

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

RESOLUTION NO. 2015-_____

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

The Multnomah County Board of Commissioners Finds:

- a. Oregon Revised Statute § 1.185 requires Multnomah County to "provide suitable and sufficient courtrooms, office and jury rooms for the court, the judges, other officers and employees of the court and juries in attendance upon the court, and provide maintenance and utilities for those courtrooms, offices and jury rooms."
- b. Chapter 705, Oregon Laws 2013, authorized creation of the Oregon Courthouse Capital Construction & Improvement (OCCCI) Fund and provided for the sale of Article XI-Q bonds to finance the State's matching share of costs for new or renovated courthouses, or portions thereof, owned or operated by the State under a long-term lease or IGA with each county.
- c. Prior to the sale of the Article XI-Q bonds, the County and State executed an Interim Funding IGA providing for State reimbursement or matching of County expenses incurred prior to the bond sale. Resolution No. 2014-099.
- d. On March 31, 2015, the State of Oregon Treasurer sold Article XI-Q Bonds to provide the State's matching funds for Phase I of the Project, including State-approved Project costs incurred prior to the bond sale. Phase I of the Project is comprised of the reference design, final architectural design, engineering and entitlements phases of the Project.
- e. The State match for the Project pursuant to the 2015 bond sale is \$15,000,000 and the attached funding IGA establishes the terms upon which the State match will be distributed.
- f. Under the funding IGA, the County will submit County-approved invoices to the State Project Monitor for its review and approval of the expenditures as "approved courthouse costs."

- g. Further, under the funding IGA, the County will authorize transfer of funds to pay courthouse invoices from its account in the Local Government Investment Pool (LGIP) into the OCCCI Fund. In turn, OJD will reimburse the County's deposits back into the County's account in the LGIP and begin paying the State's matching share of approved courthouse costs from the OCCCI Fund.
- h. In 2017, Article XI-Q bonds are expected to be sold to provide the State's \$17,400,000 in matching funds authorized by the Oregon Legislative Assembly during the 2015 Legislative Session for Phase II of the Project, the initial construction phase. The execution of additional intergovernmental agreement(s) is anticipated for Phase II and for Phase III, the final construction phase.

The Multnomah County Board of Commissioners Resolves:

- 1. The County Chair is authorized to sign the Multnomah County Courthouse Funding Agreement – Phase I with DAS and OJD, acting on behalf of the State of Oregon, in substantially the form attached hereto as Exhibit A. Board approval is needed for any modification or amendment that results in a material increase in the obligations of Multnomah County or a material decrease in the benefits for Multnomah County under the Funding IGA.

ADOPTED this 17th day of December 2015.

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

Deborah Kafoury, Chair

REVIEWED:

**JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON**

By _____
Jed Tomkins, Assistant County Attorney

SUBMITTED BY: Sherry Swackhamer, Director, Department of County Assets