

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale City Hall – Council Chambers**  
**219 E. Historic Columbia River Hwy.**  
**Troutdale, OR 97060-2078**

**Tuesday, April 14, 2015**

**1. ROLL CALL, AGENDA UPDATE**

Mayor Daoust called the meeting to order at 7:02pm.

**PRESENT:** Mayor Daoust, Councilor Ripma, Councilor Morgan, Councilor White, Councilor Allen, Councilor Wilson, and Councilor Anderson (7:25pm).

**ABSENT:** None.

**STAFF:** Craig Ward, City Manager; Debbie Stickney, City Recorder; and Ed Trompke, City Attorney.

**GUESTS:** See Attached.

Mayor Daoust asked are there any updates this evening?

Craig Ward, City Manager, stated Item #5, the Annual Financial Report from the West Columbia Gorge Chamber of Commerce, has been moved to May 12, 2015.

**2. CONSENT AGENDA:**

**2.1 ACCEPT MINUTES:** February 24, 2015 Work Session, March 3, 2015 Work Session and March 10, 2015 Regular Meeting.

**2.2 RESOLUTION:** A resolution authorizing a real property lease of a portion of the City of Troutdale old Wastewater Treatment Plant site to Hamilton Construction.

**MOTION:** Councilor Wilson moved to approve the Consent Agenda. Seconded by Councilor White. Motion Passed 6-0.

**3. PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.

Mark Kelsey, resident of Gresham, stated I have been enlisted by a group of Troutdale citizens to speak. This is not anything negative to the current merger; that has to stand on its own merit. This is about the process that got us to the merger. There seems to be a collective of Troutdale citizens that feel that they were not involved, contacted, or had any clue as to the direction things were going. The citizens of Troutdale responded to the

needs of the police by investing in a \$7.5 million bond to house the police, which was forecasted to last them for 50 years. Through little or no public awareness the citizens have learned that the City, by its own admission, has declared its inability to afford its citizens the most fundamental needs of a community, that being its safety. Council has further declared that they were aware of a potential budgetary shortfall somewhere close to three years prior to this decision being made. Simple math would then dictate that one year into your new police station you find yourself near default on being able to afford a police force. The citizens were never made aware of this potential shortfall, if you saw one coming. Remedy was never sought publically, and the citizens of the City were never involved. If you did see potential shortfalls they were never made aware of it and they were never asked to help remedy it in any way. The next thing they know their police department is gone. Basically, there has never been any acknowledgement of any fiscal responsibility, culpability, or apology in this fiscal mismanagement. I use mismanagement because the City has seemed to fund every other aspect of its City in terms of hiring, arches, needs study for city hall, and studies to fund a gas tax. There seems to be every way to fund anything they want but not to direct money specifically to maintain the police force. It seems to be a lack of prioritization, and there is no evidence that has been shown that there is any forecastable new direction. The citizens would like to demand a change. A change where reasonable business practices are implemented within the City. Practices that include paying off City debts prior to undertaking any additional voluntary debt or pet projects. Their preference would be to utilize the monies from the lease of their police station towards paying down the existing bond. The people are also aware that the maintenance of the station is necessary, as is the designation of money for the City's general fund. So they would like to utilize the \$1.1 million in savings that the Mayor has heralded to the newspapers and the media as being a paramount advantage to this merger, to maintain their building with the remainder directed towards the general fund for city business. The intent of all of these suggestions is to promote a genuine business protocol that will not jeopardize the City in any additional services in the future.

Craig Gardner, resident, stated I agree one-hundred percent with what Mr. Kelsey said. My question isn't about new business but old business. Something that you have been putting on the back burner for years is this property tax issue with Fire District 14 with the residents on the east side of the Sandy River. That needs to be fixed immediately. You are supposedly saving money on this police merger, but a lot of us residents on that side of the river are paying about \$500 a year (to Fire District 14) and it has been going on for about 16 years. Every year I call and you guys say you are going to fix it and it will be taken care of. Even when the Mayor was running I addressed it and you said you were going to take care of it and I have yet to see anything even remotely close to solving this problem. I have talked to the Gresham Fire Marshal, the County Commissioner and everybody keeps pointing fingers everywhere, but the buck really stops right here. When you annexed that property you never fixed the situation where there was double coverage on a fire district. We don't need double coverage; nobody needs double coverage. We are paying for something we don't need and your failure to act has cost us money. After 16 years it borderlines on criminal; it is that bad. My suggestion is that this gets fixed immediately before the merger of the Troutdale Police Department and Multnomah County Sheriff's Office (MCSO) takes place.

Ed Trompke, City Attorney, stated if there is a failure to communicate here it is my responsibility and I take full responsibility for that. I was asked by the Council to look into this last summer and last fall. I engaged people in my office and myself to look at it. We came up with an answer that was the City has no authority to do that. That wasn't a good enough answer so I went to the Secretary of the State's office and asked them if they could help with this problem and they directed me to the Attorney General's office. The Attorney General's office took about a month to get back to me and they said no there is a statute, a state law, that says that the City has no authority to fix this issue. The only people whom have the authority to do it are Fire District 14. They will have to vote to move the boundary. They City cannot do that. There was a time when cities could do that, but it is not possible to do anymore. I apologize for not getting that word to you folks who are affected by this. If Fire District 14 wants to call me I can explain this to them. But it would be incumbent on you as a Fire District 14 resident to start the process on the other side of river in Corbett where their headquarters are located.

Craig Gardner stated I have contacted them, and when it got annexed it was your responsibility at that time to remove it.

Ed Trompke stated and it can't be done anymore. There was a short period of time when it could be.

Craig Gardner stated but after 16 years on a backburner, maybe you guys should step up and work with Fire District 14 to take care of this immediately because it is costing all of the citizens on the east side of the Sandy River money. It's not costing you money so it is not a priority, but it is for us because it is costing us every year.

Ed Trompke stated and Council has spoken to me about that as a priority, which is why I ran it through two or three state agencies in order to try and get it done. We have been told no, we just can't do it from this side.

Craig Gardner stated since we are the ugly step children on that side of the river maybe you should de-annex us.

Ed Trompke stated the way to fix it would be to go to your State Representative and State Senator and ask that the statute be changed.

Craig Gardner stated is this something that you can put on the front burner?

Ed Trompke stated the Council has asked me to look into it and we haven't been able to come up with a good answer is the problem. We simply have been told no. We either have to change the law or get Fire District 14 to start the process.

Craig Ward stated we can reach out to Fire District 14.

Craig Gardner asked so you can reach out to Fire District 14 and settle between them; Troutdale can?

Ed Trompke replied we can ask them just like you can ask them. But the City has no authority to force them to do anything.

Craig Gardner stated the documentation that they gave me said that the City has to do it. Everybody is pointing fingers. This just needs to be solved quickly because it is costing everybody a lot of money.

Ed Trompke stated I went as far as the Attorney General's office to one of the supervisors in the office and they've said no; we just can't do it. I really pushed hard because the City Council does want to do it but it is prohibited. We can reach out by asking and that is all we can do is ask. Fire District 14 has to do it.

Councilor Morgan stated and pay for the election.

Ed Trompke stated yes, because it is not something the City has any authority to do after a few sessions ago when the legislature changed the statutes.

Craig Gardner stated so all the time you waited the laws got changed along the way so now you don't have any responsibility. Had you acted initially it would have been solved.

Ed Trompke stated I believe that the Council feels some responsibility and would like to get it moved, but they can't.

Sam Barnett, resident, stated I want to preface this by saying when there is credit to be given I will be the first guy to give it to you but that is not what I am here for tonight. I don't think that I am wrong to say that this is not a merger, this is simply in my mind a takeover of the Troutdale Police Department by the MCSO. The Troutdale Police Department is not merging with the MCSO, the MCSO is taking over the Troutdale Police Department. That is how I see it. As far as failure of communication, Counselor, it seems that there was a great deal of failure of communication between yourself, the Chief to the City Councilors, and later on from the City Councilors to the City of Troutdale in passing the vote to bring in the MCSO to police the City. So I am here tonight to address of couple of troubling topics related to the past meeting and the vote to allow MCSO to take over the policing of Troutdale. As much as I respect Chief Anderson, some of that respect has been lost due to the fact that it seemed painfully obvious that the citizens of Troutdale were not honestly advised of what we were voting on when we passed the bond for a new police facility. We should have been told we were voting to build a new East County Sheriff's Department. It has come to light that at the time of this measure communications of the concept to bring in the MCSO were well underway. I strongly feel that we the citizens of Troutdale were duped; plain and simple. Secondly, I was deeply embarrassed by the dysfunctional lack of control, that you Mayor, displayed over the order of the meeting when this passed including allowing Councilor Morgan to continually interrupt

Councilor Ripma during his plea to vote to table the IGA with the MCSO. This isn't a joke, but it seems that both of you, Mayor and Councilor Morgan, could use a refresher course in Roberts Rules of Order. Councilor Morgan, I think in time you will be a great councilor on your way to bigger and greater things. I think you are a good man and I think you will represent the City of Troutdale well in time. But I might suggest that you take your time to learn all you can from your senior councilors and of course the Mayor. I don't think that any one of them would have advised you to go to the Outlook and spill your plans to coordinate with the MCSO with respect to human trafficking and drug offenses here in Troutdale a week after the historical vote to bring in the MCSO. I am not saying you sold your vote by any means to further your own agenda, but I will say to some it came across that way. Councilor Morgan, there are a lot of people out in Troutdale that don't know the definition of human trafficking. I think that it would be really helpful to the City of Troutdale to learn that definition and exactly what it is and how we are going to combat it. I am a little bit disappointed in the citizens of Troutdale as well. Every once and awhile I will show up and have nothing to say and I will just watch the meeting. Looking at the agenda for this meeting it really isn't supposed to be that entertaining, so I don't know why the room is full. I think that most of the people behind me probably have an opinion on the City Council and the direction it is heading and where the City is going and I would sure would like to hear from more of them. I think a lot of you here have something to say.

Norm Thomas, resident, stated I first want to address the allocation of the funds from the lease of the police facility. As a service to the Troutdale citizens I think that the entire fund needs to go to help offset the bond payment that you collect every year from the Troutdale taxpayers. It was a 4% split when that bond measure passed. So in essence about 48% of the people in the City weren't happy with it and 52% were; majority ruled and we got it done. In light of that, now that we are leasing out the building, a good piece of it is not being used directly for Troutdale services anymore and that money needs to go to offset the taxpayer. If you take that money and spread it across the 6,000 property owners it may not make a lot of difference to some folks, but it will for those on fixed incomes. As you look forward to retiring and being on a fixed income yourselves you might want to think about that. What most of you have campaigned for at various times is how can I save you money and how can we be fiscally responsible. Fiscally responsible is not just managing the money, it is also managing the taxpayers budget. That is very important. The second issue that I would like to address is the lack of business licenses being required for in-home marijuana grows. I think you should address that soon. When I look at the business rules in the City of Troutdale nothing says they have to make money, they just have to perform a service to qualify as a business. Prior to recent state law changes the City didn't allow for that because it was considered illegal, but I really think it is something you need to address soon. You did great about addressing it affecting the downtown area, but you did nothing to protect the citizens in the neighborhoods that have these businesses running and affecting their neighbors.

Taney Staffenson, resident, stated I do live in the double taxation area for fire and one question I have is if Corbett is going to be out of the mix and there are no hydrants down there what is the fire suppression plan? As a resident that would be a concern that I have. Another one would be those folks knowing the addresses and house numbering and

things like that down there. I noticed that we weren't putting the waste franchise out for bid and I was just curious about that. I was hoping that we could possibly save the residents some money by putting that out for bid and maybe going with a local company. I am not really sure how we came to the decision that we did. It just seems that when we've entered into a lot of these long-term contracts we end up discussing them at a budget level always saying how do we get into these and how do we get out of these. It just seems like we are going back into one and I would have liked to have seen that go out for bid.

**4. REPORT:** A report from Reynolds School District on their upcoming bond projects/master plan.

Linda Florence, Superintendent for Reynolds School District, showed the Council a presentation on their upcoming bond measure projects and master plan (attached as Exhibit A). The bond measure will be on the ballot for the May 19<sup>th</sup> election for \$125 million.

Valerie Tewksbury, Citizens for Safe Reynolds, stated I was on the Reynolds School Board two years ago. I would like to speak to what I see as a difference now and why this district can handle a bond now. For the last three years the District has received clean audits. I remember the first couple of audits I saw when I was on the Board and they were not clean opinions. The District received a Meritorious Budget Award for the 2014-15 budget, which means they spent a lot of time on making the budget document transparent, readable and accessible to citizens. Policies and procedures have become a priority in the District. As part of this bond the Board, at their last meeting, approved a Citizens Oversight Committee for this bond. That kind of sets the stage for why I feel this District is ready for this. We have had great voter response. Some polling was done before the Board decided to go out for a vote and we saw approval numbers starting in the 60's and when we talked about safety being the key reason for this bond the numbers went into the 70's. Some districts just choose a number of projects and put a dollar figure on them and send it out for a vote. RSD looked at the fact that they had bonds expiring and they saw how much money they could get by keeping that rate the same, realizing that would be a priority for taxpayers. Then they chose the top priority projects that fit within that amount. This last Saturday we kicked off the public portion of the campaign. At our website, reynoldsbond.org, you can submit endorsements, check the calendar of events, watch videos or look at photos of the conditions of the schools, and you can make a campaign contribution.

**5. REPORT:** Annual Financial Report from the West Columbia Gorge Chamber of Commerce.

This item was postponed to May 12, 2015.

**6. RESOLUTION:** A resolution approving an Intergovernmental Agreement (IGA) to continue receiving Fire and Emergency Medical Services from the City of Gresham.

Craig Ward, City Manager, stated I realize that it is frustrating to the Council and to the public that our costs are increasing for this fire contract. The study that Portland State University (PSU) provided to us indicated that they are providing very cost effective services for a medium size city; the lowest cost for a medium sized city in the State of Oregon. That is reflected by the lack of complaints that I have heard about in my time here. The level of service and the cost of service really has not been a pointed issue, but the Council has had a desire to reduce those expenses. This is an IGA that both Fairview and Wood Village also have, so it is a collective IGA. We formed a collective negotiating team and we went into negotiations with the hope that we could stabilize or improve the level of service for as little of a cost increase as possible. I actually think that we have done that. Gresham, when we began negotiating, pointed out that the Citizens of Gresham are paying a considerably higher rate. There are a lot of different ways that you can calculate the rate. We've used the property tax, tax for assessed value, as a standard for comparing the cost with Gresham and the other two cities. Gresham, when they began this process, pointed out that their costs are equivalent of \$1.93/\$1,000 of assessed valuation and that in fact that figure could go as high as \$2.16/\$1,000 if some of the costs not attributed to the Three Cities were factored in. As of this year we are paying \$1.32/\$1,000. Compared to \$1.93 or \$2.16 we are getting a good deal here. I pointed out to this council after your review of the PSU study that to some extent you get what you pay for. Some of our City is on the outside edge of the area that Gresham serves and their response time to those residents is not what we would hope for. However, we are paying considerably less so there is a tradeoff that we have to acknowledge. As we went through the process we challenged some of their initial figures and how they went about calculating them. The proposal we now have is that our costs in the next year will go from \$1.31 to \$1.44/\$1,000. That is an increase of almost \$168,000 to our general fund for next year. In the second year that cost will go to \$1.56 which translates into more than a \$200,000 increase to us for really the same level of service. That is a bitter pill to swallow and I acknowledge that. We tried several approaches with Gresham. We asked for a 1-year extension of the existing contract and they refused to provide that. We worked through a variety of other issues including the possibility that we could improve our level of service. We have requested a proposal from Gresham to hit essentially a 4-minute average response time for Troutdale. That is not incorporated within this IGA because they know they can do that but they will have to add staffing and equipment and that will come at a cost to us. We felt that it was important at this time to bring forward a proposal that will continue to provide the fire and emergency services as of July 1, 2015. At your March 17<sup>th</sup> meeting you heard a proposal by a gentleman that a couple of councilmembers have been quite supportive of that might provide an alternative fire service model for us. However, it was very clear in our conversations, both with Mr. Flood the initial proponent of that, and some other groups that we contacted, that there was no chance at the time that we spoke to them in early February that we could get an alternative fire service up and running by July 1<sup>st</sup>. We also asked Gresham whether or not they had any obligation to continue to provide fire service to us absent a new contract and the answer to that was no. We are in the unfortunate situation of having really only one viable proposal to bring to you that can begin on July 1<sup>st</sup> of this year and that does come with some increased costs. Those two rates that I mentioned of \$1.44 in the first year and \$1.56 in the second year are intended to be make-ups. Gresham's position is that we had

such a great deal that they have been losing money over the last several years. These rates that are proposed for the first two years are a way to catch us up closer to what Gresham residents pay for their fire service. After that they know that they will have to negotiate labor contracts and labor is our single largest expense. What they expect is that we will pay our fair share of their increased labor costs. Our concern with that is that we are not in control of their labor contracts and while they have to bear the burden of whatever contracts they negotiate we wanted to provide a range so that we could be confident of the upper limit, and the lower limit to which those labor contracts could expose us. Therefore we built in a bracketed range that we will agree to pay no less than 2.5% and no more than 4.5% increase over the preceding year. That is comparable to what our labor contracts are and I think it is a fair range to cover both entities risk. That is built into this contract as well. The PSU study recommended that we have performance reporting measures built in, something that our existing IGA does not have. Those are contained in this proposal and Gresham is prepared to provide monthly reports. The User Board was a component of the previous IGA which established a committee of the Three Cities with two representatives from each city that meets periodically. The Fire Department has agreed to look at the issues that the User Board brings up to improve performance. That is continued in this IGA. There was some concern about how the fire code is administered that was brought up in our March 17<sup>th</sup> work session. I requested from Gresham some language that dealt with improvements in the fire code and they have agreed to look at that, but those improvements are not imbedded within this IGA. That is partially because Fairview and Wood Village both felt that the IGA had matured to the point that trying to negotiate a concession and commitments on Gresham's part was unwise at this stage of the IGA so we did not pursue that. But Gresham did agree that they will talk about how they can better satisfy us on fire code administration. As I mentioned earlier they have agreed to give us a proposal for a 4-minute response time, and I fully expect that will come with a contract fiscal amendment and we will bring that forward to the Council for consideration.

Councilor Anderson stated Craig, you said these increases in year one and two are make-up costs because as you put it we were getting a smoking deal. Can you tell us what the rates are for Fairview and Wood Village under this new IGA?

Craig Ward replied their first year expenses are built into a table that is shown on Page 3 of the IGA. In 2015/16 we will pay \$1,856,715, Wood Village will pay \$371,013 and Fairview will pay \$914,377.

Councilor Anderson asked is the \$371,013 rate for Wood Village an increase or a decrease over this year?

Craig Ward replied it is a decrease.

Councilor Anderson stated so talk about who is getting the smoking deal.

Craig Ward replied if you were to ask the City of Wood Village they would say that based on how the previous contract was calculated on an annual basis they have been paying



a considerable amount more per capita or more per assessed valuation over the last ten years than we have. This is a one-time one year adjustment by going to this cost per assessed valuation.

Councilor Anderson asked would it be fair to say that we subsidize Fairview and Wood Village because without us they wouldn't be able to get the rates that they do?

Craig Ward replied I don't have any information to be able to confirm that.

Councilor Anderson stated it is just an opinion question.

Craig Ward replied if you base it on assessed valuation then they are paying their fair share and we are not subsidizing them.

Councilor Wilson stated we had a gentleman that lives on the east side of the Sandy River speak earlier about a fire suppression plan for those on the east side of the Sandy River. I guess there are no fire hydrants over there. Chief Lewis, is that correct?

Chief Lewis, Gresham Fire Department, replied that is correct there are no fire hydrants on that side of the river. I can address his question. As early as this morning the Fire Chief from Corbett Fire District 14 was in my office along with Chief Matthews and we had a discussion about relationship and making sure that nothing was strained and that we were all on the same page as far as who gives what to whom, and that included a conversation about water tender responses. In fact Corbett was offering to extend their water tender response further than they currently do. There is part of Fire District 10 that they believe they can get to quicker than the Boring tender coming from the south. So actually we were talking about extending where their water tenders respond, just the opposite of taking away water tender response. I don't believe that is an issue. They do respond with water tenders now along that boundary and we have no reason to expect that to change.

Councilor Wilson asked so your fire suppression plan is just how you explained it then?

Chief Lewis replied I don't believe there is any change to the plan. I believe that Corbett provides water tenders to that area now. The annexation and de-annexation tax rate, I can't discuss that as intelligently as I could have a month ago, but as far as whether or not they are going to respond with water tenders, they do that today and there is no expectation that will change.

Councilor Wilson asked do you feel that the quality of service that they receive on that side of the river will be the same as this side of the river?

Chief Lewis replied I believe the quality of service that the Troutdale portion gets is better than the rest of Corbett because we have staffed stations that respond to your area. Troutdale is well covered whether it is this side of the river or the other side of the river.

Councilor Morgan stated I know that Chief Matthews is not here, but he did address in a meeting that I believe was convened with the Citizen Advisory Committee of Gresham, or an ad hoc committee.

Chief Lewis replied we do have a Public Safety Citizen Advisory Committee and they met maybe a month ago. There was a meeting I believe just last week or the week before where all of the city advisory committees came together with the leadership and liaisons and they were all in the room at the same time.

Councilor Morgan stated I don't know who the point person would be to clarify some comments that were made, and I will provide the transcript of those comments, but when asked about the proposal that Troutdale had during our work session a few weeks back it was deemed an unnecessary distraction, the meeting was called bizarre, and Chief Matthews suggested that Troutdale might have a lemonade stand to raise the funds. I was just seeking clarification on those comments as part of this negotiation. For clarification purposes I would like to have that.

Chief Lewis replied I was not at that meeting. I did not hear those comments made. I think that Chief Mathews has said that we've went through a very lengthy negotiation process between the City of Gresham and the Three Cities and I believe the tentative agreement, the groundwork for the proposal before you tonight, was just about ironed out the Friday before your work session and we were somewhat surprised when we came here to answer any questions you may have during your work session that there was another proposal coming forward. We had not been contacted, nobody had talked to us about our response time, our response models or any of that. I think that, again not wanting to speak for the Chief, I believe that would have been his comment as far as maybe a distraction because council has work to do. As far as the lemonade stand I was not present for that conversation and I don't know what he may or may not have said.

Councilor Morgan asked was that a reflection of his view, the City's view? For clarification purposes, I know that you work in the public and nothing is agreed upon until it is agreed upon and signed, but to trivialize it to a bake sale, lemonade stand, seems a little bit inconsistent with the negotiation. As you understand due diligence is an important part of upholding the public trust.

Rachael Fuller, Assistant City Manager for Gresham, stated I can't speak for the Chief, but we are here because we respect your process. We are here to answer any questions that you might have and to show that we are interested in continuing the relationship and to provide any information that we can. But I can't speak for Chief Mathews.

Mayor Daoust stated I talked to Mayor Bemis about the request that staff has made to Gresham about a proposal for those areas where we have extended response times of around 10 minutes; Interlachen area near Fairview and the east side of the Sandy River is what the request was for. It seems like we are going to get that. It is not immediately necessary for us to pass the contract tonight, but eventually we will get that. If you were

to speak to those two areas and what would make them better, in your mind what does that mean to get better response times to those extended areas?

Councilor Allen asked for clarification. The areas that you mentioned don't include all of the tier two areas. Are you just specifically asking about east of the Sandy River and the Interlachen area?

Mayor Daoust replied I can expand my question to those areas that don't get the 4-minute response time. Those two are the worst areas.

Chief Lewis replied there are really only two ways that you can accomplish better response times. Either put the resources closer to the area or move the people closer to where the resource is. The presentation at your last work session by Mr. Flood said that the Gresham approach would be to build a \$5 million fire station and put another fire engine in it and staff it with three or four people 24/7. We are actually looking at ways contrary to that to reduce response times during our peak activity time. Some people would think that the peak activity is probably Friday and Saturday nights, but actually it really starts at about 8am in the morning and runs until about 5pm or 6pm. That is when there are more people on the road, at work, and out and about doing things. Our approach is what we are calling the QRV, or quick response vehicle, which would be two personnel in a smaller vehicle like a Tahoe or Suburban size vehicle, or an F150 size vehicle with all of the tools that we need to respond to those medical emergencies. By responding with a smaller more nimble vehicle we can get there faster or if somebody else is out of position because they are on another call we can slide that way a little bit. For example if Engine 75 is out on an auto accident on I-84 the QRV could move closer to the core city center and be available for those responses. Depending on who is paying the bill will be where the resource could be most generally located. If it is something that is spread across the Three Cities then it will be down here. If Gresham comes up with the funds to improve their response times in their south end where we have 10 to 12 minute response times then the QRV is going to be there. The thing about a QRV is it doesn't require a brick and mortar building, it requires a smaller crew of two and a vehicle that has really no boundaries and can move where the demand is on any given day. Without adding resources it is real hard to get to more places at the same time. The proposal that we will work on through the User Board and your City Manager will probably be a QRV which is more nimble, more flexible and can be where it is needed based on what else is going on in the community on any given day.

Councilor White stated I am confused because I don't see how a truck can get there that much quicker than a fire truck with sirens going and being safe at intersections and that sort of thing. I know that TVF&R went through a great extent to move fire stations as little as 1½ miles because to them the thought was that the placement of the fire station was the most critical aspect of arriving to the scene on time.

Chief Lewis replied that is moving the resource closer to the people or the people closer to the resource. To be quite honest, neither Gresham or the Three Cities have the resources readily at hand to move fire stations short distances to improve that time. If we

were to do a full scale station placement study, some stations would move a little east, some would move a little west and then we would have a hole in the middle and that would require another station. TVF&R district has the resources to do exactly that. I think that we are far more conservative in this part of the county than any part of the TVF&R and it is reflected by the way these cities have chosen to deliver service. Short of building a fire station, another vehicle that isn't tied to a fire station can be more in the middle and therefore get there quicker. We cannot make up time on the road. Lights and sirens get us through traffic lights a little faster, but it really doesn't add a whole lot in response time. Being available when the other rig is out is how we will cut down that response time.

Councilor White asked is this going to be an additional cost to get this service?

Chief Lewis replied it would be. The contract you are voting on tonight is a continuation of the same level of service that you have enjoyed or suffered through, depending on your perspective, for the last ten years. That is where we are tonight, but there are options available to us. We are asking our City Council to give consideration to the same type of peak activity QRV for parts of Gresham moving into next year as well.

Councilor Anderson stated Craig had made mention of two things, the amendment to the contract with the QRVs and the language request that you made in regards to inspections. Can you tell us when that might be available, when we can see a version of either or both of those?

Chief Lewis replied our City Manager holds his budget very close until it is released to the public. My expectation is that will happen Friday. I am hopeful that we will see some level of improvement in our life safety division, that is our Deputy Fire Marshals, as early as Friday for a July budget. If that was to happen and we increase our staffing in that division you will see a like responsiveness for all of the cities as we move to rebuild some of that scope within the division. As far as the proposal for the QRV, I think everybody is anxious to get through our budgets and get that settled and I would expect that you would see something as early as this fall.

Councilor Allen stated once you go beyond the cost of living increase, what we are talking about here is over the next two years a \$382,929 increase. That is over \$3.6 million during the term of the contract. We are not talking about an increase in service, equipment or infrastructure. That is difficult for me to swallow at this particular point and time especially when I am looking at those people that are in the slower response areas. The tier two response areas are more likely to die in a life threatening emergency and more likely to pay more for insurance. This cost increase is difficult for me.

Councilor Anderson stated I understood that the \$382,000 increase that Councilor Allen referred to was for years one and two only. Years three and on it is a 2.5% to 4.5% increase and assessed value is off the table in years three through ten. Is that correct?

Chief Lewis replied correct.

Councilor Anderson stated so it is not a \$3.6 million increase over the life of the contract. It is \$382,000 for the first two years and then between 2.5% and 4.5% of whatever that number is of \$2.071 million on out. Correct?

Councilor Allen stated you don't get a deduction in future years. You are still paying that. If you have to pay an extra \$5 a year for five years that is \$25. That is why the number comes up to in excess of \$3.6 million.

Councilor Morgan stated I want the Council to remember that we talk a lot about regionally and cities working together and being collaborative much like the west side. When the west side walks into a room they are well chorographer, they have a vision, and they are together. On the east side we get into arguments and many times are hearts might be in the right place but often times our vision gets off skew. I have deep respect for Chief Matthews not only as a public servant now but also being Chief, but often times our passion gets in front of us. As a region, as elected officials in Troutdale, I think we have an obligation to look at all options which we are trying to do. This is about saving lives. My deep concern, as a region, if we are going to move forward together it doesn't help us if we have silos or if we can't work together on this. My frustration is we are getting away from the main goal which should be saving lives and working together.

Councilor White stated since Dave Flood is in the audience and his proposal was brought up more than once, I wonder if it would be appropriate to hear from him tonight.

Mayor Daoust stated we will give an opportunity for anyone in the audience to speak.

Councilor White stated a point of clarification, we were equally surprised to see that you were on the agenda at that work session since it was called by Councilor Morgan and myself for the Dave Flood presentation and somehow I think wires got crossed on that agenda. I do apologize for that. I think it worked out well that you were both able to speak.

Mayor Daoust asked is there anyone in the audience that would like to speak to us on this issue?

Steve Scott, Troutdale resident, stated this new contract we may sign with the City of Gresham Fire Department, how much of an increase is it percentage wise compared to what the existing contract is?

Craig Ward asked are you asking how much of an increase it is above what we currently pay?

Steve Scott replied yes, percentage wise.

Councilor Anderson stated in year one it looks like 8%, and in year two it looks like a little more than 10%, and then from 2.5% up to 4.5% every year after that.

Steve Scott asked will we be getting a better deal, is that what the thought process is due to the 8% and 10% increase?

Councilor Anderson stated I think Craig Ward answered that when he said earlier in his report to us that this 8% and 10% increase is because according to the City of Gresham we were getting a good deal throughout the latter half of our current contract so this is a make-up of that. That is what I heard.

Craig Ward replied that is accurate. Gresham is telling us that there residents are paying \$1.93 and we are paying \$1.31. This contract proposes that we will pay \$1.44 while their residents are still at \$1.93 and that in the second year we will pay \$1.56. In both years we are paying considerably under what Gresham residents are paying.

Steve Scott stated so we are paying considerably less than the Gresham residents. Does anybody have a comment about that?

Mayor Daoust stated I think you have to remember these rates are a result of a negotiation process we had with Gresham.

Councilor White stated in response to your question it is important to realize that Gresham is a tier one service and we are getting second tier service meaning that we are below the national fire rating system of 4 minutes; they consider every call should be handled within 4 minutes. That is not to say that it is Gresham's fault. It started out that we were supposed to get the same service as Gresham twenty odd years ago and the contract eroded over time and cost was probably the main driver as to why we were settling for less. We also didn't have the population we now have. We didn't have all of the industrial property, that was all berry fields and that is one of our trouble areas. It is hard to market that property to businesses with such a long response time. I think the Dave Flood proposal became very eye-opening to the fact that we are at the price point where we could do it ourselves and be like Gresham and have tier one service for everyone. Then we would not be looking outside of our boundaries for help, we would be self-contained, self-sufficient, and we would control future costs.

Councilor Allen stated two points. One, I think it should be considered that Gresham is paying for growth that we can't match. Also I wanted to point out that over the next two years it's a 22.6% increase, plus the 2.5% to 4.5% increase on top of that. Am I reading that correctly? The 2.5% to 4.5% is on top of the increase.

Craig Ward replied it will be on top of the increase.

Councilor Wilson stated I want to clarify a few things. Persimmon does not get the same response time as the rest of the City of Gresham gets and they pay a higher rate than other folks. Secondly, the Flood report also needs cooperation from other fire departments to make their service work one-hundred percent the way that they want it to.

Jill Gardner, resident, stated my husband brought up the issue earlier in regards to the double taxation. If we are contracting with Gresham for fire and have the issue on our side about the double taxation, and the issue with Gresham is that it might take longer to get to my house for example. Why can't we contract with both Corbett and Gresham, we are already paying taxes to them anyways? You mentioned that you can't change lines, but if we are subcontracting anyway doesn't that kind of break the line?

Mayor Daoust stated I think the Chief answered that. Didn't you meet with Fire District 14 this morning where you discussed the east side of the Sandy River Chief?

Chief Lewis stated if there is a house fire on the east side of the river Gresham responds and Corbett responds. We generally get there faster because we are staffed. They are a little further away and they are volunteers. But both sides respond to that house fire just like when we are up against the Portland city limits on the other side, Gresham units go west and Portland units come east and we share that border. Independent of the taxing issue we respond jointly along those borders. For water emergencies we send our water rescue and they send their water rescue. House fires, we tend to send out fire engines first and they bring their tenders first because that compliments each other well. If there is a fire at this young ladies house tonight you can count on both fire departments being there provided they are available.

Tanney Staffenson stated there has been a lot of discussion about these fire contracts, especially in the budget meetings where each year it comes up, when is this contract up, what are we going to do about it, and how are we going to control this cost going forward. Here we are again. I understand that we are up against a tight timeframe but by my math we are paying \$1,688,000 this year, so that would mean that the increase the first year is 9.93% and the increase the second year would be 11.58%. I think the bigger thing here is do our residents know that they have tier two service? Have we conveyed that to them and is that what they want? I really didn't know I had that until I started paying attention to this. I am not sure that everybody knows what the difference is between tier one and tier two, and in some cases it probably means that you die or you don't die. Certainly, response times are an issue. I am excited to hear that there is mutual aid between Corbett and Gresham on the table because I had heard before that it was off of the table. I think it is a good thing. When we talk about saving lives and somebodies home burning to the ground the issue really shouldn't be the line of scrimmage, the issue should be getting the job done. I was really impacted by the comments that Chief Matthews made. That was hard to take, the way we were viewed as a city. Lately we have been dealing a lot with public safety. What is this if it isn't public safety?

Mayor Daoust stated when I talked to Mayor Bemis about this fire contract he is very open to Troutdale having a fair shake and doing the right thing for Troutdale, along with Gresham doing the right thing. So the Mayor is open to alternatives to take care of ourselves and for Gresham to take care of themselves and to assist each other and all of that stuff. That was encouraging.

Dave Flood stated I want to address the QRVs. If we were so good at making predictions the fire department would only put people on for the part of the day when we were going to have calls and send them home for the four hours in the middle of the day when we weren't. Portland has used the QRVs and put them into a station that has over 3,000 calls a year because they have so many overlapping calls during a day in that area. That is not the case in Troutdale and Fairview. TVF&R has used them during the week day to ease a little bit of the workload on the engine companies, but that is not to provide better response, that is to fill in while they are doing their daytime training. The concept can be good if used in the right scenario, but you guys are not in the scenario where it is going to benefit the cities with any significance. Right now you are at 4 minutes 37% of the time and 63% of the time is over 4 minutes. A QRV is not going to make a big dent in that number. Fairview has 27% at 4 minutes and under, and 76% over 4 minutes. You would both have to have separate vehicles in your cities in separate locations from the current fire station to impact that and it would have to be 24/7 to have a meaningful impact because we are not good at determining when someone is going to have a heart attack. We can determine when we have the most calls, but those are not necessarily the most important calls that happen. It is very hard to determine when those critical calls occur. A QRV doesn't address fire issues, it is strictly for the 80% of the calls that are medical emergencies. You are still leaving the other 20% on the table.

Chief Lewis has given you the impression that the meeting this morning between Gresham and Fire District 14 was to talk about mutual aid. In fact it was to talk about some of the unfortunate comments that Chief Mathews got caught making on tape. That was the reason the meeting was held. Mutual aid probably ended up being discussed, but the meeting was to ask him to correct his erroneous comments.

Councilor Ripma stated you presented a very interesting proposal to us at our last work session as a way of solving, for the long-term, the response time for Troutdale, and Wood Village and Fairview if they want to join in. Whereas I guess what I am hearing from Gresham in this proposal is that we still have a lot to learn, just what you said about a proposal that might not solve the problem for us. To me I have formed the opinion that we are going to have to do something like what you are talking about. Either set up something separate like your proposal was, or contract with Gresham to do something like you proposed, which would probably be really expensive. How long would it take to investigate and actually set-up a fire department that would qualify for mutual aid and everything else you are proposing?

Dave Flood replied there is my time and then there is government time. It could occur quickly on my time. On government time, after the decision was made to go forward it would probably take upwards of 1 year to get going and that would probably be with temporary stations not permanent stations. The apparatus can be obtained easily. The employees can be hired relatively easily. To be honest it is the bureaucracy that makes it take time.

Councilor Ripma stated the IGA with Gresham allows us to opt out with a 2 year notice. Is that enough time, or is it more time than you need?



Dave Flood replied that would be more time.

Councilor Wilson stated we are here tonight to discuss the Gresham IGA. I appreciate you coming tonight but there is a lot of work that needs to be looked at to even make your plan feasible, including getting the other two cities to agree, hire a fire chief, etc. I think tonight we need focus on the IGA with Gresham.

Councilor Ripma stated I am focusing on it.

Councilor Wilson stated his plan depends on other fire districts cooperating with him and it is not something that is going to affect what we need to do tonight.

Councilor Morgan stated I think that if there is anybody who knows his plan it is Dave Flood and I would love to hear the rest of it.

Councilor Ripma stated Councilor Wilson, what I want to do is get comfortable with the two-year opt out that we have in the IGA. I don't know if it was pushed and whether we tried to get a one-year opt out.

Craig Ward stated I am going to give the government side of this. We will need all of that two years. First off we would have to validate, in my opinion, some of the assumptions that Mr. Flood has used. They may be very valid but we need to have them independently verified by people who are skilled in doing that. That will take time and cost money. Assuming we are doing this as a partnership with Fairview and Wood Village, before we get the money we are going to have to have a detailed scope of work and we are going to have to negotiate with them and have an IGA with the other two cities to cost share that. That is just to study it. I can imagine getting through that in three months or so. Then we have to do the study. The study will take time. Somewhere in that timeframe we might have the Gresham 4-minute response model that will need to be evaluated. Once we agree that this all looks great, here is the operational plan that we are going to pursue with the fiscal implications of that, we will then need to proceed with an IGA with the other two cities in order to come to an agreement on how we are going to cost share the operation of this new entity. A year for that is not unreasonable. If we go beyond that, the first thing that we would have to do once we have that IGA in place to start a new service is hire a fire chief. Hiring a new department head to create a brand new department could easily take us a few months. Then they have to hire their staff, and buy the equipment. If you understand that the process of getting us to the point where Fairview and Wood Village would agree to an IGA to create a new fire district, that alone could take a year. Some of the points that Mr. Flood said where you sort of don't worry about those aspects of it, you just start up a fire department. We might be able to do that in a year; I think that might be optimistic if we are not talking about putting in new fire stations. Leasing buildings, deciding where the buildings are going to be, I think two years is a challenge to start up a brand new fire department.

Councilor Anderson stated Mayor, the point was made when Dave Flood was presenting his proposal that if we were to go that direction there would be no mutual aid from Gresham. That was a statement that was made. When you talked to Mayor Bemis did he affirm that, did he not affirm that, did you discuss it?

Mayor Daoust replied we did not discuss that. I take that comment as an off the wall comment that was made not really meaning what was said.

Councilor Anderson stated really. It was pretty emphatic.

Councilor Morgan asked so which ones do we decide have meaning and which don't? At some point we are a region and what we say is important and our word is important and working together is important or it's not.

Mayor Daoust stated I agree with the comments you made, you know that I do. We are not here tonight to compare Dave Flood's plan with the Gresham IGA. Given the situation that we are in we have to make a decision because the current IGA expires June 30<sup>th</sup> and we have to provide fire service starting July 1<sup>st</sup>. That is what we are here to discuss tonight. Councilor Ripma's question was totally responsible because he was wondering about the two-year opt out period that has to do with the Gresham IGA.

Dave Flood stated we have talked about the second tier service and you do get what you pay for and you have been doing that for 23 years now. I wouldn't be awfully proud of having the lowest fire protection in the State of Oregon for a medium sized city; it shows in the response times.

Councilor Morgan stated I agree with what you said Mayor. But I go back to the big decision on public safety. I understand that we have what is in front of us. We had what was in front of us for the Sheriff's contract and all discussions were had and all options were looked at. If we are going to talk about, at least in theory, being safe and robust in our discussion in public safety, I caution the Council to remain consistent with those same fiery passions and dialogs. You can't pick and choose in a matter of life and death.

Mayor Daoust replied all in good time.

Claude Cruz, resident, stated it seems to be pretty apparent that we really have no viable alternative that is going to not result in a lapse of coverage for the City. It seems to me a bit of a moot point, and maybe the point to take is to use the next two years to prepare so we are not painted into a corner if we have an alternative at that point.

Mayor Daoust stated I think that is the plan.

Councilor Allen stated in thought to the people who have talked about the east side of the Sandy River, we would need a provision in this IGA that should Fire District 14 de-annex that area from their fire service that we could actually contract with them to provide the

fire service for the east side of the Sandy River. What I am hearing is it sounds like they may actually be happier with Fire District 14's response.

Craig Ward stated we truly don't know the answer to that. I find it a bit implausible because Gresham is a 24/7 fully staffed professional fire service and District 14 is a volunteer fire service. The response time from the time that you get everybody to the station and suited up may not be comparable for the two; they don't have the people sitting in the stations ready to roll at any given moment. I find it implausible that our citizens would be prepared to suffer what I think will probably be a diminished response time from the time the call goes to 9-1-1 to the time they show up, if it was District 14. I think looking into that as an alternative and what we can do with District 14 would be fine in a longer term scenario because I have heard comments that District 14 is interested in potentially going to a professional fire service. There is nothing in this IGA that prevents us from going back to Gresham and saying we have an alternative model here that we need to factor into our proposal and see how we can adjust the proposal. If they are not prepared to do that we always have termination as an alternative for us. I don't see District 14 as being a viable alternative to the citizens on the east side right now. I am basing that on the fact that you have a professional fire service versus a volunteer fire service.

Councilor Allen stated I am just going off what I am hearing, not only from people in the room but people that have talked to me. I am hearing that some of them are happier with the District 14 service on that side of the river. It doesn't hurt us to put it into the contract that we may actually contract that portion out to District 14.

Craig Ward stated I am not in the position to negotiate with Gresham off the cuff. This IGA has been negotiated with all three cities and is being brought to all four cities if you include Gresham. We are free to adopt this IGA with amendments if you choose to but that will not be binding upon the City of Gresham absent negotiation, nor can I speak for the other two cities that they would hold this IGA hostage to a clause that would only affect Troutdale.

Councilor Allen stated there is also nothing in here that says they would have to respect such an idea should it come to fruition.

Craig Ward stated if we put it into the IGA, Gresham's adoption of it would be contingent upon approval of that language. We would say that we adopt it but only if you add this clause. Gresham's only choice would be to either adopt it with that clause or come back and say we are not going to do that, we are going to adopt it without that clause because after all Gresham's Council can do the same thing. We could find ourselves in a tough situation come July 1<sup>st</sup> if we can't come to an agreement. We have made several requests of Gresham in the process of negotiations which they have declined.

Councilor Allen stated I find it disheartening that we are deciding on a contract in which we don't have any ability to change or have any other options in time to ...

Craig Ward interrupted and stated I think you have the option, it just isn't binding on Gresham.

Councilor Allen stated I know, but we are talking about July 1<sup>st</sup>. It is not enough time to really deal with it.

Craig Ward stated if you want to adopt this with that clause in there we can run it up the flag pole with Gresham and see how it flies.

Mayor Daoust stated my impression from your point was that you weren't necessarily talking about revising this IGA right now, but that may be part of what we talk about if we come up with an alternative model ourselves.

Councilor Allen stated I don't see that this IGA actually give us the flexibility there. We could talk to them about it but they don't have to accept it. It would be nice to put in the IGA that we can contract portions of the City out with other fire districts should the need arise.

Councilor Wilson stated I think they addressed that at our work session; it was one inclusive package for everything.

Councilor Allen stated what matters is what is in this contract.

Councilor Wilson stated if we put it in here and they turn it down we are back here again. It doesn't sound like, from the last meeting...

Craig Ward interrupted and stated item 14 (page 6) of the IGA addresses that Gresham may notify the Three Cities in writing of a request to review the terms of the Agreement. Item 14a in part reads, "Any modification to the terms of this Agreement, following a review as provided above, shall be in writing and approved by the authorized signature of each of the parties..." I am quite confident that in our discussions with Gresham that they will be happy to discuss modifications to this IGA. I think that we always have that ability. We can discuss it, it is just not binding upon them until both parties have come to a written agreement. I think that is a wise way to approach these things. You are well within your right at this point to add a clause in the IGA and submit that to Gresham as a condition/requirement of the City of Troutdale. Should they not accept that then the clock is ticking and there will be pressure on us to deal with that. I am not trying to dissuade you from doing that, I just think that given our history with this that we have received concessions from Gresham. We have also seen some hard lines in the sand where they didn't want to go down that path. I am not optimistic that they are going to accept that condition.

Councilor Allen stated I am concerned that we gave them a possible solution and we are about to approve a contract that may not allow us to actually do it because all they have to do is say no.

Craig Ward stated that is true. One of the points that I think is important to understand, and this question has come up in private more than in public, but the duty on the City to provide fire and emergency service does not rest with the City of Gresham, it rests with the City of Troutdale. We are the ones who have to provide the services for our citizens. Gresham can hold out as long as they want because come July 1<sup>st</sup> we are the ones who are expected to provide the service. We are not in a strong negotiating position is what I am admitting. There is nothing wrong with trying. I tried that two weeks ago on the issues of fire code administration. I raised the issue to the other two cities that we should try to negotiate some additional language to improve the fire code administration. The other two cities were not prepared to pursue that issue. Gresham actually said they are willing to talk about it but after the IGA is adopted. I think we heard from Chief Lewis today that in fact we have reason to be optimistic that they are very serious about that. Nevertheless, if that is the Council's desire we can amend this IGA and propose it unilaterally any way we choose. That does not mean that Fairview and Wood Village will concur with that as a Four Cities IGA. It hasn't been discussed with them that we would add in that clause. It is not binding upon them to agree to that. Past history suggests that we shouldn't be optimistic that either of the other two cities or Gresham will support that proposal.

Councilor Allen asked do you think they would be concerned about what we do within our own city limits?

Craig Ward replied they are concerned about the overall effect of the service that is provided to all three cities.

Councilor Allen stated I would be interested in what the rest of the Council thinks.

Mayor Daoust stated if I hear you correctly, you are proposing that we add a statement in the IGA that allows us to contract with someone else; mainly I think you are talking about the east side of the Sandy with Fire District 14.

Councilor Allen replied right.

Mayor Daoust stated I don't feel comfortable speaking for all of the citizens on the east side of the Sandy River by saying that they want to have that option.

Councilor Allen stated it is an option, you don't have to do the option. This just gives us the ability.

Councilor Morgan stated we haven't done anything for them for 16 years the least we can do is throw them a bone. Some action is better than no action.

Mayor Daoust stated according to Chief Lewis both fire departments, Gresham and Corbett, show up.

Craig Gardner stated wouldn't they do that anyways whether you contracted with them or not because of mutual aid.

Councilor Wilson replied only if they wanted to.

Mayor Daoust stated that is the concern; us making the decision that only one fire department would show up instead of two. That is the uncomfortableness.

Councilor Allen stated as an option we can discuss it in the future and decide whether we want to implement it.

Taney Staffenson, resident, stated typically both departments do not show up. They do at times. As recently as last week there was a 9-1-1 call and Gresham showed up and Corbett was 1 minute or 1 minute 20 seconds behind them. A few months ago there was a rollover on Woodard Road that Gresham responded to and Corbett came down about a minute or so later. Those are the only two examples I can give you where both have responded. Typically one gets cancelled. At least that is what I am told because usually when there is a call you don't see all these apparatuses coming, usually it is one or the other.

Mayor Daoust stated so you are not proposing that we come right out and say that we would like to contract for Fire District 14 for the east side of the river. All you are saying is we want the option at any point and time.

Councilor Allen replied that is correct.

Mayor Daoust asked specifically on the east side of the river?

Councilor Allen replied yes, the area of overlap between the two fire districts.

Councilor Ripma stated the east side of the river is in Fire District 14. This IGA currently provides citywide coverage by Gresham. That is the only area in the city that is also in another fire district. The solution is for the residents to de-annex from Fire District 14. The City will give every assistance, but frankly the citizens have to initiate it.

Councilor Wilson stated and it sounds like Fire District 14 is slower than Gresham.

Councilor Ripma stated aside from all of that, in other words Councilor Allen the way the IGA is it does provide for the citizens on the east side to be in Fire District 14 and also to be covered by Gresham.

Councilor Allen stated they don't want to be double covered.

Councilor Ripma replied I know they don't. If they de-annex from District 14, I truly believe there would be mutual aid. They provide it now between the two districts.

Councilor Allen stated if they were to de-annex from Fire District 14 then we need a mechanism in case they decide they like Fire District 14 better so that service could be contracted for.

Jill Gardner stated we would have to de-annex from Troutdale.

Councilor Ripma asked are they proposing a situation where they de-annex from District 14 but they want the City to contract with District 14?

Councilor Allen stated they may want their fire service provided by District 14. It just gives us the ability to contract with Fire District 14 for that area.

Councilor Ripma asked and not Gresham?

Councilor Allen replied not Gresham.

Councilor Ripma stated so we cut down our payments to Gresham.

Male asked what benefit would that be to the citizens? It wouldn't be any benefit to me. I would only have one engine show up. It is not going to affect me in any way other than someone could die.

Councilor Allen stated I am just going off of what our attorney said early on.

Ed Trompke stated the City is going to charge one tax to all of its taxpayers; one tax rate. If there is a savings by having Gresham not serve the area east of the river and then contracting with Corbett to provide that service, if there are any savings it will be shared equally by all of the taxpayers of the City on an ad valorem basis, not just the people on the east side of the river.

Councilor Allen stated but they would not be paying the Fire District 14 tax anymore. One of the two taxes would drop off.

Ed Trompke replied if they go to 14 and have 14 withdraw them from the District. That is where the City has no authority to start that process. The only way to get that done is for the taxpayers in 14 to ask to be withdrawn from 14. You could ask the City of Troutdale to support you in that and it is likely that you would get some support for that, but you would have to do it entirely through District 14 and District 14 is going to have to say we don't want your tax revenue, but we aren't going to serve you either. That is a judgement call for them to make.

Councilor Allen stated then we would ask if we could contract with them for that service.

Craig Gardner stated we are already getting Gresham.

Ed Trompke stated at that point they would only get Gresham service.

Tanney Staffenson stated if we lost Fire District 14 we would lose fire suppression.

Ed Trompke interrupted and stated no, Gresham would have to provide water trucks, which is probably going to be an increased costs borne by all of the taxpayers of the City equally.

Councilor Morgan stated Craig, I respect what you were saying earlier. My frustration in being on the negotiating team and looking at it is the notion that in an East County region that one city would threaten to turn off the water hoses because they don't have to provide fire suppression to a city when we are trying the best we can as a City to provide the best EMS service possible. It is in my opinion not only backwards, it underscores the current quagmire our region is in. I understand Gresham's position that they don't have to, but to even have that open dialog of negotiation to me is tone deaf and completely undermines our job as public servants to provide public safety.

Craig Ward stated let me phrase it differently. We have a contract, which I think is a reasonable contract proposal from Gresham before us. We have a choice whether or not to enter into that contract. If we chose to not enter into that contract Gresham is not the one turning off the hoses.

Councilor Morgan asked did you hear what I said? We asked them during our work session, you should remember because you were here, we said if we are continuing to have dialog and move forward on a contract, whatever it might be, would they be in a position to and they said that they would not; July 1 it would be over. To me we are all trying to represent the same thing. But Waste Management came before us a few weeks ago as a provider of our garbage service and the conversation was how can we work together and make this amicable. They don't have to provide coverage for us. It is two different tones.

Craig Ward replied I understand your point. We approached Gresham by asking Erik Kvarsten if we could get a 1-year extension, which is essentially what you are asking for. You are saying lets just agree that we need more time to work out the details and lets carry forward with an extension. He could have said yes but you are going to have to pay \$1.42/\$1,000. It never got to that point, it was a straight out simple no we are not going to provide that extension. If the Council choses to we can go down the path of saying we are not satisfied with this IGA and impose unilaterally some additional conditions in here and send it back to Gresham and the other two cities. Gresham can say we are engaged in good faith negotiations which will take another four months to work those issues out, but we will keep providing service. It is within their ability to do that. I think that is what they said to you when that question came up, if we were in good faith negotiations they would. I hoped that they would have given us a one-year extension so that we didn't feel the pressure of July 1<sup>st</sup> looming over us, but they declined that offer.



Councilor Morgan stated I work in negotiations every day and at some point if we are going to talk about being a region that is working collaboratively you can't hold anybody hostage. Though both sides are equally to blame for the current relationship.

Mayor Daoust stated I would like Chief Lewis to respond to the question that is on the table about mutual aid if we chose to have our own fire department.

Chief Lewis stated I cannot speak for the City of Gresham nor its Mayor on whether or not we would provide mutual aid and in affect give you what we are now selling you. I cannot speak to their decision on that point.

Councilor White stated I want to respond to some of Craig's comments tonight. In addition to having second tier service we are also facing the largest single increase in Troutdale's history for fire service. We have had several studies; there have been at least three studies already paid for. My fear is that if we wait two years we are just going to kick it down the road and not do anything about it. I think it could be done in one year. We just lost our biggest service, police. I am sure that has to take a big load off of staff. We got \$1.1 million in savings so I can't think of a better use for that. It solves the problem for the east side of the Sandy River; those residents in Troutdale are important to us. It also makes it so that we can market our TRIP property with adequate response times. But bigger than any of those comments, we have the ability to save lives within our city. I think Fairview and Wood Village are looking to see what we do tonight to see if we are serious. I value the men and women that risk their lives every day that are firefighters. I hope they understand where we are coming from. The Dave Flood plan actually strengthens Gresham as well. It strengthens Corbett, Springdale, Fairview, Wood Village and Troutdale.

Councilor Wilson stated as passionate as you are about this Councilor White, by not approving this IGA tonight we would be putting the citizens of Troutdale at risk July 1<sup>st</sup>.

Mayor Daoust stated I am not clear whether Councilor White was even proposing that. What I heard was whether we take one year or two years after we sign the IGA with Gresham is totally up to us. We can push this thing along.

Councilor White stated if we approve this contract we are locked into at least two years before we can do anything.

Mayor Daoust replies yes we are.

Councilor White stated we are also agreeing to this largest increase in Troutdale history for fire.

Mayor Daoust stated I don't think we are here to further the negotiations that have already happened. It is what it is tonight. We either vote yes or no and if we vote no we will not have any fire coverage come July 1<sup>st</sup>.

Councilor Ripma stated here is the way I would see it playing out if we were to consider the Flood proposal. It would probably take a year to figure out whether the other cities are interested and line things up and know whether it is going to happen or not, and then another year to put it together. I accept that. What we have in the IGA with Gresham is a two year termination where we have to tell them that in two years from now we are out and the other cities have to agree. I am looking down the road and the logical thing would be to be able to look at it seriously with the other cities for a year and then give a one-year termination notice. Did staff ever try to negotiate a one-year termination rather than a two-year?

Craig Ward replied we did not.

Councilor Ripma stated we could request that Gresham give serious consideration of that. I agree that we are over a barrel and we are going to have to adopt this. We could request that staff ask Gresham that question. I don't see how the other cities would object to a one year instead of a two year, and Gresham might not have an objection. I think what it will save us is several hundred thousand dollars because we won't have to study it for a year, find out if we are going to do it and then have to give a two years notice. It will save a year. It is worth asking.

Councilor Morgan stated I disagree with Councilor Wilson and with you Mayor that it is either all of nothing; you either want fire coverage and you want to save the children and free the whales or you want death to America. I fundamentally disagree with that concept. The real question before us is, is this the best contract we can have, yes or no. Second, I want to remind most of the councilmembers that are here that you paid to study this in 2004 and you didn't do anything with the other two studies. All you have done for the past 20 years is study it. The real conversation that needs to be had is, is this a conversation piece or is this something that is going to go somewhere. If it is just going to be studied again it is just a waste of everybody's time, money and resources. Lastly, I think we have an obligation with the information that we have now received and know to give fair consideration to all the things in front of us. But the alarmist notion that it is either you want fire coverage July 1<sup>st</sup> or you don't is just not accurate.

Councilor Wilson stated oh it is accurate. If we vote no and we don't come back and address this again then on July 1<sup>st</sup> we do not have coverage.

Councilor Morgan stated I just wish the same consistency was used with the Sheriff contract as a matter of a whole concept.

Councilor Allen stated it bothers me that we have a contract that is basically an offer that we can't refuse, that is the way it is being told to me here; a 22.67% increase over two years, and an offer that we can't refuse. Is that some kind of form of legal extortion? It just feels wrong. I would rather give Gresham a chance to respond to Councilor Ripma's question.

Councilor Anderson stated it does feel wrong. It doesn't feel good. Do we have to do this tonight or can we put this off for a couple of weeks?

Craig Ward replied I do not know what the drop dead date is for Gresham. I do know that the other two cities have this scheduled to be brought forward. I don't think that we have to do this tonight. We will have to do it fairly soon. We are well within our rights to propose amendments to the conditions. The one-year termination is one and Councilor Allen's proposal is another.

Councilor Anderson stated I would prefer to go that route. It might not feel right in two weeks but there were some valid concerns raised and I think waiting a couple of weeks and digesting what the Council and the public had to say tonight might be the right thing to do. None of us here want July 1<sup>st</sup> to come and not have fire service in the City. That said there were some issues raised tonight with this IGA and it wouldn't hurt us to flush them out if it is not a problem with staff.

Craig Ward stated it is not a problem with staff. The only question is how it affects Gresham's schedule. Since I haven't been given any indication that we are pushing their schedule I think you are free to do as you choose. It could well be that Fairview, Wood Village or even Gresham come up with amendments to this IGA. My recommendation is that if there are particular things that you would like us to negotiate that you articulate those collectively so that we can take those back to the other two cities and Gresham and see if we can negotiate those.

Councilor Anderson stated I liked what Councilor Ripma and Councilor Allen had to say. I liked what Chief Lewis had to say about what could happen with fire code enforcement and lets see where that goes. Lets see what happens with the QRVs. I know that Dave Flood said that they are not going to do any good; that is a conversation piece. If we don't have to do this tonight lets get these questions answered and see where this thing goes and sit on it for a couple of weeks and then take action on it.

Councilor Allen stated I would agree with that.

Mayor Daoust stated I think we can make some specific recommendations tonight. The 1-year termination idea that Councilor Ripma brought up, does the Council want to add that change?

Several Councilors voiced agreement.

Mayor Daoust stated I think that is one specific change that we would have to take back to Fairview, Wood Village and Gresham to see if they all agree. The second one, Councilor Allen's proposal, I am still a bit confused as to what is being asked. The ability to have the option to contract with Fire District 14 for fire service on the east side of the Sandy River is what I heard. But then I heard just the opposite from the citizens who may want to withdraw from Fire District 14. Somebody explain how those two things can happen at the same time.

Councilor Allen stated you would have to find out from the people in that area as to what they want. But you need that option to be able to give them what they want should they decide to stay with Fire District 14.

Councilor Wilson stated all they are interested in is getting rid of the double taxation.

Mayor Daoust asked how do we propose that language in this IGA?

Ed Trompke replied when Councilor Allen was talking I tried to write something up, but this does go both ways and I am not sure that is what Council wants to do. I wrote, Troutdale reserves the right to negotiate alternate service with other fire service providers for service east of the Sandy River. That is to negotiate with District 14 and if all you are doing is encouraging or helping the residents east of the river to withdraw from District 14, that doesn't require any specific language in the IGA; that is something that happens outside of the IGA. So I am not sure you need any language.

Councilor Allen stated if they were to withdraw from District 14 and they want Gresham fire service we don't have to do anything. If they withdraw from District 14 but they want District 14 fire service they just don't want the double tax, then we need to have this clause.

Councilor Wilson stated that isn't what they said.

Craig Gardner stated no, because we are still in the city limits and covered by Gresham regardless.

Councilor Allen stated I wouldn't be talking like this if I hadn't had a number of people already talk to me about wanting to keep 14, they just don't want to be double taxed.

Ed Trompke stated if they were to withdraw from District 14 and had service provided by Gresham it would still fall under Gresham's mutual aid agreement with District 14, and unless something changes I assume that mutual aid agreement would stay in place.

Councilor Morgan stated he wasn't sure.

Councilor Allen stated but they wouldn't be double taxed.

Ed Trompke stated but it would be up to Gresham as the service provider to negotiate the mutual aid agreement not Troutdale.

Councilor Ripma asked so we would not have to amend this contract.

Ed Trompke replied right, ultimately you wouldn't have to amend this contract for it.

Councilor Wilson stated so basically what we want is the one-year opt out.

Councilor Morgan stated I don't want to negotiate a contract where if we don't do something then Troutdale will burn down. There might be a better way, maybe have a three month extension past July to wrestle with a lot of the concerns that we have on response times. Not a way to escape and leave and become a Gresham, but to have a good contract that reflects response times, QRV, etc., but not have the threat of the bomb if we don't get a contract done on June 30<sup>th</sup>. That is what I am saying. Whether it is a one-year out or whatever, we are getting away from the main focus which is how to make Troutdale safer, working collaboratively in the region. That is my whole attitude towards this. Having the threat that they are going to shut us off because we didn't sign a contract unless we pay 22% the first two years just seems inconsistent.

Mayor Daoust stated I think that question has already been asked of Gresham about the one year extension to give us more time.

Councilor Anderson stated Councilor Morgan said three months. I agree with Councilor Morgan one-hundred percent. I am not saying lets just throw the one year out there so we can bolt. If we do this I know how this works, we will forget about it and down the road we go and in five years somebody in the budget meeting will ask when does this contract end. Lets put our money where our mouth is and lets look at all the other alternatives. The most recent PSU study said that Gresham is the low cost provider. But I also want what Councilor Morgan wants and what Councilor White wants and what we all want, which is that 4-minute response time. I am not so naive to think we are going to be able to do that at the rate we have now, but lets have a discussion before we go into a contract with a two-year out and do what we normally do and forget about it.

Councilor Morgan stated and work with Gresham on it.

Councilor Wilson stated I think I heard earlier tonight that they were going to provide us with information on what it is going to cost. We will know what it is going to take and we can amend the contract for increased services.

Councilor Morgan stated in ten years.

Councilor Wilson replied no. They are supposed to provide us with information on what it is going to take if we want to have tier one service throughout the city. They are also going to bring us information on the QRVs and what it will take to have that service.

Mayor Daoust stated we will get that this fall.

Councilor Anderson asked out of curiosity what is the rush? It seems like what I am hearing you say is lets go and lets get this done.

Councilor Wilson stated no, you are saying we need more information and I am telling you that we are going to get that information. I am just saying before July 1<sup>st</sup> we need to make a decision whether or not we are signing this.

Councilor Anderson stated we know we are.

Councilor Wilson stated and we already know we are getting the information from them also.

Councilor Morgan stated you got the information before that you studied and paid for and did nothing with.

Councilor Wilson stated I wasn't here.

Councilor Morgan stated neither was I. As a conversation piece having a contract that is in-line with what we just signed with the Sheriff, in trying to save lives, we can work together as a region.

Councilor Wilson stated I think we are more engaged. We are not going to just let it slide off the map.

Councilor Morgan stated that is what congress says to.

Councilor Ripma stated it is a completely different situation than it was in 2004; we weren't faced with these increases then. That is the difference.

Councilor Anderson stated Councilor Morgan brought up another point. For a three month extension if we pay \$1.93/\$1,000 for 90 days just so we can dig a little deeper into the issues and into that collaborative approach. Perhaps; I am not saying no I am not saying yes. It is that kind of thinking that I don't think has been in this process and we are getting it tonight and we are giving it to you. Nobody is saying we aren't going to do this.

Mayor Daoust stated we are going back and forth between Craig saying it is going to take two years to pull together a fire department and you guys are saying in three months we will have the information to make a decision.

Councilor Anderson stated I am not saying that.

Mayor Daoust asked what would the three month extension be for?

Councilor Morgan stated so we don't have to be afraid that we are going to lose fire coverage on July 1<sup>st</sup> and we can get a contract that is reflective of what we want.

Mayor Daoust stated we won't have the QRV information in three months. What would we be waiting for in three months?

Councilor Morgan stated the QRV is just one aspect. The whole conversation as a contract. I would like to see that be working together. The notion of take it or leave it, I get it but it's not collaborative at all.

Chief Lewis stated while many of you are new to the Council the Council knew ten years ago when this contract would expire. The Council doing due diligence explored several options over the course of this contract as to other alternatives. The Councils at that time, some of you were members of and some of you were not, chose to continue with Gresham for the services. The City of Gresham negotiated in good faith as did the three city managers and we proposed a contract to you. The idea of a one year out instead of a two year out has implications to our operations. I think Craig Ward is correct that by the time you get all of your ducks in a row and validate the assumptions in the proposal it would take you two years to get there. From our perspective, a two year out allows us to plan accordingly. If you tell us that in two years you are going to be out we may choose to not fill positions when folks retire, we may choose not to have fire academy recruit classes and we would run short and backfill with overtime so we would not have the burden of laying people off at the end of the two year term. A two year opt out is financially and operationally necessary for the City of Gresham. I cannot speak for the Gresham Mayor and Council, but from an operational perspective two years was a thoughtful decision not a random number.

Rachael Fuller, Assistant City Manager, stated through the mechanism that is in the contract or through personal relationships we are happy to sit down and talk through any of the services that are being provided by the City of Gresham. Gresham Fire and Emergency Services does see themselves as Troutdale's Fire and Emergency Services, and as Wood Village and Fairview's Fire and Emergency Services. The offer is open to sit down with the Chief or me and we will talk through any service concerns.

Councilor White stated I wanted to clarify that the PSU study did not anticipate this large increase and neither did the prior councils.

Councilor Anderson asked is it unreasonable to put language in this contract that says we will strive to get to that 4-minute response time and hold us accountable. It is not so much Gresham, it is us I am worried about. I am worried about holding us accountable to keep the discussion moving. Tanney, I agree one-hundred percent, the residents know they are getting tier two service.

Councilor Wilson stated we have to wait for the information from Gresham to tell us what it is going to take to get that service and then we can sit down and discuss whether or not that is the direction we want to go. We can put it out to the citizens and ask do you want to move from this rate to this rate. That is what it is going to take to get better service; it is going to be more expensive.

Councilor Anderson asked would it hurt to have language in the contract that holds us accountable to do that?

Councilor Wilson stated this is a contract with Gresham. Maybe we should sign a contract between ourselves.

Councilor Anderson stated they are going to have to provide the information and that is what the language would say, Gresham will provide us information to get us to a 4-minute response time but we are going to have to make the ask.

Mayor Daoust stated we have already made the ask through staff.

Craig Ward stated we have asked for a proposal to accomplish a 4-minute response time.

Mayor Daoust stated I know that this council wants to look at options; I think we are uniform in thinking that. I think that in order to keep things orderly we need to approve this IGA and spend the next year or two looking at the option of our own fire department. We need to continue the fire service come July 1<sup>st</sup>. I think Gresham knows we are going to be looking at options. To compare apples-to-apples we need to know if Gresham can give us a 4-minute response time throughout Troutdale, Wood Village and Fairview. That question has been posed and we are waiting for the answer this fall.

Mayor Daoust called for a break at 9:53pm and reconvened at 10:08pm.

Mayor Daoust stated Mayor Shane Bemis has been watching the meeting and he is going to call in and say a few words to us.

Shane Bemis, Mayor of Gresham, (via phone) stated there are a couple of things I wanted to reiterate to all the members of the Council. First and foremost, in terms of the fire contract, the cost of the service I understand (inaudible). My direction to our administration was to charge for the cost of the service, no more and no less. That makes it easy for us to evaluate whether or not there are some efficiencies and benefits to having that economy of scale for the entire service area (inaudible). If we can provide the service and cost recover on it than lets do it and if we can't and it doesn't make sense then we will part friends. I can't imagine a time where our two cities, three cities or four cities wouldn't provide mutual aid. When you talk about increase there are a couple of important decisions that we needed to talk about. One of them is that our Gresham residents are paying considerably more as well. We have a \$7.50 public safety fee that we assess on every residents utility bill. With regards to the one-year termination, it doesn't make sense and Chief Lewis shared the reasons. The one thing that troubled me a little bit, just in term of dialog and us being regional, two years ago we all knew this contract was coming up. Two years ago we reached out to the cities and said this is coming up lets start talking about it and quite frankly everybody was slow to respond to that. It has not been Gresham holding anybody hostage or over a barrel, we have spent the better part of two years wanting to talk about this because if you are not in we need to move forward. I just challenge that a little bit from that negotiating principle that we've (Inaudible). We value the relationships we have with all of the cities. There is no hard feelings if you want to have your own fire department. Just give us the amount of time that we need to change our direction in what we do.

Councilor Anderson stated I was very intrigued by one thing that you said and I wondering if you could repeat it. Two years ago we knew that this was coming up and the City of



Gresham reached out to Troutdale, Fairview and Wood Village and said lets sit down and talk about this two years ago and the cities were slow to respond.

Mayor Bemis replied correct.

Councilor Anderson asked our city also?

Mayor Bemis replied that is my understanding. Obviously everybody knew the contract was coming up in 10 years. We have said, through City Manager Kvarsten, we need to sit down because if you are not in Gresham Fire and Emergency Service it is going to take us some time to figure out how to redeploy the stations or figure out how to provide the service to our residents absent the contract. My understanding is that the cities were slow to respond at that time.

Councilor Anderson stated I think it was a real class move that you took the time to call us tonight and join the conversation.

Mayor Bemis stated I respect each and every one of you. You are doing what you need to do for your residents and that has been my message to Mayor Daoust. If it doesn't make sense then it doesn't make sense and we will part friends.

Councilor White asked to be fair to Gresham how much notice would you require if there was an alternative plan?

Mayor Bemis replied I think two years is what the professionals in our organization, the City Manager and both Fire Chiefs, have said is what would need to happen for us to operationally get sound again and to figure that out. It will have an impact on how we deliver service. I think two years is a fair time.

Councilor White asked if we approve this contract that is before us then we are facing a three year out unless we had a one-year escape clause.

Mayor Bemis stated I am not following you.

Councilor White stated it would take us one year to vet our situation and then if we gave notice at that time we would have two additional years before we could get out of this contract so that would be a total of three years.

Mayor Bemis stated your due diligence is clearly your timeline. For providing the service we need operationally two years. Again I go back to the fact that we have all known that July 1<sup>st</sup> was coming.

Councilor White stated the new information was the price.

Mayor Bemis replied I understand that. That was a conversation that we in Gresham had to have with our community. We had ten public town hall meetings on this and said here

is where the costs are, here is our solution and this is what we are willing to do. We had to get out to the public and make the case and that is what we did.

Mayor Daoust stated you are not the only Mayor watching this meeting. Mayor Ted Tosterud of Fairview sent me a note that says, "I am watching as we vote on this tomorrow night. We will need to talk tomorrow before my council meeting if you make changes."

Mayor Bemis stated I want to reiterate to you the conversation that you and I had Mayor about continuing to further discuss how to improve response times to the areas that you had mentioned. That is our commitment. It is a commitment from my office, the City Manager's office and the Fire Department. We will certainly continue in good faith to try and solve that. We know that there are probably resources required to improve those response times. I will get you the information on that because as you have all said that could be the difference between life and death and I think we have to make that decision together on how we want to do that.

Craig Ward stated the two-year timeframe, don't forget we did the PSU study then. While they did approach us and say lets get going our response from the Three Cities collectively was we are busy doing the PSU study which took us time. That was essentially what happened to the first of those two years.

Mayor Daoust stated I think Mayor Bemis' bottom line is, if I can paraphrase him, Gresham will work with us giving mutual aid or whatever. Regarding the one-year termination, even though we thought that might be a good idea, we got responses on that from the Fire Chief and from Mayor Bemis that basically said Gresham needs two years.

Councilor Ripma stated I think we have heard that answer.

Mayor Daoust stated I think we also heard, in response to Councilor Allen's idea, that we may not have to make that change in the contract. I think we all want to explore the option of our own fire department but I really do think that this Council will not drop the ball. I don't think we will let this languish very long. Staff is hearing the same thing. I think we need to approve the IGA tonight and let Fairview and Wood Village vote on it and move on to start talking about the other options.

Councilor White stated I wanted to ask this Council if they would like to table this for two weeks and sort some of this out. It is a lot easier for me to follow along, and I think for Councilor Morgan as well because we were part of the negotiation team. This is basically the first time the rest of the Council has seen this.

Councilor Wilson stated we saw it at the work session.

Mayor Daoust stated we have seen this before. Gresham has their budget meetings next week just as we do and for us to throw out an uncertainty here and say we want to wait two more weeks to get more information, I don't know what that information would be. I don't think Mayor Bemis, from what he told me, would like us to do that. I don't know why

we would want to do that frankly. If we were waiting for information that was imminent, if somebody is proposing to give us more information within the next two weeks, I am not hearing that.

Councilor Anderson stated I am the one who originally suggested holding back. That conversation with Mayor Bemis really opened my eyes to a couple of things. The first one is the point that Councilor Morgan has been reiterating all night, which is the regional cooperation. I think we all want that to happen. If we were to hold this up it is not sending a message of regional cooperation. I think we all know that we need to do this and ultimately we are. I think the time for negotiations is done. I think we are in a horrible negotiating position and have been for awhile. That is not Gresham's fault. That said, if we want to opt out on July 2<sup>nd</sup> we can write the letter and use the first year to do the due diligence and then we do have truly a one year out, if we want to do that. That is an option. After reflecting on this, I think we would be sending a poor message if we were to pull back at this point; I think it would do more harm than good.

Councilor Allen asked is what Councilor Anderson said true?

Councilor Anderson asked can we opt out on July 2<sup>nd</sup>?

Ed Trompke replied technically, yes you could.

Councilor Ripma stated if there is a reason to delay it, now is the time to say so. I don't think we will resolve the issues of whether we can form our own department or not in two weeks. We got the answer to the question I raised of the one-year opt out. If there are other reasons, I am listening.

Councilor Morgan stated the clarity that was gained as well as the negotiations that occurred tonight is more dialog than we have had the whole time. For me, although I am not fully satisfied with some of the collaborative dialog, because we can have just a User Board to study it and we might not have to do anything with it but we currently have that capability now with the committee that can do that. If we are not going to ask for certain things in the next two weeks I would agree with what was said as well. But I would like to hear from Councilor White who was also on the negotiation team about what we have heard tonight and where we are at right now.

Councilor White stated for me the bottom line is I think we have reached that price point where we do need to take a look at starting our own service. That is the only way we are going to get to that 4-minute response time. It is the only way we are going to market our TRIP property. By signing this contract tonight we are facing three years before that can occur and that is a long time when people's lives are at stake. And the TRIP property, we have to grow our way out of this recession. It is just like a parent looking for good schools, a business owner looks for good response time for its business. It is very costly to not have that.

Councilor Morgan asked can we get clarity that if we gave notice on July 2<sup>nd</sup> that in July of 2017 we would be on our own? If that is a concern or anxiety that you have, the two verses the three, we could get it clarified now and proceed with this contract if that is the case. Do you know what I mean?

Craig Ward stated if we adopt the IGA and then exercise the termination clause then we would be out in two years after the point that we notify them.

Councilor Morgan stated so it wouldn't be three.

Craig Ward stated I understand Councilor White's point as being, and Councilor Ripma made the same point indirectly, that if in fact it takes us one year to conduct the study to come to the conclusion that the best course of action for us is to form our own fire department, then we would at that point give notice. I do think that it could easily take us a year. We might be able to do it in less. Partially it depends on how the other two cities feel about that or if we are going on our own. I do think two years is a prudent time to conduct the study and to create our own fire department. I think that you will find that may prove to be optimistic. I don't promise that casually and I think it makes more sense to do the study before we exercise the termination. If you do the one year study upfront and then decide to terminate, than that is a three year time span.

Councilor Morgan asked Councilor White do you feel that there are more things to negotiate in the next two weeks if it were to be tabled or voted down?

Councilor White replied I think the concern for Gresham in giving us a one-year opt out was that we would do that in one year. For me the one-year escape clause gives us the opportunity to study it for one year and then give them a one-year notice for a total of two years which Gresham has asked for.

Mayor Daoust stated we already got that answer.

Councilor Ripma stated unfortunately they said no.

Councilor White stated I guess we are not negotiating then.

Councilor Wilson stated you did negotiate, we asked they said no.

Mayor Daoust stated I heard what Mayor Bemis said and I agree with him. We can't be jerking Gresham around either. Gresham has to do their planning. If we give notice right away and then take a year to study it and then after that one year we say well I guess we won't form our own department we will stay with you guys. They have planned a certain course of action based on whether we are going to be with them or not. We need to do our due diligence and then make a decision on which way we want to go. I don't think we need two weeks to talk about this contract again; that won't buy us anything. We can start our due diligence at any time.

Councilor Allen stated for me I wouldn't even be discussing this this much if it wasn't for the 22.67% increase over ten years. That is the only reason that it has become an issue for me. I look at that and we are about to pay the same amount for fire service where we could have our own and possibly get better value or better coverage. It is right at that decision point where it may no longer make sense to do this kind of a contract. I am concerned about that percentage of the increase. Our taxes don't go up that much. Our personal incomes don't go up that much.

Mayor Daoust stated we are not at the point of choosing the other alternative right now. You can complain all you want about how much the increase is, but it is what it is. That is what we negotiated. We don't have the other option in front of us right now.

Councilor Ripma stated the increase is triggering our interest in our own fire department. We are all interested and we all want to look at it. I think we should start looking at it right away and see if the other two cities are interested. I have to admit in the meantime we have to approve this.

Councilor Morgan asked are we assured that if the City of Troutdale wanted to leave we could leave if we give a two year notice on July 2<sup>nd</sup>? Just for clarification of the contract because there is the clause with the Three City IGA and two cities could veto one city.

Ed Trompke replied the contract has a provision in it that says if one city gives notice than the other cities remain in contract with Gresham unless they give secondary termination notice. That is provided for in the contract.

**MOTION: Councilor Wilson moved to adopt a resolution approving an Intergovernmental Agreement to continue receiving Fire and Emergency Medical Services from the City of Gresham. Seconded by Councilor Anderson.**

**VOTE: Councilor Allen – No; Councilor Wilson - Yes; Councilor Ripma - Yes; Councilor Anderson - Yes; Councilor Morgan – No; Mayor Daoust – Yes; Councilor White - No.**

**Motion Passed 4-3.**

## **7. STAFF COMMUNICATIONS**

None.

## **8. COUNCIL COMMUNICATIONS**

Councilor Allen stated I was hoping that we would be having our goal setting meeting.

Mayor Daoust replied we do need to do that.

***Council agreed to schedule the goal setting meeting for May 5, 2015.***

Councilor Allen asked was the vote on dissolution of the Troutdale Police legal? I am thinking a number of different things here. We are talking about a large sum of money being decided on by the Council, more than 10% of the budget. And it sounds like there was some negotiation going on outside of the negotiations. What is your thought?

Ed Trompke replied I haven't heard anything that would make me question the legality of it. But I don't know anything about negotiations outside of the negotiations.

Councilor Allen asked do you want to take it off-line?

Ed Trompke replied sure.

Councilor Ripma stated on Sunday, April 19<sup>th</sup> at 2pm at the Sam Cox Building there is a program by the Troutdale Historical Society (THS). Sharon Nesbit will be interviewing Robert Winkler. The Winkler family moved to Troutdale in the depression. This interview will become part of the THS's oral history series which is recorded and made available to the public.

Councilor Morgan thanked Chief Lewis, Rachael Fuller, Gresham's Assistant City Manager, and Mayor Bemis for allowing that conversation to transpire. I know that it may appear adversarial, but providing clarity for all of the cities in our region is important to me.

Councilor White stated I am concerned that we didn't put the Waste Management contract up for bid especially when we have two companies that are located in our city that were interested in bidding. I think when we don't allow their voice to be heard and level the playing field we lean towards a monopoly. As you see more and more small mom and pop operations go away we will have a monopoly. I think it was also unfair to try and compare what Waste Management has the ability to give in the form of donations. Not every company makes \$13 million a year in profit. The main way that the smaller companies give back to their cities is through a lower rate and not nickel and diming customers, and allowing folks to put out appliances and swing sets at no extra charge, or extra garbage cans. I would have at least liked to have heard from the other companies. We were told that were two companies, they happen to be in Troutdale, that were interested in bidding on this.

Mayor Daoust stated I did hear from Twelve Mile on the way out and he turned to me and said you guys made the right decision.

Councilor Ripma stated nobody spoke up. Everybody is happy with Waste Management and that is what really swayed me.

Councilor White stated I am not sure how the process works but I wanted to bring up the reconsideration of the lease for the Multnomah County Sheriff's Office. I know it has to be done at the following meeting.

Ed Trompke stated the motion to reconsider has to be made by someone who voted on the prevailing side. It can be done at the following meeting.

Craig Ward stated this is the next regular council meeting since that decision was made.

Mayor Daoust asked what do you want to reconsider?

Councilor White stated I am hearing a lot of feedback from the public and new information. There was so much going on that night. For me personally it is a vote that I regret casting. I am talking about the lease of the building. I think we heard some of that tonight. There was quite a large group here that spoke under public comment. That was one of the biggest groups I have ever seen come to a Council meeting.

Council discussed the process for a motion to reconsider with the City Attorney.

**MOTION Councilor White moved to reconsider the vote on the Multnomah County Sheriff lease. Seconded by Councilor Allen.**

**VOTE: Councilor Allen – Yes; Councilor Wilson - No; Councilor Ripma - No; Councilor Anderson - No; Councilor Morgan – No; Mayor Daoust – No; Councilor White - Yes.**

**Motion Failed 2 - 5.**

Mayor Daoust updated the Council on the following:

- I made a presentation to East Metro Economic Alliance on April 9<sup>th</sup> on economic development in Troutdale.
- On April 11<sup>th</sup> there was a ribbon cutting ceremony at the new Verizon store.
- There was a Sunrise Service on Easter morning at 7am at Columbia Life Church.
- Sharon Nesbit informed me that Jack Lloyd, Troutdale's oldest living former mayor died at his home on March 21<sup>st</sup>. He served briefly from 1965 to 1966 and was a teacher and swim coach at Reynolds High School.
- On Thursday, April 18<sup>th</sup> from 9am to 1pm is our SOLV-It event. Folks that want to be involved can meet at the Public Works Building on 4<sup>th</sup> Street.
- May 9<sup>th</sup> is the Troutdale Trot and Walk sponsored by the Troutdale Lions Club from 8am to Noon.
- On April 9<sup>th</sup> I met with Jeff Curtis, the CEO of the Portland Rose Festival. They are inviting Troutdale to enter a mini float in the Grand Floral Parade. We can discuss that later.
- Councilor Morgan and I went to a meeting this morning on human trafficking. We met with a couple of folks from Multnomah County, Catholic charities and a group

from Commercial Sexual Exploitation of Children. We talked about a \$1.5 million grant that the City of Troutdale, hopefully, will partner with Multnomah County to build upon what is already being done in the human trafficking arena and work with service groups so that we have a system in place to get a better foothold on human trafficking that is happening all over the Portland Metro area including Troutdale.

**9. ADJOURNMENT:**

**MOTION: Councilor Anderson moved to adjourn. Seconded by Councilor Wilson. Motion passed unanimously.**

Meeting adjourned at 10:58pm.

**Doug Daoust, Mayor**

**Approved May 12, 2015**

**ATTEST:**

**Debbie Stickney, City Recorder**