

CROOK COUNTY / CITY OF PRINEVILLE

EMERGENCY SHELTER

MEMORANDUM OF AGREEMENT

This Agreement ("Agreement") between Crook County, a political subdivision of the state of Oregon ("County"), and the City of Prineville, a municipal corporation of the state of Oregon ("City"), (collectively the "parties") is for the Operation of the Crook County Emergency shelter (hereafter called the "shelter") located at 378 NE 2nd Street in Prineville, Oregon..

RECITALS

- County, through its sheriff's office, and the City , through its police department, are engaged in providing public safety services; and
- In an effort to expand its public safety mission, the City agrees to manage the shelter

Now, therefore, the parties execute this purchase agreement, adopt the recitals above, and hereby agree as follows:

1. Operation – City agrees to manage the day to day operation of the shelter in accordance with agreed upon Standard Operating Procedures and Use Rules.
2. Effective Date – This agreement shall become effective when signed by both parties.
3. Insurance and Indemnification; The County agrees to provide liability, fire and hazard insurance for the shelter in accordance with established standards, naming the City as an additional insured . The County further agrees to indemnify the City, its Council Members and employees against claims arising from the operation of the shelter consistent with the attached on Standard Operating Procedures and Use Rules.
4. Maintenance: The County agrees to maintain the shelter, including building maintenance and provision of utility services. The County will provide cleaning and laundry services for the shelter as needed.

5. Documentation: The City will complete and maintain guest documentation and will provide access to the documentation to the County upon request.
6. Assignment – The parties may not assign this agreement, in whole or in part, without the prior written consent of the other party; which consent shall not be unreasonably refused.
7. Governing Law and Venue – Any dispute under this agreement shall be governed by Oregon law with venue being located in Crook County, Oregon, where the parties are located.
8. Attorney Fees – In the event an action, lawsuit or proceeding, including appeal there from, is brought for failure to observe any of the terms of this agreement, each party shall bear its own attorney fees, expenses, costs and disbursements for said action, lawsuit, proceeding or appeal.
9. Persons to receive notice – The following persons are the designated representatives for the administration of this agreement and shall receive all notices required in the performance under the Agreement's terms.
 - A. For County: Ken Fahlgren, County Commissioner, Crook County Courthouse, 300 NE 3rd Street, Prineville, OR 97754; (541) 447-6555; ken.fahlgren@co.crook.or.us.
 - B. For City: Eric Bush, Chief of Police, 400 NE Third Street, Prineville, OR 97754; (541) 447-4168; ebush@prinevillepd.org.
10. Nonwaiver – No provision of this agreement or the right to receive performance of any act called for by its terms shall be deemed waived by a waiver of the breach thereof as to any particular transaction or occurrence.
11. Severability – If any part of this agreement shall be held unenforceable, the rest of this agreement will remain in full force and effect.
12. Entire Agreement – This agreement signed by both parties is the final and entire agreement and supersedes all prior and contemporaneous oral or written communications between the parties, their agents and representatives.

14. Amendments – This agreement may be supplemented, amended or revised only in writing signed by both parties.

15. Termination – This agreement may be terminated by either party with 30 days prior written notice. Operation of the shelter may be suspended immediately if the City or County determines that a potential danger or liability has arisen.

Each of the Parties has caused this Agreement to be executed by its duly authorized representative as of the Effective Date.

Crook County:

City of Prineville:

By: Mike McElb

By: _____

Title: Crook County Judge

Title: _____

Dated: December 18th, 2011

Dated: December ____, 2011



Prineville Police Department

Emergency Shelter SOP

December 14, 2011

TO: All Personnel

FROM: Chief Bush

SUBJECT: Emergency Shelter SOP

Overview:

Crook County has created an emergency shelter located at 378 NE 2nd Street. The purpose of this shelter is to provide temporary emergency housing for persons in emergency circumstances where other resources cannot be accessed. This shelter is not intended to serve as a homeless shelter and persons allowed to stay should only be housed for 24-48 hours, unless a determination is made to extend this period by the Chief of Police or his designee. The Prineville Police Department will serve as the primary screening point, consistent with our other community assistance programs.

Guidelines:

1. The shelter is intended for persons in need of a place to stay for 24-48 hours due to circumstances beyond their control, except when extended as stated above.
2. Persons may utilize the shelter once every 6 months
3. The shelter is intended for use by single persons of the same gender, or families. Persons of the opposite sex, who are not in a lawful domestic relationship, or adults and non-familial children, shall not be housed at the same time.
4. Persons requesting shelter shall complete and sign an application, the shelter use rules form including release of liability.
5. Persons using the shelter will be screened for intoxication, warrants and history of potentially hazardous behaviors. Officers may decline access when there is reasonable cause to believe the applicant presents a danger to others using the facility, or to the facility itself. Reasons for declining access, or immediate expulsion, may include, but are not limited to:
 - a. Intoxication
 - b. Possession and/or use of prohibited items (alcohol, non prescribed controlled substances,

smoking cigarettes etc) in the shelter.

- c. Tumultuous behavior
 - d. Prior history of behavior that represents a danger to the shelter or other guests.
 - e. Failure to follow written use rules and verbal guidelines for the use of the shelter
6. If a person is declined access or expelled from the shelter, the involved officer should attempt to suggest alternative resources to the person.
 7. The shelter will be available from 6:00 PM until 7:30 AM (a dayshift officer should contact guests at 0730 hours, inspect the shelter for damage or disarray and ensure that the shelter is vacated. Whenever possible, the officer should standby while the shelter is vacated, then secure the shelter).
 8. Prineville Police Department personnel will control keys to the shelter.
 9. Forms, releases etc will be checked by the involved officer for completeness and forwarded to the Administrative Services Division for filing.
 10. The involved officer shall complete a Field Interview Report noting the user's personal information, reasons the shelter was needed and any other pertinent information. When a subject requests the shelter, the involved officer should query the FIR database to ensure that the person has not exceeded the allowed use criteria.
 11. The shelter is owned by Crook County and the County will provide maintenance of the shelter, including housekeeping.

Crook County Emergency Shelter Application



Name: _____

Date of Birth: _____

Identification: _____

Current / Most Recent Address:

Phone Number: _____ Personal or Message?: _____

Reason(s) for needing emergency shelter:

Will Dependent Children be staying with you? (Y N)

List names, relationship to each child and

Office Use

Assigned Officer: _____ Date / Time: _____

Criminal History / Warrant Check? _____

Intoxication Check? _____

Approved? _____ Declined: _____

Explain:

Crook County Emergency Shelter Use Rules

The emergency shelter is intended for persons who need a place to stay for a short period of time and no other alternatives are readily available. Crook County and the City of Prineville reserve the right to refuse or rescind access to anyone. The rules for use, as well as any additional instructions given, must be followed. Failure to follow rules and instruction can result in immediate expulsion from the shelter.

Use Rules:

1. Access is granted on a day to day basis from 6:00 PM until 7:30 AM
2. No alcohol is allowed anywhere at the facility
3. Intoxicated persons will be expelled
4. No cooking anywhere at the facility
5. No smoking anywhere at the facility
6. No open flames (candles etc)
7. No guests unless they have been approved by the Police Department in advance
8. All trash will be placed in the proper receptacles
9. All messes will be cleaned prior to departure
10. The facility is subject to unannounced inspection 24 hours a day
11. No loud music, boisterous or disturbing behaviors
12. No pets unless approved in advance
13. Place bedding etc in the proper receptacle for cleaning
14. Report any damage or other problems immediately to the Police Department



I have read, understand, and agree to comply with these use rules. I agree to hold the City of Prineville, Crook County, Oregon and their respective officers, employees and agents harmless from all liability for any injury, death damage or loss related to the use of the shelter. I agree to immediately vacate the shelter upon notification by a member of the Prineville Police Department or other law enforcement Agency acting on behalf of the Prineville Police Department or Crook County.

This waiver extends to any minor children under my control.

Name

Date

Crook County Emergency Shelter Guidelines

Overview:

Crook County has created an emergency shelter located at 378 NE 2nd Street. The purpose of this shelter is to provide temporary emergency housing for persons in emergency circumstances where other resources cannot be accessed. This shelter is not intended to serve as a homeless shelter and persons allowed to stay should only be housed for 24- 48 hours, unless a determination is made to extend this period by the Chief of Police or his designee. The Prineville Police Department will serve as the primary screening point, consistent with our other community assistance programs.

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3. The shelter is intended for use by single persons of the same gender, or families. Persons of the opposite sex, who are not in a lawful domestic relationship, or adults and non-familial children, shall not be housed at the same time.
4. Persons requesting shelter shall complete and sign an application, the shelter use rules form including release of liability at the Prineville Police Department.
5. Persons using the shelter will be screened for intoxication, warrants and history of potentially hazardous behaviors. Officers may decline access when there is reasonable cause to believe the applicant presents a danger to others using the facility, or to the facility itself. Reasons for declining access, or immediate expulsion, may include, but are not limited to:
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