What action are you requesting from the Board?**
 Approval of resolution giving final approval of issuance of tax-exempt revenue bonds by Pacific Northwest College of Art in an amount not to exceed \$10,000,000.
- 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.**
 This conduit financing is similar to others previously approved by the County for the benefit of nonprofit educational institutions within the State of Oregon and as authorized pursuant to Oregon Revised Statutes Sections 287A.150 and 352.790 to 352.820.
- 3. Explain the fiscal impact (current year and ongoing).**
 The County receives a minimum fee of \$10,000 to offset administrative expenses. The estimated revenue impact for this debt issue is \$10,000.
- 4. Explain any legal and/or policy issues involved.**

The County is not legally responsible for the repayment of the debt, the costs of issuance of the debt, or for including the debt on the County's Comprehensive Annual Financial Report.

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

In addition to the hearing before the Board of County Commissioners, there will also be a public notice and hearing as required by the Tax Equity and Fiscal Responsibility Act. This hearing is required prior to the debt issuance transaction.

Required Signature

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

Mindy Harris

Date: 07/10/08

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 08-_____

Authorizing Approval of the Issuance of Tax-Exempt Revenue Bonds (Pacific Northwest College of Art Project), in one or more Series, in an Aggregate Principal Amount Not to Exceed \$10,000,000; Designating an Authorized Representative; and Related Matters

The Board of County Commissioners Finds:

- a. The Board of County Commissioners (the "Board") of Multnomah County, Oregon (the "County"), is authorized as a municipality, defined in Oregon Revised Statutes ("ORS") Sections 352.790 to 352.820, to issue education facilities revenue bonds for the benefit of nonprofit educational institutions within the State of Oregon. The Board has received a request from Pacific Northwest College of Art (the "Borrower"), a nonprofit corporation organized and existing under the laws of the State of Oregon and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, to execute and deliver tax-exempt revenue bonds, in one or more series (the "Bonds"), and loan the proceeds thereof to the Borrower in an aggregate principal amount not to exceed \$10,000,000. The Bonds shall be issued pursuant to ORS Sections 287A.150 and 352.790 to 352.820, inclusive (the "Act"), to finance the costs of acquisition, construction, additions, renovations and improvements of and to a building located at 1241 N.W. Johnson Street, Portland, Oregon 97209 to be used by the Borrower to accommodate new programs and enrollment growth in an approximate amount of \$8,000,000 (collectively, the "Project"), and to fund a debt service reserve fund, if required, and pay certain costs of issuance including letter of credit fees.
- b. On May 8, 2008, the Board adopted Resolution No. 08-059 (the "Preliminary Resolution"), giving preliminary approval of the Bonds and authorizing the publication of a Notice of Intent to Issue Revenue Bonds (the "Notice").
- c. On May 12, 2008, as authorized by the Preliminary Resolution, the County published the Notice in *The Oregonian*. Pursuant to the Act, the County may not sell the Bonds until at least 60 days following the publication of the Notice. The 60 day period allows electors residing within the County the opportunity to file a petition with the County asking to have the question of whether to issue such Bonds referred to a vote. No petitions were filed during the 60 day period ending July 14, 2008.
- d. The Board has determined that the execution and delivery of the financing documents described below and the use of the proceeds thereof by the Borrower to finance the Project is necessary and desirable and that such financing documents and the Project are in the best interest of the citizens of Multnomah County, Oregon.
- e. Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), requires that a public hearing be conducted to provide the opportunity for members of the public to express their view, orally, or in writing, regarding the issuance of the Bonds and the Project. The Authorized Representatives, as hereinafter defined, are authorized to conduct a public

hearing and provide a hearing officer's report to the Chair of the Board of County Commissioners. Notice of the public hearing will be published in *The Oregonian*.

- f. The County will issue the Bonds under the following financing documents (collectively, the "Financing Documents"), which may include, but are not limited to:
1. a Bond Indenture (the "Bond Indenture"), between the County and U.S. Bank National Association, as trustee (the "Trustee");
 2. a Loan Agreement (the "Loan Agreement"), between the County and the Borrower; and
 3. a Deed of Trust, Security Agreement and Assignment of Leases and Rents.
- g. The principal of and interest on the Bonds will not constitute a debt of Multnomah County, Oregon, nor shall the Bonds be payable from a tax of any nature levied upon any property within Multnomah County, Oregon nor within any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources provided or arranged by the Borrower.
- h. The Board determines that it is in the best interest to proceed with the issuance of the Bonds. Capitalized terms not defined herein shall have the meanings set forth in the Financing Documents.

The Board Resolves:

Section 1. The Board authorizes and approves of the provisions of and directs the execution, sale, delivery and issuance of the Bonds, in one or more series, and in an aggregate principal amount not to exceed \$10,000,000 to finance the Project. Proceeds of the Bonds will be used to finance the costs of the Project.

Section 2. The Board designates each of the Chair, Vice Chair, Chief Financial Officer, Treasury Manager or their designee as an "Authorized Representative" of the County to negotiate the term and the sale of the Bonds and to determine and designate the dated date of the Bonds, the series designation, the maturity dates and amounts, the interest rates and interest rate modes, the optional and mandatory redemption provisions, with or without premium, if any, and the interest payment dates and such other provisions and terms of the Bonds as are deemed necessary and desirable for the issuance, sale and closing of the Bonds. The Bonds shall be executed by the facsimile signature of the Chair of the Board and shall be attested by the facsimile signature of an Authorized Representative of the County. The Bonds shall be issued or executed in the form as may be approved by the Authorized Representative.

Section 3. The Board authorizes the Authorized Representative to review and approve the terms and provisions of the Financing Documents, an official statement or other offering document (collectively, the "Offering Document"), and a Bond Purchase Agreement (the "Purchase Agreement") among the County, the Borrower and Piper Jaffray & Co. as underwriter of the Bonds (the "Underwriter").

Section 4. The Bond Indenture provides for the establishment of the special funds to be held in trust as set forth therein. The County is obligated to deposit proceeds of the Bonds to the funds as set forth in and as required by the Financing Documents. In addition, the County shall provide for the deposit of all of the loan payments payable to the County pursuant to the Financing Documents.

Section 5. The County's pledge for the payment of the Bonds shall be valid and binding from the date of the adoption of this Resolution against any parties having subsequent claims of any kind in tort, contract or otherwise against the County or the Borrower, irrespective of whether such parties have actual notice of this pledge. This pledge is noted pursuant to Oregon Revised Statutes Section 352.805(4), and shall be constructive notice thereof to all parties, and neither this Resolution nor other instrument by which a pledge is created need be otherwise recorded, nor shall the filing of any financing statement under the Oregon Uniform Commercial Code be required to perfect such pledge.

Section 6. The County authorizes the sale of the Bonds pursuant to the terms and conditions of the Purchase Agreement, as may be approved by the Authorized Representative.

Section 7. The County directs the Authorized Representative to execute and deliver the Financing Documents and the Purchase Agreement in the forms and with such changes as may be approved by the Authorized Representative. The County authorizes the performance by the County of the obligations and duties on its part as contained in the Financing Documents and the Purchase Agreement. Any one or more of the Authorized Representatives shall approve, execute and deliver each of the above-described documents and such other documents as are necessary to consummate the sale and/or issuance of the Bonds.

Section 8. During any time the Bonds are held in a book-entry only system (the "Book-Entry System"), the registered owner of all of the Bonds shall be The Depository Trust Company, New York, New York ("DTC"), and the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. The County has entered into a Blanket Issuer Letter of Representations (the "Letter") wherein the County represents that it will comply with the requirements stated in DTC's Operational Arrangements as they may be amended from time to time.

Section 9. For purposes of compliance by the Underwriter with Rule 15c2-12(b)(1) (the "Rule") of the federal Securities and Exchange Commission, the County authorizes the distribution of the Offering Document in preliminary and final form, and the Authorized Representatives are authorized to deem the Offering Document as "final" for purposes of the Rule.

Section 10. The Bonds may be transferred or subject to exchange, for fully registered bonds as provided in the Financing Documents. All Bonds issued upon transfer of or in exchange for the Bonds shall be valid obligations of the County evidencing the same obligation and shall be entitled to the same benefits as the Bonds surrendered for such exchange or transfer. All fees, expenses and charges of a paying agent and registrar shall be payable by the Borrower.

Section 11. The County may prepay the Bonds as provided in the Financing Documents.

Section 12. In consideration of the purchase and acceptance of any or all of the Bonds by those who shall own the same from time to time (the "Owners"), the provisions of this Resolution shall be part of the contract of the County with the Owners and shall be deemed to be and shall constitute a contract between the County and the Owners. The covenants, pledges, and representations contained in this Resolution or in the closing documents executed in connection with the Bonds, including without limitation the County's covenants and pledges contained herein, and the other covenants and agreements herein set forth to be performed by or on behalf of the County shall be contracts for the equal benefit, protection and security of the Owners, all of which shall be of equal rank without preference, priority or distinction of any of such Bond over any other thereof, except as expressly provided in or pursuant to this Resolution.

Section 13. Each Authorized Representative of the County is authorized to take such action and to approve, execute or deliver for and on behalf of the County such other and additional documents including, but not limited to a tax certificate and agreement, an Internal Revenue Service Information Report (Form 8038), a reimbursement and credit agreement, an initial credit facility, an intercreditor agreement, a tender agent agreement, a remarketing agreement, a written certification and "identification" of an interest rate swap within the meaning of Treasury Regulations Section 1.148-4(h)(2) at the request of the Borrower in a timely manner, and any documents necessary to obtain credit enhancement or liquidity support for the Bonds, all as may be necessary in the opinion of Orrick, Herrington & Sutcliffe LLP, as Bond Counsel and Special Counsel to the County, for the closing of the issuance and sale of the Bonds. The Authorized Representatives are further authorized to carry out the transactions contemplated by the documents defined in the Financing Documents and as authorized and approved in this Resolution, and to execute and deliver the Purchase Agreement, the Financing Documents, the Bonds, the Tax Certificate and Agreement and all other documents hereby authorized, to the respective parties entitled thereto.

ADOPTED and effective this 24th day of July 2008.

**MULTNOMAH COUNTY
BOARD OF COMMISSIONERS**

By _____
Chair

REVIEWED:

**AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON**

By _____
Agnes Sowle, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-108

Authorizing Approval of the Issuance of Tax-Exempt Revenue Bonds (Pacific Northwest College of Art Project), in one or more Series, in an Aggregate Principal Amount Not to Exceed \$10,000,000; Designating an Authorized Representative; and Related Matters

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (the "Board") of Multnomah County, Oregon (the "County"), is authorized as a municipality, defined in Oregon Revised Statutes ("ORS") Sections 352.790 to 352.820, to issue education facilities revenue bonds for the benefit of nonprofit educational institutions within the State of Oregon. The Board has received a request from Pacific Northwest College of Art (the "Borrower"), a nonprofit corporation organized and existing under the laws of the State of Oregon and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, to execute and deliver tax-exempt revenue bonds, in one or more series (the "Bonds"), and loan the proceeds thereof to the Borrower in an aggregate principal amount not to exceed \$10,000,000. The Bonds shall be issued pursuant to ORS Sections 287A.150 and 352.790 to 352.820, inclusive (the "Act"), to finance the costs of acquisition, construction, additions, renovations and improvements of and to a building located at 1241 N.W. Johnson Street, Portland, Oregon 97209 to be used by the Borrower to accommodate new programs and enrollment growth in an approximate amount of \$8,000,000 (collectively, the "Project"), and to fund a debt service reserve fund, if required, and pay certain costs of issuance including letter of credit fees.
- b. On May 8, 2008, the Board adopted Resolution No. 08-059 (the "Preliminary Resolution"), giving preliminary approval of the Bonds and authorizing the publication of a Notice of Intent to Issue Revenue Bonds (the "Notice").
- c. On May 12, 2008, as authorized by the Preliminary Resolution, the County published the Notice in *The Oregonian*. Pursuant to the Act, the County may not sell the Bonds until at least 60 days following the publication of the Notice. The 60 day period allows electors residing within the County the opportunity to file a petition with the County asking to have the question of whether to issue such Bonds referred to a vote. No petitions were filed during the 60 day period ending July 14, 2008.
- d. The Board has determined that the execution and delivery of the financing documents described below and the use of the proceeds thereof by the Borrower to finance the Project is necessary and desirable and that such financing documents and the Project are in the best interest of the citizens of Multnomah County, Oregon.
- e. Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), requires that a public hearing be conducted to provide the opportunity for members of the public to express their view, orally, or in writing, regarding the issuance of the Bonds and the Project. The Authorized Representatives, as hereinafter defined, are authorized to conduct a public

hearing and provide a hearing officer's report to the Chair of the Board of County Commissioners. Notice of the public hearing will be published in *The Oregonian*.

- f. The County will issue the Bonds under the following financing documents (collectively, the "Financing Documents"), which may include, but are not limited to:
 - 1. a Bond Indenture (the "Bond Indenture"), between the County and U.S. Bank National Association, as trustee (the "Trustee");
 - 2. a Loan Agreement (the "Loan Agreement"), between the County and the Borrower; and
 - 3. a Deed of Trust, Security Agreement and Assignment of Leases and Rents.
- g. The principal of and interest on the Bonds will not constitute a debt of Multnomah County, Oregon, nor shall the Bonds be payable from a tax of any nature levied upon any property within Multnomah County, Oregon nor within any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources provided or arranged by the Borrower.
- h. The Board determines that it is in the best interest to proceed with the issuance of the Bonds. Capitalized terms not defined herein shall have the meanings set forth in the Financing Documents.

The Multnomah County Board of Commissioners Resolves:

Section 1. The Board authorizes and approves of the provisions of and directs the execution, sale, delivery and issuance of the Bonds, in one or more series, and in an aggregate principal amount not to exceed \$10,000,000 to finance the Project. Proceeds of the Bonds will be used to finance the costs of the Project.

Section 2. The Board designates each of the Chair, Vice Chair, Chief Financial Officer, Treasury Manager or their designee as an "Authorized Representative" of the County to negotiate the term and the sale of the Bonds and to determine and designate the dated date of the Bonds, the series designation, the maturity dates and amounts, the interest rates and interest rate modes, the optional and mandatory redemption provisions, with or without premium, if any, and the interest payment dates and such other provisions and terms of the Bonds as are deemed necessary and desirable for the issuance, sale and closing of the Bonds. The Bonds shall be executed by the facsimile signature of the Chair of the Board and shall be attested by the facsimile signature of an Authorized Representative of the County. The Bonds shall be issued or executed in the form as may be approved by the Authorized Representative.

Section 3. The Board authorizes the Authorized Representative to review and approve the terms and provisions of the Financing Documents, an official statement or other offering document (collectively, the "Offering Document"), and a Bond Purchase Agreement (the "Purchase Agreement") among the County, the Borrower and Piper Jaffray & Co. as underwriter of the Bonds (the "Underwriter").

Section 4. The Bond Indenture provides for the establishment of the special funds to be held in trust as set forth therein. The County is obligated to deposit proceeds of the Bonds to the funds as set forth in and as required by the Financing Documents. In addition, the County shall provide for the deposit of all of the loan payments payable to the County pursuant to the Financing Documents.

Section 5. The County's pledge for the payment of the Bonds shall be valid and binding from the date of the adoption of this Resolution against any parties having subsequent claims of any kind in tort, contract or otherwise against the County or the Borrower, irrespective of whether such parties have actual notice of this pledge. This pledge is noted pursuant to Oregon Revised Statutes Section 352.805(4), and shall be constructive notice thereof to all parties, and neither this Resolution nor other instrument by which a pledge is created need be otherwise recorded, nor shall the filing of any financing statement under the Oregon Uniform Commercial Code be required to perfect such pledge.

Section 6. The County authorizes the sale of the Bonds pursuant to the terms and conditions of the Purchase Agreement, as may be approved by the Authorized Representative.

Section 7. The County directs the Authorized Representative to execute and deliver the Financing Documents and the Purchase Agreement in the forms and with such changes as may be approved by the Authorized Representative. The County authorizes the performance by the County of the obligations and duties on its part as contained in the Financing Documents and the Purchase Agreement. Any one or more of the Authorized Representatives shall approve, execute and deliver each of the above-described documents and such other documents as are necessary to consummate the sale and/or issuance of the Bonds.

Section 8. During any time the Bonds are held in a book-entry only system (the "Book-Entry System"), the registered owner of all of the Bonds shall be The Depository Trust Company, New York, New York ("DTC"), and the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. The County has entered into a Blanket Issuer Letter of Representations (the "Letter") wherein the County represents that it will comply with the requirements stated in DTC's Operational Arrangements as they may be amended from time to time.

Section 9. For purposes of compliance by the Underwriter with Rule 15c2-12(b)(1) (the "Rule") of the federal Securities and Exchange Commission, the County authorizes the distribution of the Offering Document in preliminary and final form, and the Authorized Representatives are authorized to deem the Offering Document as "final" for purposes of the Rule.

Section 10. The Bonds may be transferred or subject to exchange, for fully registered bonds as provided in the Financing Documents. All Bonds issued upon transfer of or in exchange for the Bonds shall be valid obligations of the County evidencing the same obligation and shall be entitled to the same benefits as the Bonds surrendered for such exchange or transfer. All fees, expenses and charges of a paying agent and registrar shall be payable by the Borrower.

Section 11. The County may prepay the Bonds as provided in the Financing Documents.

Section 12. In consideration of the purchase and acceptance of any or all of the Bonds by those who shall own the same from time to time (the "Owners"), the provisions of this Resolution shall be part of the contract of the County with the Owners and shall be deemed to be and shall constitute a contract between the County and the Owners. The covenants, pledges, and representations contained in this Resolution or in the closing documents executed in connection with the Bonds, including without limitation the County's covenants and pledges contained herein, and the other covenants and agreements herein set forth to be performed by or on behalf of the County shall be contracts for the equal benefit, protection and security of the Owners, all of which shall be of equal rank without preference, priority or distinction of any of such Bond over any other thereof, except as expressly provided in or pursuant to this Resolution.

Section 13. Each Authorized Representative of the County is authorized to take such action and to approve, execute or deliver for and on behalf of the County such other and additional documents including, but not limited to a tax certificate and agreement, an Internal Revenue Service Information Report (Form 8038), a reimbursement and credit agreement, an initial credit facility, an intercreditor agreement, a tender agent agreement, a remarketing agreement, a written certification and "identification" of an interest rate swap within the meaning of Treasury Regulations Section 1.148-4(h)(2) at the request of the Borrower in a timely manner, and any documents necessary to obtain credit enhancement or liquidity support for the Bonds, all as may be necessary in the opinion of Orrick, Herrington & Sutcliffe LLP, as Bond Counsel and Special Counsel to the County, for the closing of the issuance and sale of the Bonds. The Authorized Representatives are further authorized to carry out the transactions contemplated by the documents defined in the Financing Documents and as authorized and approved in this Resolution, and to execute and deliver the Purchase Agreement, the Financing Documents, the Bonds, the Tax Certificate and Agreement and all other documents hereby authorized, to the respective parties entitled thereto.

ADOPTED and effective this 24th day of July 2008.

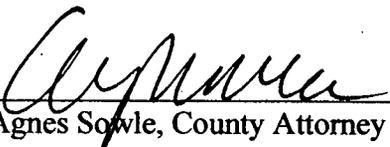


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Dept. of County Management

**INTERGOVERNMENTAL
COOPERATION AGREEMENT**

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT IS BETWEEN THE HOSPITAL FACILITY AUTHORITY OF CLACKAMAS COUNTY, OREGON AND THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON RELATING TO THE ISSUANCE OF THE HOSPITAL FACILITY AUTHORITY OF CLACKAMAS COUNTY, OREGON, REVENUE BONDS (LEGACY HEALTH SYSTEM), SERIES 2008.

This Intergovernmental Cooperation Agreement (the "Agreement") is made and entered into between the Hospital Facility Authority of Clackamas County, Oregon (the "Clackamas Authority") and The Hospital Facilities Authority of Multnomah County, Oregon (the "Multnomah Authority"), each a public authority created by Clackamas County and Multnomah County, respectively, as Oregon units of local government.

RECITALS

A. The Clackamas Authority and the Multnomah Authority desire to enter into this Intergovernmental Cooperation Agreement (the "Agreement") for the purpose of designating the Clackamas Authority as the issuer of the Bonds for the Projects (both as defined below).

B. The Clackamas Authority and the Multnomah Authority acknowledge that they have authority to execute and deliver this Agreement pursuant to ORS 190.010 and ORS 441.575.

C. The Clackamas Authority has received a request from Legacy Health System (the "Borrower") for the issuance by the Clackamas Authority of its Revenue Bonds (Legacy Health System), Series 2008 (the "Bonds").

B. The proceeds of the Bonds will be used to make a loan to the Borrower to finance the costs of the following projects (collectively, the "Projects"):

- (i) approximately \$41,985,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Meridian Park Hospital, 19300 S.W. 65th, Tualatin, Oregon, which are owned by Legacy Meridian Park Hospital, including additional imaging and surgical equipment such as a MRI, digital mammography, CT scanner, surgical navigation systems and various facility renovations and upgrades;
- (ii) approximately \$25,712,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, 24800 S.E. Stark, Gresham, Oregon, which are owned by Legacy Mount Hood Medical Center, including phone system

upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;

- (iii) approximately \$279,832,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, 2801 N. Gantenbein, Portland, Oregon, which are owned by Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades;
- (iv) approximately \$21,479,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, 1015 N.W. 22nd and 1130 N.W. 22nd, Portland, Oregon, which are owned by Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;
- (v) approximately \$4,015,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities located at 1919 N.W. Lovejoy Street, Portland, Oregon, which are owned by the Borrower, including phone upgrades and various facility renovations and upgrades; and
- (vi) to pay certain costs of issuance relating to Bonds, including capitalized interest and a debt service reserve fund, if necessary, and credit enhancement fees.

NOW, THEREFORE, it is agreed by and between the Clackamas Authority and the Multnomah Authority, as follows:

1. Issuance by Clackamas Authority. Pursuant to ORS 441.550(6) and 441.555 which provide that an authority may issue revenue bonds to accomplish its purposes, ORS 441.575 which provides all powers and responsibilities under ORS 441.525 to 441.595 may be exercised by two or more authorities acting jointly to effectuate the purposes of ORS 441.525 to 441.595, and ORS 190.010 which provides that units of local government may agree to designate one of the parties to an intergovernmental agreement to perform any or all functions and activities that a party to the agreement has the authority to perform, the Clackamas Authority and the Multnomah Authority agree that the Clackamas Authority will be the issuer of the Bonds.

2. Further Authority. This Agreement is executed by the parties hereto to clearly identify the Clackamas Authority as the issuer of the Bonds and to supplement the further authority of the Clackamas Authority to issue the Bonds pursuant to ORS 441.550(2) which provides that an authority has the power to improve and equip hospital facilities within or without the corporate limits of the municipality by which it was created.

3. Multnomah Authority/Multnomah County, Oregon No Liability on the Bonds. Neither the Multnomah Authority nor Multnomah County, Oregon shall have any obligation or liability with respect to the Bonds. The Clackamas Authority shall act as the sole issuer of the Bonds pursuant to this Agreement.

4. Severability. If any provision of this Agreement shall be held to be invalid, illegal or unenforceable, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.

5. Counterpart. This Agreement may be signed in one or more counterparts by the parties hereto and each counterpart shall be treated as an original.

6. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Oregon.

IN WITNESS WHEREOF, the parties have set their hands as of this 6th day of June 2008.

**HOSPITAL FACILITY AUTHORITY
OF CLACKAMAS COUNTY, OREGON**

**THE HOSPITAL FACILITIES AUTHORITY
OF MULTNOMAH COUNTY, OREGON**

By: _____

Chairman

By: _____

Authorized Representative

PUBLIC HEARING REPORT
PUBLIC HEARING REPORT TO THE
BOARD OF COUNTY COMMISSIONERS OF
MULTNOMAH COUNTY, OREGON

Public Hearing Regarding
Revenue Bonds
(Legacy Health System)
Series 2008
Issued by the Hospital Facility Authority of
Clackamas County, Oregon

On June 4, 2008, the undersigned Chief Financial Officer of Multnomah County, Oregon conducted a public hearing at 11:15 a.m. in the Platinum Room, Fifth Floor of the Multnomah Building, 501 S.E. Hawthorne Blvd., Portland, Oregon 97214 pursuant to the provisions of Section 147(f) of the Internal Revenue Code of 1986. The Board of County Commissioners of Multnomah County, Oregon (the "Board") has designated the Chief Financial Officer as the hearings official (the "Hearings Official") to conduct such hearing for and on behalf of the Board.

Notice of the public hearing was published May 21, 2008 in *The Oregonian*. The purpose of the public hearing was to receive oral or written comments from the public regarding the proposed issuance of Revenue Bonds (Legacy Health System), Series 2008, by the Hospital Facility Authority of Clackamas County, Oregon in an aggregate principal amount not to exceed \$350,000,000 (the "Bonds") for projects located in Multnomah County as described in the Notice of Public Hearing.

At 11:17 a.m. the Hearings Official convened the public hearing and requested any oral or written comments.

No comments, written or oral, were submitted to the Hearings Official other than comments of representatives of Orrick, Herrington & Sutcliffe LLP, Bond Counsel and Special Counsel to the Authority and Legacy Health System who made a presentation in support of the Series 2008 Bonds. At approximately 11:40 a.m. the hearing was closed.

Respectfully submitted,

MULTNOMAH COUNTY, OREGON

By: Mindy Hines
Hearings Official

The Oregonian

EST. 1850

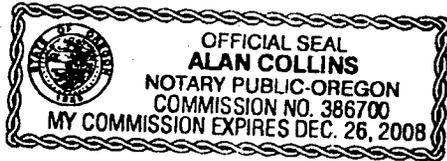
Practically Indispensable.

1320 SW Broadway, Portland, OR 97201-3499

Affidavit of Publication

1. Michelle Harris, duly sworn depose and say that I am the Principal Clerk Of The Publisher of The Oregonian, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published in the city of Portland, in Multnomah County, Oregon; that the advertisement, (the printed text of which is shown below or shown in the attached tear sheet) was published without interruption in the entire and regular issue The Oregonian or the issue on the following dates:

5/21/2008



Michelle Harris

Principal Clerk of the Publisher:

5/22/08

Subscribed and sworn to before me this date:

Alan Collins

Notary:

Ad Order Number: 0002553281

NOTICE OF PUBLIC HEARING

THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON

Wednesday
June 4, 2008
11:15 a.m.

Multnomah Building
Platinum Room, Fifth Floor
501 S.E. Hawthorne Blvd.
Portland, Oregon 97214

A public hearing will be held on Wednesday, June 4, 2008, at 11:15 a.m. at the Multnomah Building, Platinum Room, Fifth Floor, 501 S.E. Hawthorne Blvd., Portland, Oregon 97214, with respect to the proposed issuance by the Hospital Facility Authority of Clackamas County, Oregon (the "Issuer") of its tax-exempt Hospital Revenue Bonds (Legacy Health System), in one or more series, in an aggregate principal amount not to exceed \$350,000,000 (the "Bonds"), for the purposes of making a loan to Legacy Health System (the "Borrower"), an Oregon nonprofit corporation organized and existing under the laws of the State of Oregon and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code") to finance among others the following projects located in Multnomah County.

The amounts of the projects to be financed below (collectively, the "Projects") represent the maximum amount of Bonds to be issued for each such Project; the actual principal amount of Bonds issued for any specific Project may be less than the maximum amount indicated. The proceeds of the Bonds will be used to make a loan to the Borrower to finance the costs of the following Projects located in Multnomah County:

approximately \$25,712,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, 24800 S.E. Stark, Gresham, Oregon, which are owned by Legacy Mount Hood Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades; approximately \$29,632,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, 2601 N. Gantenbein, Portland, Oregon, which are owned by Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades;

approximately \$21,479,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, 1015 NW 22nd and 1130 NW 22nd, Portland, Oregon, which are owned by Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades; and approximately \$4,000,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities located at 1919 N.W. Levey, Street, Portland, Oregon, which are owned by the Borrower, including phone upgrades and various facility renovations and upgrades.

The maximum aggregate principal amount of Bonds to be issued to finance each of the Projects at the addresses identified above, as well as the maximum amount of Bonds to be issued in the aggregate for all Projects, will not exceed \$350,000,000.

Any portion of proceeds of the Bonds not used at a location specified above may be used at another specified location for the purposes specified above.

The Borrower or its affiliates will be the initial owner(s) of the Projects financed and/or refinanced with the Bonds.

Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that the issuance of the Bonds be approved by the applicable elected representatives of the governmental unit having jurisdiction over the area in which any portion of the Projects are located. For the issuer to issue the Bonds, it is necessary that the Chair of the Board of County Commissioners of Multnomah County, Oregon, as the chief elected representative of the governmental unit having jurisdiction over the area in which a portion of the Projects are located, approve the issuance of the Bonds.

The principal of and interest on the Bonds will not constitute a debt of Multnomah County, Oregon, or the issuer, nor shall the Bonds be payable from a tax of any nature levied upon any property within Multnomah County, Oregon nor within any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources provided by the Borrower or its affiliates.

The purpose of the public hearing will be to provide a reasonable opportunity for members of the public to express their views, orally or in writing, regarding the issuance of the Bonds and the uses and purposes of the proceeds of the Bonds. The hearing will be conducted in a manner that provides a reasonable opportunity for persons with differing views to be heard on the question of the issuance of the Bonds. Written comments also may be delivered at the public hearing or mailed to the County at the address indicated above.

This notice is published pursuant to the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986 and the regulations and rulings issued thereunder.

THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON

Published May 21, 2008 in The Oregonian, Portland, Oregon, at least 14 days prior to the meeting date.

The Oregonian

EST. 1846

Practically Indispensable.

1320 SW Broadway, Portland, OR 97201-3499

Affidavit of Publication

NOTICE OF PUBLIC HEARING

THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON

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The Oregonian

EST. 1850

Practically Indispensable.

1320 SW Broadway, Portland, OR 97201-3499

Affidavit of Publication

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This notice is published pursuant to the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986 and the regulations and rulings issued thereunder.

THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON Published May 21, 2008 in The Oregonian, Portland, Oregon, at least 14 days prior to the meeting date.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/24/08
Agenda Item #: R-2
Est. Start Time: 9:45 AM
Date Submitted: 07/11/08

Agenda Title: **RESOLUTION Approving an Intergovernmental Agreement and Issuance of Bonds (Legacy Health System), Series 2008 by the Hospital Facility Authority of Clackamas County, Oregon**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 24, 2008 **Amount of Time Needed:** 15 Minutes
Department: County Management **Division:** Finance & Risk Management
Contact(s): Mindy Harris
Phone: 503-988-3786 **Ext.** 83786 **I/O Address:** 503/531
Presenter(s): Mindy Harris, Harry Morton, and Doug Goe

General Information

1. What action are you requesting from the Board?

Approval of resolution giving approval of an intergovernmental agreement and issuance of tax-exempt revenue bonds by the HFA of Clackamas County, Oregon in an amount not to exceed \$350,000,000.

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.

This conduit financing is similar to others previously approved by the County for the benefit of nonprofit educational institutions within the State of Oregon and as authorized pursuant to Oregon Revised Statutes Sections 287A.150 and 352.790 to 352.820. The difference is that the issuer of the bonds will be the HFA of Clackamas County. Because a portion of the proceeds will be used in Multnomah County, the approval of the HFA of Multnomah County is required.

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

No fiscal impact.

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

The County is not legally responsible for the repayment of the debt, the costs of issuance of the debt, or for including the debt on the County's Comprehensive Annual Financial Report.

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

In addition to the hearing before the Board of County Commissioners, there will also be a public notice and hearing as required by the Tax Equity and Fiscal Responsibility Act. This hearing is required prior to the debt issuance transaction.

Required Signature

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

Mindy Harris

Date: 07/10/08

BOGSTAD Deborah L

From: MORTON Harry S
Sent: Wednesday, July 16, 2008 2:23 PM
To: BOGSTAD Deborah L; KARNES Ana
Subject: BCC Meeting July 24, 2008

Hi, Deb and Ana -

Doug Goe and Sherri Graves from Orrick have requested a few minutes of time during the Board Meeting of the Hospital Facilities Authority to brief the Board on an upcoming project for the HFA to consider. After the HFA votes on the IGA they have asked that the Chair ask "Is there is any other business for the HFA Board before the meeting is adjourned?" Thanks.

Harry

Multnomah County Treasury
501 S.E. Hawthorne Blvd., Suite 531
Portland, OR 97214
(503) 988-3290 (phone)
(503) 988-5725 (fax)
503/531/treasury (inter-office)
harry.s.morton@co.multnomah.or.us

Please consider the environment before printing this e-mail



Approving an Intergovernmental Agreement and Issuance of Revenue Bonds (Legacy Health System), Series 2008 by the Hospital Facility Authority of Clackamas County, Oregon.

EXHIBIT A

INTERGOVERNMENTAL COOPERATION AGREEMENT

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT IS BETWEEN THE HOSPITAL FACILITY AUTHORITY OF CLACKAMAS COUNTY, OREGON AND THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON RELATING TO THE ISSUANCE OF THE HOSPITAL FACILITY AUTHORITY OF CLACKAMAS COUNTY, OREGON, REVENUE BONDS (LEGACY HEALTH SYSTEM), SERIES 2008.

This Intergovernmental Cooperation Agreement (the "Agreement") is made and entered into between the Hospital Facility Authority of Clackamas County, Oregon (the "Clackamas Authority") and The Hospital Facilities Authority of Multnomah County, Oregon (the "Multnomah Authority"), each a public authority created by Clackamas County and Multnomah County, respectively, as Oregon units of local government.

RECITALS

A. The Clackamas Authority and the Multnomah Authority desire to enter into this Intergovernmental Cooperation Agreement (the "Agreement") for the purpose of designating the Clackamas Authority as the issuer of the Bonds for the Projects (both as defined below).

B. The Clackamas Authority and the Multnomah Authority acknowledge that they have authority to execute and deliver this Agreement pursuant to ORS 190.010 and ORS 441.575.

C. The Clackamas Authority has received a request from Legacy Health System (the "Borrower") for the issuance by the Clackamas Authority of its Revenue Bonds (Legacy Health System), Series 2008 (the "Bonds").

B. The proceeds of the Bonds will be used to make a loan to the Borrower to finance the costs of the following projects (collectively, the "Projects"):

- (i) approximately \$41,985,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Meridian Park Hospital, 19300 S.W. 65th, Tualatin, Oregon, which are owned by Legacy Meridian Park Hospital, including additional imaging and surgical equipment such as a MRI, digital mammography, CT scanner, surgical navigation systems and various facility renovations and upgrades;
- (ii) approximately \$25,712,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, 24800 S.E. Stark, Gresham, Oregon, which are owned by Legacy Mount Hood Medical Center, including phone system

upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;

- (iii) approximately \$279,832,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, 2801 N. Gantenbein, Portland, Oregon, which are owned by Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades;
- (iv) approximately \$21,479,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, 1015 N.W. 22nd and 1130 N.W. 22nd, Portland, Oregon, which are owned by Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;
- (v) approximately \$4,015,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities located at 1919 N.W. Lovejoy Street, Portland, Oregon, which are owned by the Borrower, including phone upgrades and various facility renovations and upgrades; and
- (vi) to pay certain costs of issuance relating to Bonds, including capitalized interest and a debt service reserve fund, if necessary, and credit enhancement fees.

NOW, THEREFORE, it is agreed by and between the Clackamas Authority and the Multnomah Authority, as follows:

1. Issuance by Clackamas Authority. Pursuant to ORS 441.550(6) and 441.555 which provide that an authority may issue revenue bonds to accomplish its purposes, ORS 441.575 which provides all powers and responsibilities under ORS 441.525 to 441.595 may be exercised by two or more authorities acting jointly to effectuate the purposes of ORS 441.525 to 441.595, and ORS 190.010 which provides that units of local government may agree to designate one of the parties to an intergovernmental agreement to perform any or all functions and activities that a party to the agreement has the authority to perform, the Clackamas Authority and the Multnomah Authority agree that the Clackamas Authority will be the issuer of the Bonds.

2. Further Authority. This Agreement is executed by the parties hereto to clearly identify the Clackamas Authority as the issuer of the Bonds and to supplement the further authority of the Clackamas Authority to issue the Bonds pursuant to ORS 441.550(2) which provides that an authority has the power to improve and equip hospital facilities within or without the corporate limits of the municipality by which it was created.

3. Multnomah Authority/Multnomah County, Oregon No Liability on the Bonds. Neither the Multnomah Authority nor Multnomah County, Oregon shall have any obligation or liability with respect to the Bonds. The Clackamas Authority shall act as the sole issuer of the Bonds pursuant to this Agreement.

4. Severability. If any provision of this Agreement shall be held to be invalid, illegal or unenforceable, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.

5. Counterpart. This Agreement may be signed in one or more counterparts by the parties hereto and each counterpart shall be treated as an original.

6. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Oregon.

IN WITNESS WHEREOF, the parties have set their hands as of this 6th day of June 2008.

**HOSPITAL FACILITY AUTHORITY
OF CLACKAMAS COUNTY, OREGON**

**THE HOSPITAL FACILITIES AUTHORITY
OF MULTNOMAH COUNTY, OREGON**

By: _____
Chairman

By: _____
Authorized Representative

PUBLIC HEARING REPORT
PUBLIC HEARING REPORT TO THE
BOARD OF COUNTY COMMISSIONERS OF
MULTNOMAH COUNTY, OREGON

Public Hearing Regarding
Revenue Bonds
(Legacy Health System)
Series 2008
Issued by the Hospital Facility Authority of
Clackamas County, Oregon

On June 4, 2008, the undersigned Chief Financial Officer of Multnomah County, Oregon conducted a public hearing at 11:15 a.m. in the Platinum Room, Fifth Floor of the Multnomah Building, 501 S.E. Hawthorne Blvd., Portland, Oregon 97214 pursuant to the provisions of Section 147(f) of the Internal Revenue Code of 1986. The Board of County Commissioners of Multnomah County, Oregon (the "Board") has designated the Chief Financial Officer as the hearings official (the "Hearings Official") to conduct such hearing for and on behalf of the Board.

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Respectfully submitted,

MULTNOMAH COUNTY, OREGON

By: Mindy Harris
Hearings Official

The Oregonian

EST 1850

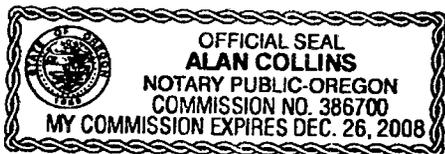
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5/21/2008



Michelle Harris

Principal Clerk of the Publisher:

5/22/08

Subscribed and sworn to before me this date:

Alan Collins

Notary:

Ad Order Number: 0002553281

NOTICE OF PUBLIC HEARING

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approximately \$1,471,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, 1015 NW 22nd and 1130 NW 22nd, Portland, Oregon, which are owned by Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades; and

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THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON

Wednesday June 4, 2008 11:15 a.m.

Multnomah Building Platinum Room, Fifth Floor 501 S.E. Hawthorne Blvd. Portland, Oregon 97214A public hearing will be held on Wednesday, June 4, 2008, at 11:15 a.m. at the Multnomah Building, Platinum Room, Fifth Floor, 501 S.E. Hawthorne Blvd, Portland, Oregon 97214, with respect to the proposed issuance by the Hospital Facility Authority of Clackamas County, Oregon (the "Issuer") of its tax-exempt Hospital Revenue Bonds (Legacy Health System), in one or more series, in an aggregate principal amount not to exceed \$350,000,000 (the "Bonds"), for the purposes of making a loan to Legacy Health System (the "Borrower"), an Oregon nonprofit corporation organized and existing under the laws of the State of Oregon and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code") to finance among others the following projects located in Multnomah County.

The amounts of the projects to be financed below (collectively, the "Projects") represent the maximum amount of Bonds to be issued for each such Project; the actual principal amount of Bonds issued for any specific Project may be less than the maximum amount indicated. The proceeds of the Bonds will be used to make a loan to the Borrower to finance the costs of the following Projects located in Multnomah County: approximately \$25,712,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, 24800 S.E. Stark, Gresham, Oregon, which are owned by Legacy Mount Hood Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades; approximately \$279,832,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, 2801 N. Gantenbein, Portland, Oregon, which are owned by Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades; approximately \$21,479,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, 1015 NW 22nd and 1130 NW 22nd, Portland, Oregon, which are owned by Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades; and approximately \$4,015,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities located at 1919 N.W. Lovejoy Street, Portland, Oregon, which are owned by the Borrower, including phone upgrades various facility renovations and upgrades. The maximum aggregate principal amount of Bonds to be issued to finance each of the Projects at the addresses identified above, as well as the maximum amount of Bonds to be issued in the aggregate for all Projects, will not exceed \$350,000,000. Any portion of proceeds of the Bonds not used at a location specified above may be used at another specified location for the purposes specified above.

The Borrower or its affiliates will be the initial owner(s) of the Projects financed and/or refinanced with the Bonds.

Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that the issuance of the Bonds be approved by the applicable elected representatives of the governmental unit having jurisdiction over the area in which any portion of the Projects are located. For the Issuer to issue the Bonds, it is necessary that the Chair of the Board of County Commissioners of Multnomah County, Oregon, as the chief elected representative of the governmental unit having jurisdiction over the area in which a portion of the Projects are located, approve the issuance of the Bonds.

The Oregonian

EST. 1850

Practically Indispensable.

1320 SW Broadway, Portland, OR 97201-3499

Affidavit of Publication

The principal of and interest on the Bonds will not constitute a debt of Multnomah County, Oregon, or the Issuer, nor shall the Bonds be payable from a tax of any nature levied upon any property within Multnomah County, Oregon nor within any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources provided by the Borrower or its affiliates.

The purpose of the public hearing will be to provide a reasonable opportunity for members of the public to express their views, orally or in writing, regarding the issuance of the Bonds and the uses and purposes of the proceeds of the Bonds. The hearing will be conducted in a manner that provides a reasonable opportunity for persons with differing views to be heard on the question of the issuance of the Bonds. Written comments also may be delivered at the public hearing or mailed to the County at the address indicated above.

This notice is published pursuant to the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986 and the regulations and rulings issued thereunder.

THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON Published May 21, 2008 in The Oregonian, Portland, Oregon, at least 14 days prior to the meeting date.

**INTERGOVERNMENTAL
COOPERATION AGREEMENT**

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT IS BETWEEN THE HOSPITAL FACILITY AUTHORITY OF CLACKAMAS COUNTY, OREGON AND THE HOSPITAL FACILITIES AUTHORITY OF MULTNOMAH COUNTY, OREGON RELATING TO THE ISSUANCE OF THE HOSPITAL FACILITY AUTHORITY OF CLACKAMAS COUNTY, OREGON, REVENUE BONDS (LEGACY HEALTH SYSTEM), SERIES 2008.

This Intergovernmental Cooperation Agreement (the "Agreement") is made and entered into between the Hospital Facility Authority of Clackamas County, Oregon (the "Clackamas Authority") and The Hospital Facilities Authority of Multnomah County, Oregon (the "Multnomah Authority"), each a public authority created by Clackamas County and Multnomah County, respectively, as Oregon units of local government.

RECITALS

A. The Clackamas Authority and the Multnomah Authority desire to enter into this Intergovernmental Cooperation Agreement (the "Agreement") for the purpose of designating the Clackamas Authority as the issuer of the Bonds for the Projects (both as defined below).

B. The Clackamas Authority and the Multnomah Authority acknowledge that they have authority to execute and deliver this Agreement pursuant to ORS 190.010 and ORS 441.575.

C. The Clackamas Authority has received a request from Legacy Health System (the "Borrower") for the issuance by the Clackamas Authority of its Revenue Bonds (Legacy Health System), Series 2008 (the "Bonds").

B. The proceeds of the Bonds will be used to make a loan to the Borrower to finance the costs of the following projects (collectively, the "Projects"):

- (i) approximately \$41,985,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Meridian Park Hospital, 19300 S.W. 65th, Tualatin, Oregon, which are owned by Legacy Meridian Park Hospital, including additional imaging and surgical equipment such as a MRI, digital mammography, CT scanner, surgical navigation systems and various facility renovations and upgrades;
- (ii) approximately \$25,712,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, 24800 S.E. Stark, Gresham, Oregon, which are owned by Legacy Mount Hood Medical Center, including phone system

upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;

- (iii) approximately \$279,832,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, 2801 N. Gantenbein, Portland, Oregon, which are owned by Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades;
- (iv) approximately \$21,479,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, 1015 N.W. 22nd and 1130 N.W. 22nd, Portland, Oregon, which are owned by Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;
- (v) approximately \$4,015,000 for capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities located at 1919 N.W. Lovejoy Street, Portland, Oregon, which are owned by the Borrower, including phone upgrades and various facility renovations and upgrades; and
- (vi) to pay certain costs of issuance relating to Bonds, including capitalized interest and a debt service reserve fund, if necessary, and credit enhancement fees.

NOW, THEREFORE, it is agreed by and between the Clackamas Authority and the Multnomah Authority, as follows:

1. Issuance by Clackamas Authority. Pursuant to ORS 441.550(6) and 441.555 which provide that an authority may issue revenue bonds to accomplish its purposes, ORS 441.575 which provides all powers and responsibilities under ORS 441.525 to 441.595 may be exercised by two or more authorities acting jointly to effectuate the purposes of ORS 441.525 to 441.595, and ORS 190.010 which provides that units of local government may agree to designate one of the parties to an intergovernmental agreement to perform any or all functions and activities that a party to the agreement has the authority to perform, the Clackamas Authority and the Multnomah Authority agree that the Clackamas Authority will be the issuer of the Bonds.

2. Further Authority. This Agreement is executed by the parties hereto to clearly identify the Clackamas Authority as the issuer of the Bonds and to supplement the further authority of the Clackamas Authority to issue the Bonds pursuant to ORS 441.550(2) which provides that an authority has the power to improve and equip hospital facilities within or without the corporate limits of the municipality by which it was created.

3. Multnomah Authority/Multnomah County, Oregon No Liability on the Bonds. Neither the Multnomah Authority nor Multnomah County, Oregon shall have any obligation or liability with respect to the Bonds. The Clackamas Authority shall act as the sole issuer of the Bonds pursuant to this Agreement.

4. Severability. If any provision of this Agreement shall be held to be invalid, illegal or unenforceable, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.

5. Counterpart. This Agreement may be signed in one or more counterparts by the parties hereto and each counterpart shall be treated as an original.

6. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Oregon.

IN WITNESS WHEREOF, the parties have set their hands as of this 6th day of June 2008.

**HOSPITAL FACILITY AUTHORITY
OF CLACKAMAS COUNTY, OREGON**

**THE HOSPITAL FACILITIES AUTHORITY
OF MULTNOMAH COUNTY, OREGON**

By: 
_____ Chairman

By: _____
Authorized Representative

**BEFORE THE HOSPITAL FACILITIES AUTHORITY OF
MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 08-_____

Approving an Intergovernmental Agreement and Issuance of Revenue Bonds (Legacy Health System), Series 2008 by the Hospital Facility Authority of Clackamas County, Oregon.

The Board of Directors of The Hospital Facilities Authority of Multnomah County, Oregon finds:

a. The Hospital Facility Authority of Clackamas County, Oregon (the "Clackamas Authority") has received a request from Legacy Health System, a private, nonprofit corporation organized and existing under the laws of the State of Oregon (the "Borrower") to issue Revenue Bonds (Legacy Health System), Series 2008, in an aggregate principal amount not to exceed \$350,000,000 (the "Bonds"), to finance the costs of the following projects (collectively, the "Projects"):

(i) capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Meridian Park Hospital, including additional imaging and surgical equipment such as a MRI, digital mammography, CT scanner, surgical navigation systems and various facility renovations and upgrades;

(ii) capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;

(iii) capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades;

(iv) capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;

(v) capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities, including phone upgrades and various facility renovations and upgrades; and

(vi) to pay certain costs of issuance relating to the Bonds, including capitalized interest and a debt service reserve fund, if necessary, and credit enhancement fees.

The maximum aggregate principal amount of Bonds to be issued to finance each of the Projects at the locations identified above, as well as the maximum amount of Bonds to be issued in the aggregate for all Projects, will not exceed \$350,000,000; and

b. On June 6, 2008 the Clackamas Authority adopted an Inducement Resolution giving preliminary approval of the Bonds and authorizing the execution and delivery of an Intergovernmental Cooperation Agreement (the "Intergovernmental Agreement") between the Clackamas Authority and The Hospital Facilities Authority of Multnomah County, Oregon (the "Multnomah Authority"), in substantially the form attached hereto as Exhibit A. The Intergovernmental Agreement designates the Clackamas Authority as the issuer of the Bonds for the Projects; and

c. The principal of and interest on the Bonds will not constitute a debt of the Multnomah Authority or Multnomah County nor shall the Bonds be payable from a tax of any nature levied upon any property within Multnomah County, Oregon nor any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources provided by the Borrower; and

d. The Internal Revenue Code of 1986, as amended, (the "Code") authorizes the issuance of revenue bonds for a "qualified 501(c)(3) entity," such as the Borrower; and

e. Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that qualified 501(c)(3) bonds be approved by the applicable elected representatives of (1) the governmental unit issuing such bonds (the Hospital Facility Authority of Clackamas County, Oregon) and having jurisdiction over the area in which a portion of the Projects are located (Legacy Meridian Park Hospital); such approval will be obtained by the Board of County Commissioners of Clackamas County, Oregon on June 26, 2008, and (2) the governmental unit (the Board of County Commissioners of Multnomah County, Oregon) having jurisdiction over the area in which the Projects located in Multnomah County, Oregon are located; and

f. On June 4, 2008, the Chief Financial Officer as a designated hearings officer for Multnomah County, Oregon, conducted a public hearing to provide a reasonable opportunity for members of the public to express their views, orally or in writing, regarding the issuance of the Bonds. A copy of the Public Hearing Report is attached hereto as Exhibit B; and

g. Notice of the public hearing was published in the May 21, 2008 edition of *The Oregonian*. An affidavit of publication of the Notice of Public Hearing is attached hereto at Exhibit C; and

h. Subsequent to the hearing the Chair of the Board of County Commissioners of Multnomah County, Oregon as the applicable chief elected official of the governmental unit having jurisdiction over the area in which the Projects in Multnomah County are located, prepared and signed a letter approving of the Public Hearing and the issuance of the Bonds.

The Multnomah Authority Resolves:

1. Approval of Bonds. The Multnomah Authority approves of the issuance of the Bonds by the Hospital Facility Authority of Clackamas County, Oregon.

2. Authorized Representative of the Authority. The Authority designates each of the Chair, Vice Chair, Secretary, Assistant Secretary, Chief Financial Officer, County Treasurer or the Authority's designee as "Authorized Representatives," collectively, and as an "Authorized Representative," individually (the "Authorized Representatives"), to execute and deliver such documents, and any and all other things or acts necessary for the issuance of the Bonds by the Clackamas Authority. Such acts of the Authorized Representatives are for and on behalf of the County and are authorized by the Board of County Commissioners of the County.

3. Approval of Intergovernmental Agreement. The Multnomah Authority authorizes the execution and delivery of the Intergovernmental Agreement by an Authorized Representative of the Multnomah Authority for and on behalf of the Multnomah Authority.

ADOPTED this 24th day of July 2008.

**THE HOSPITAL FACILITIES AUTHORITY
OF MULTNOMAH COUNTY, OREGON**

By: _____
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By: _____
Agnes Sowle, County Attorney

**BEFORE THE HOSPITAL FACILITIES AUTHORITY OF
MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 08-109

Approving an Intergovernmental Agreement and Issuance of Revenue Bonds (Legacy Health System), Series 2008 by the Hospital Facility Authority of Clackamas County, Oregon

The Board of Directors of The Hospital Facilities Authority of Multnomah County, Oregon Finds:

- a. The Hospital Facility Authority of Clackamas County, Oregon (the "Clackamas Authority") has received a request from Legacy Health System, a private, nonprofit corporation organized and existing under the laws of the State of Oregon (the "Borrower") to issue Revenue Bonds (Legacy Health System), Series 2008, in an aggregate principal amount not to exceed \$350,000,000 (the "Bonds"), to finance the costs of the following projects (collectively, the "Projects"):
- (i) capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Meridian Park Hospital, including additional imaging and surgical equipment such as a MRI, digital mammography, CT scanner, surgical navigation systems and various facility renovations and upgrades;
 - (ii) capital construction, remodeling and renovation, and acquisition and installation of equipment, in connection with emergency department expansion for the hospital and medical facilities located at Legacy Mount Hood Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;
 - (iii) capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Emanuel Hospital & Health Center, including a new pediatric patient tower, expansion of surgical services and the intensive care unit, a new parking garage, renovation of existing departments impacted by the expansion, phone system upgrades, imaging equipment, new patient beds, remodeling of patient rooms and various facility renovations and upgrades;
 - (iv) capital construction, remodeling and renovation, and acquisition and installation of equipment, for the hospital and medical facilities located at Legacy Good Samaritan Hospital and Medical Center, including phone system upgrades, imaging equipment, new patient beds, remodeling patient rooms and various facility renovations and upgrades;
 - (v) capital construction, remodeling and renovation, and acquisition and installation of equipment, for hospital, medical and administrative facilities, including phone upgrades and various facility renovations and upgrades; and

- (vi) to pay certain costs of issuance relating to the Bonds, including capitalized interest and a debt service reserve fund, if necessary, and credit enhancement fees.

The maximum aggregate principal amount of Bonds to be issued to finance each of the Projects at the locations identified above, as well as the maximum amount of Bonds to be issued in the aggregate for all Projects, will not exceed \$350,000,000; and

- b. On June 6, 2008 the Clackamas Authority adopted an Inducement Resolution giving preliminary approval of the Bonds and authorizing the execution and delivery of an Intergovernmental Cooperation Agreement (the "Intergovernmental Agreement") between the Clackamas Authority and The Hospital Facilities Authority of Multnomah County, Oregon (the "Multnomah Authority"), in substantially the form attached hereto as Exhibit A. The Intergovernmental Agreement designates the Clackamas Authority as the issuer of the Bonds for the Projects; and
- c. The principal of and interest on the Bonds will not constitute a debt of the Multnomah Authority or Multnomah County nor shall the Bonds be payable from a tax of any nature levied upon any property within Multnomah County, Oregon nor any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources provided by the Borrower; and
- d. The Internal Revenue Code of 1986, as amended, (the "Code") authorizes the issuance of revenue bonds for a "qualified 501(c)(3) entity," such as the Borrower; and
- e. Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that qualified 501(c)(3) bonds be approved by the applicable elected representatives of (1) the governmental unit issuing such bonds (the Hospital Facility Authority of Clackamas County, Oregon) and having jurisdiction over the area in which a portion of the Projects are located (Legacy Meridian Park Hospital); such approval will be obtained by the Board of County Commissioners of Clackamas County, Oregon on June 26, 2008, and (2) the governmental unit (the Board of County Commissioners of Multnomah County, Oregon) having jurisdiction over the area in which the Projects located in Multnomah County, Oregon are located; and
- f. On June 4, 2008, the Chief Financial Officer as a designated hearings officer for Multnomah County, Oregon, conducted a public hearing to provide a reasonable opportunity for members of the public to express their views, orally or in writing, regarding the issuance of the Bonds. A copy of the Public Hearing Report is attached hereto as Exhibit B; and
- g. Notice of the public hearing was published in the May 21, 2008 edition of *The Oregonian*. An affidavit of publication of the Notice of Public Hearing is attached hereto at Exhibit C; and.
- h. Subsequent to the hearing the Chair of the Board of County Commissioners of Multnomah County, Oregon as the applicable chief elected official of the governmental unit having jurisdiction over the area in which the Projects in Multnomah County are

located, prepared and signed a letter approving of the Public Hearing and the issuance of the Bonds.

The Board of Directors of The Hospital Facilities Authority of Multnomah County, Oregon Resolves:

1. Approval of Bonds. The Multnomah Authority approves of the issuance of the Bonds by the Hospital Facility Authority of Clackamas County, Oregon.
2. Authorized Representative of the Authority. The Authority designates each of the Chair, Vice Chair, Secretary, Assistant Secretary, Chief Financial Officer, County Treasurer or the Authority's designee as "Authorized Representatives," collectively, and as an "Authorized Representative," individually (the "Authorized Representatives"), to execute and deliver such documents, and any and all other things or acts necessary for the issuance of the Bonds by the Clackamas Authority. Such acts of the Authorized Representatives are for and on behalf of the County and are authorized by the Board of County Commissioners of the County.
3. Approval of Intergovernmental Agreement. The Multnomah Authority authorizes the execution and delivery of the Intergovernmental Agreement by an Authorized Representative of the Multnomah Authority for and on behalf of the Multnomah Authority.

ADOPTED this 24th day of July 2008.



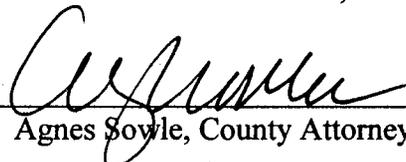
**THE HOSPITAL FACILITIES AUTHORITY
OF MULTNOMAH COUNTY, OREGON**



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Agnes Sowle, County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Dept. of County Management



Ted Wheeler, Multnomah County Chair

501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214
Phone: (503) 988-3308
Email: mult.chair@co.multnomah.or.us

APPROVAL OF CHAIR OF THE BOARD OF COUNTY COMMISSIONERS OF MULTNOMAH COUNTY, OREGON

REGARDING ISSUANCE OF MULTNOMAH COUNTY, OREGON TAX-EXEMPT VARIABLE RATE DEMAND REVENUE BONDS (PACIFIC NORTHWEST COLLEGE OF ART PROJECT) SERIES 2008

I, the undersigned Chair of the Board of County Commissioners of Multnomah County, Oregon (the "County"), have been advised that Mindy L. Harris, Chief Financial Officer and Hearings Official for the County, has conducted a public hearing on Thursday, July 24, 2008, after reasonable public notice, as to the issuance of the Multnomah County, Oregon Tax-exempt Variable Rate Demand Revenue Bonds (Pacific Northwest College of Art Project), Series 2008 (the "Series 2008 Bonds"), in an aggregate principal amount not to exceed \$10,000,000.

I was elected as the Chair of the Board of County Commissioners of Multnomah County, Oregon by the voters at an election held on May 16, 2006, and remain the Chair as of this day. I took the oath of office on January 1, 2007, and my term expires December 31, 2010.

I have received and reviewed the Public Hearing Report from the Hearings Official, a copy of which is attached hereto, advising me of the events occurring at the public hearing. After due consideration and pursuant to the requirements and provisions of Section 147(f) of the Internal Revenue Code of 1986, and acting as the "chief elected official" of the County, I approve of the issuance of the Series 2008 Bonds by the County.

DATED and approved this 24th day of July 2008.

MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/24/08
Agenda Item #: R-3
Est. Start Time: 10:00 AM
Date Submitted: 07/09/08

Agenda Title: **ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: Next Available **Amount of Time Needed:** 5 minutes
Department: DCHS **Division:** MHASD
Contact(s): Jean Dentinger/Karen Zarosinski
Phone: (503) 988-5464 **Ext.:** 27297 **I/O Address:** 167/1/520
Presenter(s): Patrick Henry

General Information

1. What action are you requesting from the Board?

Requesting adoption of order and approval of designees. The Mental Health and Addiction Services Division is recommending approval of the designees in the accordance with ORS 426.215.

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.

Outpatient mental health agencies depend upon certain staff having the ability to assess clients for "Director Designee Custody". This certification allows the designee to direct a police officer or secure transportation provider to take into custody any individual with mental health issues who is found to be dangerous to self or to others. Police then transport the individual to a hospital or other approved treatment facility for further evaluation. As agencies experience staffing turnover or increases, new staff needs to be trained and certified as designees.

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

None.

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

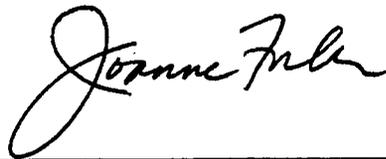
In accordance with ORS 426.215.

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

None.

Required Signature

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



A handwritten signature in cursive script, appearing to read "Joanne Fulmer". The signature is written in black ink and is positioned above a horizontal line.

Date: 07/09/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Christa Hines
Sherie Chaney

ADOPTED this _____ day of _____, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BY _____
Patrick Henry, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Human Services

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 08-104

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

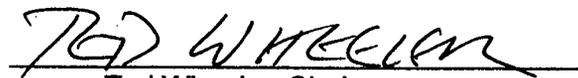
1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Christa Hines
Sherie Chaney

ADOPTED this 24th day of July, 2008.

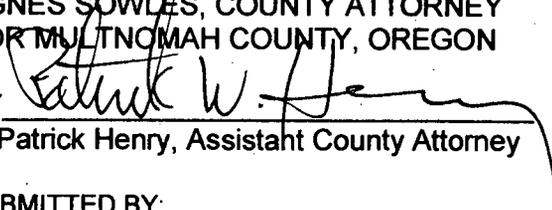


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BY 
Patrick Henry, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Human Services



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)**

Board Clerk Use Only

Meeting Date: 07/24/08
 Agenda Item #: R-4
 Est. Start Time: 10:05 AM
 Date Submitted: 06/26/08

First Reading of an ORDINANCE Amending Multnomah County Code Chapter 7.450 et seq. Relating to Art Acquisition and Approving Regional Arts and Culture Council Contract Renewal [The Board will be asked to reschedule this item to July 24, 2008]

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 17, 2008 Amount of Time Needed: 10 minutes
 Department: Non-Departmental Division: Commissioner Maria Rojo de Steffey
 Contact(s): Matthew Lashua
 Phone: 503 988-6796 Ext. 86796 I/O Address: 503/600
 Presenter(s): Commissioner Maria Rojo de Steffey

General Information

1. What action are you requesting from the Board?

Approval of First Reading of an Ordinance Amending Multnomah County Code Chapter 7.450 et seq. Relating to Art Acquisition and Approving Regional Arts and Culture Council Contract Renewal.

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 Public Art Program was established in 1980. Ordinances provided for the Metropolitan Arts Commission (MAC) management and collection of funds for the Percent for Public Art Programs for Multnomah County, the City of Portland, and Metro. MAC was responsible for selection, acquisition, siting, maintenance, administration, deaccessioning, community education, and registration of Public Art of the City/County Public Art Collection.

MAC restructured into a nonprofit organization, the Regional Arts and Culture Council, in order to

implement the Arts Plan 2000+ and Metro Regional Arts Funding Task Force recommendations to provide cost effective, efficient and flexible services.

The purpose of Multnomah County investment in the arts is to promote access, inclusion and excellence in the arts, to leverage other resources, and to enhance the arts contribution to human services, economic vitality, educational opportunities, neighborhood and community revitalization, economic vitality and overall quality of life.

To reflect the ongoing support for arts in Multnomah County, The Board of County Commissioners updates the following ordinance, raising the percentage for art to 2% and reflecting what type of construction projects trigger the Percent for Public Arts Program.

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

Construction of a new building where the construction cost exceeds \$1,000,000 will trigger the Percent for Public Arts Program. Two percent of the construction cost of each construction project shall be set aside for the acquisition of art.

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

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

Required Signature

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

Maria Rojo de Steffen

Date: 06/26/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §§7.450 et seq. Relating to Art Acquisition

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The Public Art Program was established in 1980. Ordinances provided for the Metropolitan Arts Commission (MAC) management and collection of funds for the Percent for Public Art Programs for Multnomah County, the City of Portland, and Metro. MAC was responsible for selection, acquisition, siting, maintenance, administration, deaccessioning, community education, and registration of Public Art of the City/County Public Art Collection.
- b. MAC restructured into a nonprofit organization, the Regional Arts and Culture Council, in order to implement the Arts Plan 2000+ and Metro Regional Arts Funding Task Force recommendations to provide cost effective, efficient and flexible services.
- c. The purpose of Multnomah County investment in the arts is to promote access, inclusion and excellence in the arts, to leverage other resources, and to enhance the arts contribution to human services, economic vitality, educational opportunities, neighborhood and community revitalization, economic vitality and overall quality of life.
- d. To reflect the ongoing support for arts in Multnomah County, it is necessary to update the code sections relating to art acquisition to raise the percentage for art to 2% and reflect what type of construction projects trigger the Percent for Public Arts Program.

Multnomah County Ordains as follows:

Section 1. MCC §7.450 is amended as follows:

ART ACQUISITION

§ 7.450 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

CONSTRUCTION PROJECT ~~of ALTERATION.~~ Construction of a new building where the construction cost exceeds \$1,000,000. Construction Project does not include the rehabilitation, renovation or improvement of existing County buildings or to premises leased by the County, rehabilitation, renovation, remodeling or improvement.

CONSTRUCTION COST. ~~The actual~~ Actual construction cost of a new building. Construction Cost does not include excluding planning, architectural, engineering, consultant and administrative costs, costs for fees, and permits, testing, inspections, and indirect cost, such as, interest paid during construction, advertising and legal fees and all other indirect costs. Construction Cost does not include the cost of furnishings for the new building.

~~_____~~ **COUNTY BUILDING.** ~~All county buildings except service facilities not normally visited by the public, such as maintenance sheds, bridges and similar structures, and does not include roads.~~

~~MAJOR COUNTY CONSTRUCTION PROJECT. A construction project which involves the construction or alteration of a county building with an estimated construction cost of \$50,000 or more.~~

Section 2. MCC §7.451 is amended as follows:

§ 7.451 POLICY.

It is the policy of the county that each ~~major county construction project which involves the construction or alteration of county buildings~~ shall have an appropriate display of art integrated into the project in order to provide a more beneficial atmosphere and energizing environment.

Section 3. MCC §7.452 is amended as follows:

§ 7.452 FUNDING.

(A) ~~One and thirty three one hundredths~~ Two percent of the construction costs of each construction project, capital improvement costs, budgets, development funds and purchase prices listed in § 7.453 of this subchapter shall be set aside for the acquisition of art. The acquired art may be an integral part of the newly acquired building or property attached thereto or be capable of display in other public buildings or on other public property. Siting variances may be granted by the Board.

(B) ~~Thirty three one hundredths percent of~~ The 1.332% set aside in division (A) of this section shall be allocated as follows: 1.26% for art; .54% to dedicated solely for use by the regional arts and culture council Regional Arts and Culture Council for management and administration of the art; and .20% for use by the Regional Arts and Culture Council for the purpose of payment of administration, public education, or maintenance costs of the commission's percent for art program.

Section 4. MCC §7.453 is deleted as follows:

~~§ 7.453 FUNDING SOURCES.~~

~~The following shall be subject to the art acquisition policy referred to in § 7.452 of this subchapter:~~

~~(A) Construction cost of a major county construction project involving the construction or alteration of a county building;~~

~~(B) The capital improvement budget in the division of facilities management;~~

~~(C) The purchase price of any building, including the appurtenant land, acquired by the county for use in whole or part by the county.~~

Section 5. MCC §7.454 is amended as follows:

§ 7.454 ADMINISTRATION.

The Regional Arts and Culture Council ~~regional arts and culture council~~ shall in its discretion administer the provisions of this subchapter relating to art acquisition and display.

Section 6. MCC §7.455 is amended as follows:

§ 7.455 ADOPTION OF GUIDELINES.

The Regional Arts and Culture Council~~regional arts and culture council~~ shall have the authority:

- (A) To determine the cases in which it would be inappropriate to display art in a county building;
- (B) To identify suitable art objects for county buildings;
- (C) To encourage the preservation of ethnic cultural arts and crafts, including Pacific Northwest Indian arts;
- (D) To facilitate the preservation of art objects and artifacts that may be displaced by a construction project;
- (E) To prescribe a method or methods of competitive selection of art objects for display;
- (F) To prescribe procedures for the selection, acquisition and display of art in county buildings; and
- (G) To set forth any other matter appropriate to the administration of this subchapter.

Section 7. MCC §7.456 is amended as follows:

§ 7.456 REGIONAL ARTS AND CULTURE COUNCIL'S DECISION FINAL.

The ~~council's~~ decision of the Regional Arts and Culture Council as to the selection, acquisition, allocation and display of art objects shall be final.

FIRST READING:	<u>July 24, 2008</u>
SECOND READING AND ADOPTION:	<u>July 31, 2008</u>

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Maria Rojo de Steffey, Commissioner District 1



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/24/08
 Agenda Item #: R-05
 Est. Start Time: 10:15 AM
 Date Submitted: 07/15/08

Agenda Title: RESOLUTION Declaring a Vacancy in the Office of County Sheriff, Calling an Election for November 4, 2008, and Setting the Candidate Filing Deadline for August 26, 2008

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 24, 2008 Amount of Time Needed: 5 minutes
 Department: Non-Departmental Division: County Attorney
 Contact(s): Agnes Sowle, County Attorney
 Phone: 503-988-3138 Ext. 83138 I/O Address: 503/500
 Presenter(s): Agnes Sowle, County Attorney

General Information

1. What action are you requesting from the Board?

Approve Resolution declaring Sheriff's Office vacancy, calling election for Nov. 4th and setting candidate filing deadline of Aug. 26th.

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.

Under Multnomah County Home Rule Charter (sections 4.40 and 4.50) and Code (Chapter 5, Elections), when an elected office becomes vacant with more than a year remaining in the term, then a person must be elected at the next available election to fill the vacancy. As the Office of Sheriff became vacant on July 16, 2008, and the term ends January 2011, the next available election is November 4. The last day for candidates to file certificates of nomination for the general election is August 26 (ORS 249.722). This resolution fulfills the Board's requirements to call the election and set the candidate filing deadline.

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

None

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

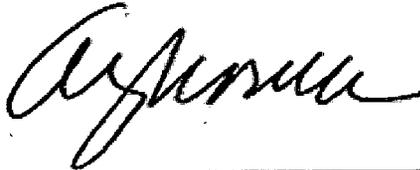
None

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

N/A

Required Signature

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

A handwritten signature in black ink, appearing to read "A. Jensen", written over a horizontal line.

Date: 7/15/2008

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring a Vacancy in the Office of County Sheriff, Calling an Election for November 4, 2008, and Setting the Candidate Filing Deadline for August 26, 2008

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Sheriff Bernie Giusto has announced his resignation effective the end of the business day on July 16, 2008.
- b. The Multnomah County Charter and County Code require the Board to declare the office vacant and call an election to fill the vacancy.
- c. The next available election date to fill this vacancy is November 4, 2008.
- d. The Board also needs to set a deadline for candidates to file for election to Multnomah County Sheriff.

The Multnomah County Board of Commissioners Resolves:

1. The elective office of Multnomah County Sheriff is declared vacant as of July 16, 2008.
2. An election is called for November 4, 2008, to fill the remainder of the current term of office for Multnomah County Sheriff. The current term for that position ends January 2011.
3. This election and election date are certified to the Director of Multnomah County Division of Elections.
4. Candidates for Multnomah County Sheriff must file for election with the Multnomah County Division of Elections by 5:00 PM on August 26, 2008.

ADOPTED this 24th day of July 2008

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-110

Declaring a Vacancy in the Office of County Sheriff, Calling an Election for November 4, 2008, and Setting the Candidate Filing Deadline for August 26, 2008

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Sheriff Bernie Giusto has announced his resignation effective the end of the business day on July 16, 2008.
- b. The Multnomah County Charter and County Code require the Board to declare the office vacant and call an election to fill the vacancy.
- c. The next available election date to fill this vacancy is November 4, 2008.
- d. The Board also needs to set a deadline for candidates to file for election to Multnomah County Sheriff.

The Multnomah County Board of Commissioners Resolves:

1. The elective office of Multnomah County Sheriff is declared vacant as of July 16, 2008.
2. An election is called for November 4, 2008, to fill the remainder of the current term of office for Multnomah County Sheriff. The current term for that position ends January 2011.
3. This election and election date are certified to the Director of Multnomah County Division of Elections.
4. Candidates for Multnomah County Sheriff must file for election with the Multnomah County Division of Elections by 5:00 PM on August 26, 2008.

ADOPTED this 24th day of July 2008



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

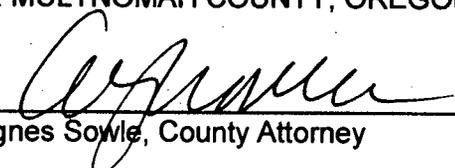


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By


Agnes Sowle, County Attorney

SUBMITTED BY:

Agnes Sowle, County Attorney



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-6 DATE 7-24-08
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 07/24/08
 Agenda Item #: R-6
 Est. Start Time: 10:20 AM
 Date Submitted: 06/26/08

BUDGET MODIFICATION: DCJ - 02

**Budget Modification DCJ-02 Appropriating \$34,812 from the Portland
 Agenda Community College U.S. Department of Education Grant to Support the Londer
 Title: Learning Center**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>July 24, 2008</u>	Amount of Time Needed:	<u>3 minutes</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Adult Services Division</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
Presenter(s):	<u>Carole Scholl</u>	I/O Address:	<u>503 / 250</u>

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of a budget modification to appropriate \$34,812 from the U.S. Department of Education grant (DOE) which is passed through to Multnomah County from Portland Community College (PCC).

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 Londer Learning Center (LLC) which is operated by DCJ, provides instruction to offenders in employment skills, reading, writing, math, GED preparation, English as a Second Language, and cognitive change techniques. In addition, LLC actively collaborates with One-Stop employment centers and community colleges to increase offender employability and college transition. The DOE grant supports LLC by providing funding for personnel costs. In addition, any students who successfully complete their GED through LLC receive one term at PCC (up to 9 credits) tuition free.

The DOE grant was not included in the FY 2009 Adopted Budget because it was not expected to be

renewed. In June 2008 DCJ was notified by PCC that the grant would be renewed. The FY 2008 grant award was \$24,180 and in FY 2009 the grant award is \$34,812 for a net increase of \$10,632. This budget modification will add a 0.50 FTE Basic Skills Educator position that will enable LLC to enhance pre-employment, vocational and transitional programming for offenders with limited basic skills and/or offenders who have been resistant or unsuccessful in finding or sustaining employment. For example, a new cognitive-motivational track for resistant (pre-contemplative) offenders will include thinking and interpersonal skill training, goal-setting and emotion regulation. A financial literacy class will help offenders plan to pay restitution, child support and not fall into credit traps. Enhanced case management of unemployed offenders and collaboration with one-stops and Portland Community College will increase successful vocational transitions.

Research has shown increased employment is associated with positive public safety outcomes; and offenders most successful on parole have been those who accessed educational programming and those were able to maintain employment. Business and workforce professionals have also reported that as workplace skill requirements change, a lack of strong basic skills increasingly limits access to better paying, more secure jobs.

This grant enhances program offer 50040, Adult Londer Learning Center.

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

This budget modification includes revenue and expenditures covering the period of July 1, 2008 through June 30, 2009.

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

It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age marital status, disability, political affiliations, sexual orientation, or any other nonmerit factor.

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

N/A

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why?**

The Department of Education grant passed through Portland Community College increases by \$34,812.

- **What budgets are increased/decreased?**

Adult Services Division budget increases by \$34,812.

- **What do the changes accomplish?**

Renewal of the Department of Education grant passed through Portland Community College.

- **Do any personnel actions result from this budget modification? Explain.**

Yes, a 0.50 FTE Basic Skills Educator position is added.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The grant does not cover indirect costs.

- **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?**

If the grant is not renewed in FY 2010 and no alternative funding sources are found then the position will be eliminated at the end of the grant period.

- **If a grant, what period does the grant cover?**

July 1, 2008 through June 30, 2009

- **If a grant, when the grant expires, what are funding plans?**

DCJ would seek alternative federal, state, county or private grant funds. If funding is not available DCJ would eliminate the position.

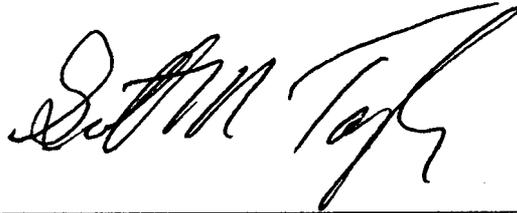
NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 02

Required Signatures

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



Date: 06-24-08

Budget Analyst:



Date: 06-25-08

Department HR:

Prudence Veach

Date: 06-24-08

Budget Modification ID: **DCJ-02**

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	50-10	27041	50040	50			CJ030.DOE.PCC.LONDER	50195	0	(34,812)	(34,812)		IG-OP-Fed Thru Other
2	50-10	27041	50040	50			CJ030.DOE.PCC.LONDER	60000	0	21,853	21,853		Salary
3	50-10	27041	50040	50			CJ030.DOE.PCC.LONDER	60130	0	6,615	6,615		Fringe
4	50-10	27041	50040	50			CJ030.DOE.PCC.LONDER	60140	0	6,344	6,344		Insurance
5										0		0	Adds PCC grant to LLC Budget (0.45 FTE BSE)
6										0			
7	50-10	23000	50040	50			CJ045.DOC.LLC	60000	280,589	282,692	2,103		Salary
8	50-10	23000	50040	50			CJ045.DOC.LLC	60130	91,359	92,021	662		Fringe
9	50-10	23000	50040	50			CJ045.DOC.LLC	60140	73,393	74,028	635		Insurance
10	50-10	23000	50040	50			CJ045.DOC.LLC	60170	151,152	147,752	(3,400)		Professional Services
11										0		0	Adds 0.05 FTE BSE to LLC
12										0			
13	72-10	3500		20		705210		50316		(6,979)	(6,979)		Service Reimb, Insurance
14	72-10	3500		20		705210		60330		6,979	6,979		Claims Paid, Insurance
15										0			
16										0			
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MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

Board Clerk Use Only

Meeting Date: 07/24/08
 Agenda Item #: R-7
 Est. Start Time: 10:23 AM
 Date Submitted: 06/26/08

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-7 DATE 7-24-08
 ANA KARNES, ASST BOARD CLERK

BUDGET MODIFICATION: DCJ - 03

Agenda Title: Budget Modification DCJ-03 Appropriating \$1,000 from a Private Donation to Support the Londer Learning Center

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 24, 2008 Amount of Time Needed: 3 minutes
 Department: Dept. of Community Justice Division: Adult Services Division
 Contact(s): Shaun Coldwell
 Phone: 503-988-3961 Ext. 83961 I/O Address: 503 / 250
 Presenter(s): Carole Scholl

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of a budget modification to appropriate \$1,000 from a donation to the Donald H. Londer Learning Center.

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 Londer Learning Center (LLC) which is operated by DCJ, provides instruction to offenders in employment skills, reading, writing, math, GED preparation, English as a Second Language, and cognitive change techniques. In addition, LLC actively collaborates with One-Stop employment centers and community colleges to increase offender employability and college transition.

Multnomah County residents Maurice and Dianna Gerhardt, have donated \$1,000 to the Londer Learning Center as a token of their praise and support of the program. They have indicated that they would like the donation to be used directly for the purchase of books, video equipment, computer equipment, or other resources.

Budget modification DCJ-03 adds the \$1,000 donation to FY09 program offer 50040, Adult Londer Learning Center.

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

This budget modification includes revenue and expenditures covering the period of July 1, 2008 through June 30, 2009.

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

N/A

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

N/A

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why?**

The \$1,000 donation will increase the revenues and supplies budget for the Londer Learning Center. The donation was not received in time to be included in the FY09 Adopted Budget.

- **What budgets are increased/decreased?**

Adult Services Division budget increases by \$1,000.

- **What do the changes accomplish?**

Acceptance and use of a donation from citizens of Multnomah County.

- **Do any personnel actions result from this budget modification? Explain.**

No personnel actions result from this budget modification.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The \$1,000 donation is to be used for specific, direct costs only.

- **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?**

This is a one-time-only donation.

- **If a grant, what period does the grant cover?**

The funds will be spent by June 30th, 2009.

- **If a grant, when the grant expires, what are funding plans?**

N/A

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 03

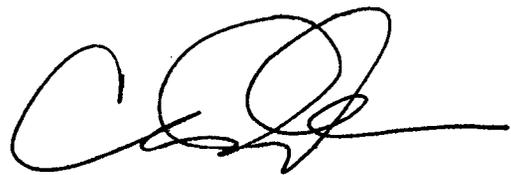
Required Signatures

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



Date: 06-23-08

Budget Analyst:



Date: 06-25-08

Department HR:

Prudence Veach

Date: 06-24-08

Budget Modification ID:

EXPENDITURES & REVENUES

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

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit		WBS Element	Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal
					Internal Order	Cost Center						
2	50-10	90000	50040	50			CJ052.LLCDONATION.BWC	60240	0	1,000	1,000	
3										0		
4										0		
5										0		
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**Maurice W. Gerhardt, Jr.
Dianna B. Gerhardt
14206 SE Morning Sun Drive
Clackamas, OR 97015
Phone: 503-869-7739**

May 19, 2008

Ms. Shaun Coldwell
Business Services Manager
Multnomah County Department of Community Justice
501 SE Hawthorne Blvd., Suite 250
Portland, OR 97214

Dear Ms. Coldwell:

We would like to recognize the outstanding contribution to the community of the Donald H. Londer Learning Center. The skills learned by the students enrolled in the center, as well as increased self-esteem through success in education, not only helps them throughout their lifetime; the entire community benefits. We believe the success of the Londer Learning Center is directly due to the dedication of the staff as well as the support of Multnomah County.

Enclosed is a donation in the amount of \$1,000 in support of the Donald H. Londer Learning Center. This contribution is intended to be used directly by the center for the purchase of books, video equipment, computer equipment, or other resources determined to be needed.

Please direct these funds to the Londer Learning Center as appropriate.

Sincerely,


Maurice W. Gerhardt, Jr.

cc: Londer Learning Center, 421 SW Fifth Ave., Portland, OR 97204



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-8 DATE 7-24-08
ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 07/24/08
Agenda Item #: R-8
Est. Start Time: 10:25 AM
Date Submitted: 07/16/08

Agenda Title: NOTICE OF INTENT to Submit a Proposal for up to \$40,000 to the Food and Drug Administration's Innovate Food Defense Projects Grant Competition

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: July 24th, 2008 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Environmental Health
Contact(s): Nicole Hermanns
Phone: 503-988-3663 **Ext.** 26314 **I/O Address:** 160/9
Presenter(s): Nicole Hermanns and Kenneth Yee

General Information

1. What action are you requesting from the Board?

Authorization to submit a proposal to for up to \$40,000 to the Food and Drug Administration's Food Defense Projects grant competition to request one-time funding to support the development of restaurant operator Tool Kits and restaurant inspector trainings targeted at food safety and food defense.

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 Food and Drug Administration (FDA) has always had a focus on monitoring, preventing, and responding to food safety (the *unintentional* contamination of food) to prevent illness. After 9/11 additional focus has been placed on monitoring, responding to and recovering from food defense issues (the *intentional* contamination of food). The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 has placed increased demands on Federal, State and local agencies, resulting in a need for innovative tools and programs that not only address food defense, but that are able to be linked into ongoing food safety work.

Through this grant opportunity, Multnomah County Health Department's Environmental Health division will work to develop new resources for government employees, including our County

restaurant inspectors, and for restaurant operators. A new training for inspectors and government employees will train and educate participants to better identify food defense issues and educate/communicate with restaurant operators. A new Tool Kit, to be developed in several languages, with implementation guidance will provide restaurant operators with the tools they need to both prevent and adequately respond to food defense and food safety issues. These materials will then be available to other sites across the nation for reproduction and use.

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

This grant would provide one-time funding to develop and produce the tool kit and training curriculum. Ongoing funding is not required.

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.

None.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
The Food and Drug Administration.
- **Specify grant (matching, reporting and other) requirements and goals.**
The goal of the grant program is to “generate products that complement, develop, or improve State and local food defense programs” that can be replicated in other sites across the nation. The grant does not require a match or any type of cost-sharing. A mid year progress report, a final progress report, and a final financial report are due within 90 days of project completion. The grantee must also file an invention statement and disposition of equipment statement within 90 days of project completion.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is one time only funding.
- **What are the estimated filing timelines?**
The grant application is due July 30th, 2008.
- **If a grant, what period does the grant cover?**
The grant will cover a one year period.
- **When the grant expires, what are funding plans?**
When the grant expires, the project will have been completed.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
All indirect costs will be covered by the grant.

ATTACHMENT B

Required Signatures

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

Lillian Shirley

Date: 07/14/08

Budget Analyst:

Angela Burdine

Date: 07/15/08
