

CHAPTER 8: COUNTY ASSETS

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GENERAL PROVISIONS

§ 8.110 COUNTY ASSETS DEPARTMENT.

The Department of County Assets is created. The head of the department is the Director of the County Assets Department (director). The department is assigned the following functions:

(A) Acquisition, management and disposition of county facilities and lands;

(B) Fleet, records management, archival and storage, electronic, and distribution services;

(C) Maintain secure and reliable IT services, including, but not limited to:

(1) Server hosting;

(2) Data center operations;

(3) Network management

(4) Help Desk services

(5) Telecommunications

(6) Desktop services

(7) Database design and administration

(8) Business applications (packaged software implementation and support, software development, and maintenance)

(9) IT security and risk management

(10) IT planning and budgeting

(11) IT administration and support

(D) Deliver new technology capabilities required by the approved projects.

(E) Implement project, resource, application portfolio, performance and service management.
(Ord. 1178, Add, 04/14/2011)

§ 8.120 INFORMATION FEES.

For the services of the information technology services of gathering, preparing and providing requested information, a fee shall be charged which shall be equal to the actual cost of providing the services, as determined by the director. An additional amount shall be charged equal to 15% of the actual cost to defray the expenses of developing and expanding information base and access systems. The fee charged for information services to any governmental agency or unit shall be equal to the actual cost of gathering, preparing and providing the information only.

(Ord. 1178, Add, 04/14/2011)

COUNTY REAL PROPERTY

(Ord. 1178, Renum7.350*, 04/14/2011; Ord. 971, Renum27.100*, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 950, Amended, 09/07/2000)

§ 8.350- DEFINITIONS.

For the purpose of MCC §§ 8.350 to 8.358, the following definitions shall apply unless the context requires a different meaning.

COUNTY PROPERTY. All real property owned, leased or being purchased by the county, except the following:

1. Any tax foreclosed property that has been identified and made available for transfer pursuant to this code. Provided that if any such tax foreclosed property is not ultimately transferred, that property shall be considered “County Property” under this subchapter and subject thereto.
2. Property required for county right-of-way purposes,
3. Property acquired for reconveyance under community development block grant and urban homestead programs.

DISPOSE OF. To sell, exchange, lease, donate or to otherwise convey county property or any interest therein.

FEDERAL IMMIGRATION AUTHORITIES. Means the United States Department of Homeland Security, the United States Immigration and Customs Enforcement, the United States Citizenship and Immigration Services, the United States Customs and Border Protection or a successor agency, any other federal immigration agency or official, or any other entity to which a federal agency delegates or assigns the authority to detect, investigate or enforce violations of immigration law.

RESTRICTED AREAS. Areas of County Property and areas used by the County not normally open to the public. An area is not normally open to the public if patrons and guests cannot enter those spaces without permission or consent of the County or its officials.

(Ord. 1341, Amended 4/09/2026; Ord. 1178, Amended,

04/14/2011; Ord. 1178, Renum7.350-, 04/14/2011; Ord. 1061, Amended, 05/26/2005, eff. 7/1/2005; Ord. 971, Renum27.100-, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 968, Amended, 11/08/2001; Ord. 950, Amended, 09/07/2000; ‘ 90 Code, § 11.80.010, 07/01/1998; Ord. 527, passed, 09/11/1986; Ord. 287, passed, 11/02/1981)

§ 8.351 DUTIES AND POWERS OF COUNTY CHAIR.

The Chair will take all necessary and proper action to manage County Property and Restricted Areas, so that such property is:

- (1) Managed in compliance with the Oregon Sanctuary Promise Act, and County policy, including, but not limited to:
 - (a) Access to Restricted Areas by agents by a federal immigration authority is not permitted unless the agent presents a judicial warrant signed by a federal magistrate or as otherwise authorized by applicable law.
 - (b) Restricted Areas to be posted with visible signage as feasible.
 - (c) No County resources, funds, personnel, or equipment will be utilized to facilitate federal civil immigration enforcement operations, except as required by a valid judicial warrant or court order.
- (2) Utilized to its highest and best public use;
- (3) Adequately maintained during the term of County use; and
- (4) Disposed of in the best interests of the County.

(Ord. 1341, Amended, 04/09/2026; Ord. 1178, Renum7.351, 04/14/2011; Ord. 971, Renum27.101, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 968, Amended, 11/08/2001; Ord. 950, Amended, 09/07/2000; ‘ 90 Code, § 11.80.020, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.352 LIST OF COUNTY PROPERTY NOT NEEDED FOR PUBLIC USE.

The Chair shall routinely maintain and update a listing of county property, excluding leased property, which is not presently needed for public use. The list shall identify each parcel of property, state whether the property is available for disposition, state whether the county is actively seeking disposition, state the desired disposition, and reflect any bona fide offers made to purchase parcels listed. The list shall be made available for public inspection. The list may be changed by the Chair from time to time. The Board shall be given actual notice of additions to or deletions from the list and of the particulars of any bona fide offers. (Ord. 1178, Renum7.352, 04/14/2011; Ord. 971, Renum27.102, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 968, Amended, 11/08/2001; Ord. 950, Amended, 09/07/2000; ' 90 Code, § 11.80.030, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.353 POWERS OF BOARD.

The Board may, by resolution, add or subtract parcels of county property to or from the list, or specify a particular disposition or donation of such property. (Ord. 1178, Renum7.353, 04/14/2011; Ord. 971, Renum27.103, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); ' 90 Code, § 11.80.040, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.354 DIRECTION FROM BOARD.

If the Chair desires direction from the Board as to whether or in what manner to dispose of or donate county property on the list, the Chair may place the matter on the Board's agenda in accordance with Board rules. (Ord. 1178, Renum7.354, 04/14/2011; Ord. 971, Renum27.104, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 950, Amended, 09/07/2000; ' 90 Code, § 11.80.510, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.355 PROPERTY REQUESTED BY ANOTHER GOVERNMENTAL ENTITY.

Any county property, except county leased property, requested for public use by another governmental entity may be donated, sold, leased, exchanged, transferred or otherwise conveyed to that governmental agency as provided under state law. (Ord. 1178, Renum7.355, 04/14/2011; Ord. 971, Renum27.105, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 968, Amended, 11/08/2001; Ord. 950, Amended, 09/07/2000; ' 90 Code, § 11.80.060, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.356 DISPOSITION OF PROPERTY BY DONATION, SALE, LEASE OR EXCHANGE.

All county property not needed for any public use by the County, not disposed of to another governmental agency, may be disposed of to the extent applicable by sale, lease, donation or exchange as authorized under state law.

(Ord. 1178, Renum7.356, 04/14/2011; Ord. 971, Renum27.106, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 968, Amended, 11/08/2001; Ord. 950, Amended, 09/07/2000; ' 90 Code, § 11.80.070, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.356 DISPOSITION OF PROPERTY BY DONATION, SALE, LEASE OR EXCHANGE.

All county property not needed for any public use by the County, not disposed of to another governmental agency, may be disposed of to the extent applicable by sale, lease, donation or exchange as authorized under state law.

(Ord. 1178, Renum7.356, 04/14/2011; Ord. 971, Renum27.106, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); Ord. 968, Amended, 11/08/2001; Ord. 950, Amended, 09/07/2000; ' 90 Code, § 11.80.070, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.357 DISPOSITIONS SUBJECT TO BOARD APPROVAL.

All dispositions or donations of county property shall be made subject to final Board approval. (Ord. 1178, Renum7.357, 04/14/2011; Ord. 971, Renum27.107, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); ' 90 Code, § 11.80.080, 07/01/1998; Ord. 287, passed, 11/02/1981)

§ 8.358 ADMINISTRATIVE RULES.

The Chair may by administrative rule promulgate a detailed administrative scheme to effect the provisions of this subchapter and ORS Chapters 271 and 275.

(Ord. 1178, Renum7.358, 04/14/2011; Ord. 971, Renum27.108, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); '90 Code, § 11.80.090, 07/01/1998; Ord. 287, passed, 11/02/1981)

ART ACQUISITION

(Ord. 1178, Renum7.450*, 04/14/2011; Ord. 971, Renum27.200*, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget))

§ 8.450- DEFINITIONS.

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

CONSTRUCTION PROJECT. Construction of a new building where the construction cost exceeds \$1,000,000 and projects for the rehabilitation, renovation or improvement of existing County buildings or to premises leased by the County where the project construction cost exceeds \$200,000.

CONSTRUCTION COST. The actual construction cost of a new building or a rehabilitation, renovation or improvement to an existing County building or premises leased by the County. Construction Cost does not include planning, architectural, engineering, consultant and administrative costs, costs for fees, permits, testing, inspections, 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. (Ord. 1178, Renum7.450-, 04/14/2011; Ord. 1117, Amended, 08/07/2008; Ord. 971, Renum27.200-, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); ‘ 90 Code, § 11.90.010, 07/01/1998; Ord. 222, passed, 03/20/1980)

§ 8.451 POLICY.

It is the policy of the county that each construction project shall have an appropriate display of art integrated into the project in order to provide a more beneficial atmosphere and energizing environment. (Ord. 1178, Renum7.451, 04/14/2011; Ord. 1117, Amended, 08/07/2008; Ord. 971, Renum27.201, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); ‘ 90 Code, § 11.90.020, 07/01/1998; Ord. 222, passed, 03/20/1980)

§ 8.452 FUNDING.

(A) Two percent of the construction cost of each construction project 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 pub-

lic buildings or on other public property. Siting variances may be granted by the Board.

(B) The 2% set aside shall be allocated as follows: 1.26% for art; .54% to the Regional Arts and Culture Council for management and administration of the art; and .20% for use by the Regional Arts and Culture Council for maintenance costs of the commission's percent for art program.

(Ord. 1178, Renum7.452, 04/14/2011; Ord. 1117, Amended, 08/07/2008; Ord. 971, Renum27.202, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); ‘ 90 Code, § 11.90.030, 07/01/1998; Ord. 811, passed, 02/26/1995; Ord. 654, passed, 06/14/1990; Ord. 222, passed, 03/20/1980)

§ 8.454 ADMINISTRATION.

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

(Ord. 1178, Renum7.454, 04/14/2011; Ord. 1117, Amended, 08/07/2008; Ord. 971, Renum27.204, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); ‘ 90 Code, § 11.90.040, 07/01/1998; Ord. 811, passed, 02/26/1995; Ord. 222, passed, 03/20/1980)

§ 8.455 ADOPTION OF GUIDELINES.

The 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.

(Ord. 1178, Renum 7.455, 04/14/2011; Ord. 1117, Amended, 08/07/2008; Ord. 971, Renum 27.205, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); '90 coce, § 11.90.050, 07/01/1998; Ord. 811, passed, 02/26/1995; Ord. 222, passed, 03/20/1980)

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

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

(Ord. 1178, Renum. 7.456, 04/14/2011; Ord. 1117, Amended, 08/07/2008; Ord. 971, Renum27.206, 12/20/2001, eff. 1/1/2002 and 7/1/2002 (for budget); '90 Code, § 11.90.060, 07/01/1998; Ord. 811, passed, 02/26/1995; Ord. 222, passed, 03/20/1980)

RECORDS MANAGEMENT, ARCHIVAL AND STORAGE

§ 8.500 DEFINITIONS.

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

ARCHIVAL RECORD. Records dated 1920 or earlier, records identified on the Multnomah County Historic Records Inventory, records with permanent retention schedule under state or county administrative rule, and records identified by Records Management and Archives Program staff as having long term research value.

COUNTY RECORD. Any information, including electronic recordings, prepared, owned, used or retained by the County in relation to its activities, transactions or functions as defined in ORS 192.005(5).

PERMANENT RECORD. Any County record under the exclusive custody and control of Division of Records Management and Archives.

§ 8.501 POLICY.

It is the policy of the County to maintain a professional archives and records management program consistent with state law and with current archives and records management professional standards.

Data collection and requests will adhere to the restrictions on the collection and dissemination of information to federal immigration authorities set forth in Oregon's Sanctuary Promise Act as incorporated by reference.

(Ord. 1341, Amended, 04/09/2026)

§ 8.502 ADMINISTRATION.

(A) This subchapter shall be administered by the Records Management and Archives Program. A County Records Officer shall be appointed by the Department to coordinate the records management program and to serve as liaison with the State Archivist as required by ORS 192.105(2)(a).

(B) The Records Management and Archives Program shall develop Administrative Rules as necessary:

(1) To provide for the orderly management, maintenance and care of County records consistent with State public records laws and rules promulgated by the State Archivist;

(2) To provide for the transfer of custody of all County archival records to the Records Management and Archives Program at such time as a department determines that the department does not have an operational need for the records; and

(3) To identify and preserve County archival records.

(Ord. 1211, Added, 10/2/14)

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