



Oregon

John A. Kitzhaber, MD, Governor

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February 13, 2015

Senator Steiner Hayward, Co-Chair
Representative Smith, Co-Chair
Ways & Means General Government Subcommittee
900 Court Street NE
Salem, OR 97301

Dear Senator Steiner Hayward, Representative Smith, and the Ways & Means General Government Subcommittee;

Below, please find follow-up information as requested during the February 12, 2015 subcommittee meeting.

Senator Johnson requested the term length of the Oregon State Police lease that generated the projected \$8.1M in savings.

The term length of the OSP lease is 19 years.

Representative Nathanson wondered if there were any barriers, either statutorily or otherwise, that would keep agencies or small boards from sharing facility space with local government partners.

We checked with staff and confirmed no known barriers. In fact, we frequently co-locate. A list of just some of those leases/sub-leases follows. One great example is an OLCC office in Roseburg. They were in a private office space at \$1.53/square foot, but the building had no security. We were able to sub-lease space from the Douglas County Courthouse for \$1.25/square foot with police-provided security for workers (OLCC works nights and weekends,) and the new location is more convenient for clients.

Agencies have leases within county or city owned buildings in Bend, Coos Bay, Dallas, Eugene, Fossil, Gates, Gold Beach, Grants Pass, Klamath Falls, La Grande, Lebanon, Lincoln City, Madras, McMinnville, Milton-Freewater, Milwaukie, Moro, Myrtle Creek, Nehalem, Newport, North Bend, Oakridge, Portland, Redmond, Reedsport, Roseburg, Salem, Silverton, Springfield, St. Helens, Sutherlin, Sweet Home, The Dalles, Tillamook, White City and Winchester.

Agencies have leases with local Community Colleges or Universities in Beaverton, Coos Bay, Heppner, Hermiston, La Grande, McMinnville, Medford, Portland, Sublimity, The Dalles, Tillamook and Woodburn.

Finally, agencies lease or sublease to many community partners, such as Job Growers, Dynamic Education Systems, Lane Workforce Partnership, Job Council, Central Oregon Intergovernmental Council, Tourism Commission, Easter Seals, Bay Area First Step, Workforce Investment Council, Eagle Charter School, Enterprise for Employment Education, Jane Goodall School, Marion Polk Food Share, Goodwill Industries, Community Action Organization and Worksystems Inc.

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Senator Whitsett questioned ORS190 relating to Inter-Agency Agreements and the authority outside of DAS.

ORS 190.110 (1) grants authority for a state agency to enter into agreements with another state agency (or local government or American Indian tribe). Please see statute below:

190.110 Authority of units of local government and state agencies to cooperate; agreements with American Indian tribes; exclusion of conditions for public contracts. (1) In performing a duty imposed upon it, in exercising a power conferred upon it or in administering a policy or program delegated to it, a unit of local government or a state agency of this state may cooperate for any lawful purpose, by agreement or otherwise, with a unit of local government or a state agency of this or another state, or with the United States, or with a United States governmental agency, or with an American Indian tribe or an agency of an American Indian tribe. This power includes power to provide jointly for administrative officers.

(2) The power conferred by subsection (1) of this section to enter into an agreement with an American Indian tribe or an agency of an American Indian tribe extends to any unit of local government or state agency that is not otherwise expressly authorized to enter into an agreement with an American Indian tribe or an agency of an American Indian tribe.

(3) With regard to an American Indian tribe, the power described in subsections (1) and (2) of this section includes the power of the Governor or the designee of the Governor to enter into agreements to ensure that the state, a state agency or unit of local government does not interfere with or infringe on the exercise of any right or privilege of an American Indian tribe or members of a tribe held or granted under any federal treaty, executive order, agreement, statute, policy or any other authority. Nothing in this subsection shall be construed to modify the obligations of the United States to an American Indian tribe or its members concerning real or personal property, title to which is held in trust by the United States.

(4) A unit of local government or state agency of this state may exclude any clause or condition required by ORS 279B.220, 279B.225, 279B.230, 279B.235, 279B.270 or 279C.500 to 279C.530 from an agreement under subsection (1) of this section if the agreement is with:

- (a) A unit of local government of another state.
- (b) A state agency of another state.
- (c) The United States.
- (d) A United States governmental agency.
- (e) An American Indian tribe.

(f) An agency of an American Indian tribe. [Amended by 1963 c.189 §2; 1967 c.550 §7; 1985 c.267 §1; 1999 c.948 §3; 2001 c.611 §1; 2003 c.794 §208]

Finally, regarding the multiple inquiries on Assessments and Service Price Lists, after further discussion with Mr. Siebert, we will be returning to Subcommittee with further detailed information for discussion next week.

Sincerely,



Michael Jordan, COO
DAS Director

CC: Paul Siebert, Legislative Fiscal Office