

MINUTES
Troutdale City Council – Work Session
Troutdale Police Facility – Community Room
234 SW Kendall Court
Troutdale, OR 97060-2078

Tuesday, May 6, 2014

1. Roll Call

Mayor Daoust called the meeting to order at 6:30pm.

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Thomas, Councilor White, Councilor Allen and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Debbie Stickney, City Recorder; Erich Mueller, Finance Director; Scott Anderson, Chief of Police; and Joel Wendland, Lieutenant.

GUESTS: See Attached.

2. Discussion: A continuation of the discussion regarding a concept proposal for contracted law enforcement services in Troutdale.

Craig Ward, City Manager, stated Erich Mueller, Chief Anderson, Lt. Wendland and the Multnomah County Sheriff's Office (MCSO) have spent a lot of time trying to refine our understanding of the cost and operational implications of a potential agreement for contracted law enforcement services. Essentially what we prepared for tonight are responses to the questions that we heard both directly at the last meeting, as well as indirectly from Council follow-up. We will talk about how we see the financial implications rolling out in a potential agreement, and we are prepared to respond to questions from the Council and the public.

Chief Anderson stated thank you for coming. We know you care because you are here. It is very important for us to get the message to the Council, and to you the public, so that a good decision can be made at the end of the discussion; not tonight but hopefully next week. We have a presentation by Lt. Wendland and Chief Deputy Gates. They are going to talk about the staffing resources. That will be followed by a presentation by Erich Mueller, our Finance Director, who will answer some of the questions that were asked on April 1st.

Sheriff Dan Staton stated I want to thank everyone for being here. I want to thank the Mayor and Council for considering this proposal. This is a huge step for the MCSO, and I know it is a huge step for the City of Troutdale. We already have a partnership. We are talking about expanding on that partnership and making it something very special. That

is one of the things that is important to me, and I believe that is what is important to the Chief. I think what you are looking for is the kind of service we can provide and how important it can be to this City and the County.

Lt. Joel Wendland and Chief Deputy Jason Gates reviewed a PowerPoint Presentation, slides #4 - 10 (attached as Exhibit A).

Erich Mueller, Finance Director, reviewed the PowerPoint Presentation starting with slide #11 (attached as Exhibit A).

Mayor Daoust stated the savings of \$1.1 million per year is only the savings if we kept our police force as it is.

Erich Mueller replied correct. That is assuming the existing model in both situations not knowing what the future might be.

Mayor Daoust stated on the other hand we could say forget the Sheriff's department, we want to spend our own money and increase our police force by hiring two additional sergeants and one additional officer to get us up to the standard staffing, and maybe have a records capability that was open 24/7. That would cost the City about \$600,000 per year just to bring our police force up to the standard staffing level, compared to a savings of \$1.1 million. When I look at this I am looking at the two options. Going with the MCSO with that savings versus not going with the MCSO and trying to staff our police force up to where we think it should be. That difference is much greater than \$1.1 million; it is more like \$1.7 million per year. If we said that we just want to keep our police force the same, we don't want to make it better, we don't want to have more staffing, we don't want the sergeants to be there when we think they should be there, we could just keep it the same and not have \$1.1 million savings that we would see if we went with the MCSO. The way I look at it the two options are much greater than the \$1.1 million. In order for them to both be on the same level playing field when you are considering options, the same level playing field is for Troutdale to do it on our own. If we want the police force that we want in Troutdale we are going to have to spend more money.

Councilor Ripma stated I am worried about things that we aren't considering that we have an obligation to consider. Ed Trompke, the Sheriff is promising \$800,000 in savings this year by charging us for 15 officers. Doesn't the Sheriff have to request a budget every year from the Board of County Commissioners? From the memo you sent to us it didn't sound like we could require the County Commission to continue to fund things at the current level.

Ed Trompke, City Attorney, stated I am not intimately familiar with how the County runs, but it is my understanding that the Sheriff gets his budget approved through the County Commission. As my memo described, one legislative body can't bind another legislative body past a certain length of time. It is past the time when half or more of the Commission stands for reelection. It can't bind them to continue to spend the same amounts of money on any particular government service. That is true of the City Council here, the County Commission and any other government agency in the State of Oregon.

Councilor Ripma stated so after we sign an agreement with the MCSO with all good intentions, as your question put it, budget exigencies at the County may drive the County Commission to lower funding for the Sheriff that could affect the savings he could pass on to us. Is that right?

Sheriff Staton stated contract funds have to go directly through and pass directly to the Sheriff. It cannot be upheld by any budgetary process that the County currently has in place. The contracts that we currently have we are obligated to fulfill. Yes, they can adjust the budget for the jails and they can adjust the budget for patrols for unincorporated Multnomah County and for our rivers. However, by certain elements of the law they are bound to fund those, and yes we do see budget cuts. But any city that we currently have a contract with, or any other body that we contract with, they cannot reduce those funds. I spoke to our attorneys today and any monies that are processed through a contract signed with the City of Troutdale, the Board of County Commissioners cannot touch those funds other than to take them in and pass them directly through to the Sheriff to fund the operation that is been outlined in the contract.

Ed Trompke stated I agree with the Sheriff's statement. If the County Commission were to change the Sheriff's budget on non-contract issues then that affects the pool of personnel that would otherwise be available and how that gets addressed is something that would have to be negotiated between the Sheriff and the City as to whether personnel is reduced, whether costs are passed through or what. It is a negotiation at that point. I can't predict what the outcome would be from that other than there would be some kind of change.

Councilor Ripma stated as outlined in the staff report it sounded like there would be perhaps a menu of services offered to the City each year that could be amended by the County and the City by agreement, but it made it sound like that would be adjusted as the years went by.

Ed Trompke stated each year the Sheriff would put together the menu of services with a price list and the City picks what it wants and decides what to pay for it.

Councilor Ripma stated my concern is that would change over the years. If the costs for the services being offered to Troutdale started to increase to the point where we decided to chip away at the services we wanted and we didn't have the savings, maybe several years down the road, and we decide to exercise the right to terminate. The staff report just says that we have that right. I have a question about how that would work. If we terminated, gave them 2 years notice or whatever resulted in no penalties and everyone was in agreement, the Sheriff would have to layoff deputies that had been Troutdale officers. If we terminated the contract there would be some deputies laid off. Would we, if we wanted to form a police department, have to rehire those deputies under labor rules, and if so would we have to do that at the new pay scale that the Sheriff was paying the deputies or not? Ed, I don't expect you to answer these questions off the cuff, but these are questions I want answered before we decide to go forward. This is very important and I think it is totally neglected in our staff report.

Ed Trompke stated obviously there are collective bargaining agreements and being the new city attorney I don't know what you have with the police department, but I know the Sheriff's department has a collective bargaining agreement with their deputies. It is bound by some terms that are unknown to us at this point. So we can't predict if they were to lay people off at that time. At this point, unless your collective bargaining agreement with your officers provides for a break in service with a mandatory rehire, I don't imagine that it would require you to rehire them at all, or at any particular wage if you did terminate. But that ought to be addressed somehow in any agreement.

Councilor Ripma stated yes, I think so. I think both the Sheriff and our Chief and our Officers ought to know the answer to that question before we get into this. That is something I am asking you to look into.

Craig Ward stated I agree. There is only so much we can do before we actually negotiate an IGA. I completely agree with you that there are issues that are very important to all of us that need to be addressed. We really haven't gone down that path yet. Erich, you and I had spoken about this issue to some extent. Do you have anything you can share as to your research with other IGA's and your knowledge of the TPOA contract and how that might apply?

Erich Mueller replied my understanding is it is largely going to depend on the timeframe. The degree to which the contract continues, the longer people are in new positions with the new employer the less likely they are going to be in a position to where they would want to come back to a position. The transfer statute does provide for employees that are transferred. If the agreement is subsequently terminated they would be eligible to come back. If we go five years into the process and the termination scenario you talked about occurs, we could have somebody that was an officer here in Troutdale who is now a patrol sergeant in the Sheriff's Office. Would they be eligible to come back here and to be hired in at an entry level as a patrol officer? My limited understanding is yes, that is potentially possible. Is it likely that they would be interested? Probably not given the career advancement that they have had the opportunity to go through. My understanding of that provision in the transfer statute is it was in place in anticipation of an IGA providing for shorter term transfer of services. A two year period for whatever reason another governmental entity is going to take care of a certain set of services and the expectation that after that was over that those services would come back, that made it eligible for them to come back.

Councilor Ripma asked how about the pay scale question?

Erich Mueller replied the transfer statute does not specify a rate at which they return.

Councilor Ripma asked they couldn't be cut could they?

Erich Mueller replied what would govern the layoffs potentially is going to be the collective bargaining agreement for the Deputy Sheriff's Association and that is going to be driven by their seniority rules. It won't be driven by anything in the IGA because the labor law

provisions in the ORS are going to take precedent over allowing the collective bargaining agreements to determine the layoff sequence. Again, it is going to depend on the timeframe.

Councilor Ripma stated my concern is that this could be a one-way street where we can consolidate with the Sheriff, we have the right to terminate, but we end up in this big mess and it just deserves to be addressed in the staff report. It is an important issue and you just can't breeze it off with a statement that we can terminate.

Mayor Daoust stated with the money we save we could hire 40 police officers if Multnomah County pulled out and we had a 2-year period to adjust to that.

Councilor Ripma stated if we really save money. The first year he has five funded deputy positions and four others. Beyond that we don't know what is going to happen. Could I ask another question of Ed? Wood Village receives all of its police services from the Sheriff and they are charged far less per capita then this contract that is being proposed for Troutdale. Could this Council, in good faith to our citizens, enter into a contract without even trying to negotiate for the same deal that Wood Village citizens get? Couldn't that be subject to some sort of citizen objection that we sole sourced a contract when our next door neighbor city is receiving the same services and they are paying less. Wood Village's population is about 4,000 and they paid \$385,000 in the FY 13-14 Budget, which is \$97.54 per capita. If we take the lowest figure, the \$2,500,000 figure, not including BOEC and all of that, the cost per capita for Troutdale is \$156 per citizen for essentially the same services. I am concerned that staff made no attempt, I may be wrong about that, but I would think we have an obligation as a Council to the citizens to at least ask for the same deal as our next door neighbor city gets.

Sheriff Staton replied you can do that. However, the services that you would get are far less than what we are showing here. Most of what we have built off of here is what you have asked for as a service for the City. What we provide to your neighbor is one officer 24/7. Anything that they get beyond that point we build that into all of the unincorporated. This particular city has decided not to institute its own police department and the level of service that they have outlined in their contract is substantially less than what you are asking for.

Councilor Ripma stated and Wood Village has been very pleased with the service. But Sheriff, I listened to your talk with Fairview online and it sounded like you mentioned to Fairview that the arrangement if Fairview came in would be a two officers and a sergeant in Troutdale and an officer and a sergeant in Wood Village and Fairview, or something like that. All of the other services that are listed, the river patrol, the detectives, etc., that is provided to Wood Village. I am wondering if the fact that we are moving forward on this without even considering, we never asked that I now of...

Councilor Allen interrupted and stated I want to know if we did ask.

Craig Ward stated we approached this with the fact that we were not going to reduce the level of service to Troutdale that we currently provide; that we should enhance that and

seek savings. We simply did not approach it from the standpoint of saying let's go with the same staffing level per capita that Wood Village has; that is not how we approached it. If that is the direction that the Council chooses to pursue, give us that direction and we will go back and try to negotiate that.

Sheriff Staton stated then you have to go back to State law. One thing with regards to Wood Village is they had no officers so we had no obligation to hire 15 or 16 officers or look at a full staff and guarantee jobs. We were only required to hire 5 people and that is exactly what we did. You are asking us to hire, and by law we have to take on the entire agency. The other part of it is that the City of Wood Village provides no resource to us. You are asking us to assume a resource here as well, which is also built into this cost. There are several things that make you a little bit different than the City of Wood Village. They asked for 1 officer and they provided no other revenue to provide any additional services.

Councilor Ripma stated it depends on how you chop the numbers. Wood Village has a population of 4,000. One officer for 4,000. We have two officers for 16,000. We have a sergeant, and you must provide that supervision from out in East County or something. I am not sure how you do that, but roughly one could make the case that the situation is at least equivalent, if not they are a smaller city, one-third the size and getting half the number of officers as us. I think we owe it to Troutdale citizens to at least request an explanation. The explanation I am getting is we asked for more services, but I haven't heard that. I think you could spell that out fairly easily. My worry is that we are acting as a Council without even thinking of things like this.

Mayor Daoust stated I think you got an answer to your question; Wood Village is not equivalent to Troutdale.

Councilor Ripma stated you didn't hear what I said. Wood Village gets one officer...

Mayor Daoust interrupted and stated I heard the answer Dave, the issue is budget. We asked that our services not be the same as Wood Village.

Councilor Ripma stated I would like an explanation of why it is different. Why we are paying 60% more for the same thing. It is a fair question.

Craig Ward stated I'll try to respond to that. I think that we already provide a higher level of service than Wood Village has. Under the transfer statute we have to provide for the protection of all of the employees that we currently have. Even if we wanted to go down to their level of service we couldn't. We will be happy to look into that and try to answer your question in more depth.

Councilor Ripma asked is there any kind of obligation to solicit proposals from other agencies before we start down the road with the MCSO? I am not at all denigrating the Sheriff's offer, but don't we have an obligation? We did that when we went out for a fire contract. Could we, as councilors, be personally liable for failure to meet some sort of minimal obligation as government servants?

Ed Trompke replied I don't think so.

Councilor Anderson stated Wood Village contracts with the MCSO. What happens if somebody comes in and wants to change the rules of the game? Has this happened before with Wood Village's IGA?

Sheriff Staton replied you develop the contract and we have to abide by the contract. You include a clause of where you can open the contract up. So you can set the terms. The County Attorney has said that is one of the reasons why you need to have a 10-year contract if you want this to work. If you are going to open it up year by year, you are going to have new elected officials, including a new sheriff, and they are going to want to change it. If you are happy with what it is you have put into the contract and you want this to work and to flourish, it has to be at least a 10-year contract. I can guarantee that if you go year by year when you finish your term and you are replaced and I finish my term and I am replaced, you are going to have a different way of thinking coming into play. Different feelings and different opinions.

Councilor Anderson asked did this happen in Wood Village where somebody at the County came in and tried...

Sheriff Staton interrupted and stated only the Chair and then he had to go back and apologize to the city because he was wrong. That contract has been in place probably 25 years and it has never changed. When the openers in the contract come up they look at a couple of things and then they immediately make the adjustments to the contract and vote on it and we move forward.

Deputy Gates stated on behalf of the Sheriff I hand deliver the agreement to them and meet with them and discuss the contract with them. There hasn't been any changes. If there were we would talk about that. The big thing is the cost of living increase associated with the contract and we work with them on that.

Sheriff Staton stated if this came to fruition this would be the gentleman that would be discussing the contract with the City (Sheriff Staton was pointing to Chief Anderson).

Councilor Thomas stated in the staff report you briefly touched on this building. You didn't mention anything about possible compensation for the County's use of the building.

Erich Mueller replied that is correct I did not mention anything about that in the packet. That is one of the future implementation transition issues that would be addressed subsequent to making the initial IGA.

Craig Ward stated the conversations that we have had at the staff level, and the position that I am taking is that we would lease the portions of this building that would be necessary for the patrol functions. This room is a good example of a space that is not necessary. We would need to negotiate a lease for whatever square footage we determine is

appropriate for the Sheriff to use. They would pay for that and we would recover those revenues and dedicate that money to whatever purpose the Council desires.

Councilor Thomas stated this room is actually defined as the community room. My concern is that we are two years into a 20 year bond that our citizens are paying for every year on their property tax bill. Some of that ought to be off-set. To me that is something that needs to be considered.

Sheriff Staton stated Craig and I have talked about this and obviously there would be a charge that the County would have to absorb and pay for because we would be occupying portions of the building. That is part of the negotiation that would take place. What I understood tonight was going to be was are you going to vote to move forward and continue to investigate this. Then we can look at how a contract would be developed, and the potential pitfalls and everything that we would need to do with regards to the contract.

Councilor Thomas stated there is a lot to consider.

Sheriff Staton stated I understand that and I agree there are a lot of things that need to be looked at, but I think what we are looking for from you is a vote - yes we are interested, yes we want to move forward, yes commit the resources to it, or to decide tonight to not commit any further resources to this process. There is a cost to the City and the County to work through this entire agreement. When I talked with the Mayor I thought that was the purpose of tonight's meeting.

Craig Ward stated let me clarify that. We are not planning on making a decision tonight. We do have a resolution scheduled for next week's council agenda. That is when the decision will be made. We are just providing information tonight.

Councilor Thomas stated we could look at other cities. You threw the numbers out for Wood Village and Wilsonville, but you really can't compare apples to apples because Troutdale is unique. Currently we respond to all calls, which I think is an outstanding service. Those are the things that I think would be necessary to keep. If you look at some of the other cities in the area you are lucky to get a phone call.

Chief Anderson stated just so you know that is the way that the Sheriff's Office operates today. If a citizen asks to be called, either Troutdale or the Sheriff's Office, if they want a phone call we will gladly do a phone call, if they want us at their door we are there.

Councilor Thomas stated but it is not your standard operating procedure to not respond to all calls. Those would be the kinds of things that we would want to make sure are kept on the service side.

Deputy Gates stated we would insist on that.

Councilor Allen stated I get asked what my opinions are on this and my answer up to now has been I don't know, I am still learning and still talking to people. That hasn't changed, but I feel I at least owe an answer to what my current thoughts are. These are not

necessarily facts, I learn by talking to people and I am going to learn more as time goes on. I boil it down to what the essentials are in my mind. Real financial savings coming from filling MCSO positions with Troutdale officers. I note that this reduces the overall officers within the County. Sergeants would have a greater service area, but a supervisor will be available 24/7. Real financial cost considerations include the cost per officer increasing due to a larger organization. Correct me if I am wrong. Cost to reverse the decision should future contracts become less appealing would be prohibitively expensive. This has the added effect of reducing our bargaining position; decrease in leverage will limit real bargaining power for something less than the real savings to the County.

Councilor Wilson stated I thought we addressed that earlier. Within two years we would have savings and we could restart our own police force without it being a burden because of the savings that we will have received in those two years.

Councilor Allen stated if we save it. It takes less pressure off of me if we do set money aside to recover if we have to. Service levels may increase or stay the same for support functions as the County has its own budgetary pressures. The current proposal is to increase support functions service levels, but the future is up to the County as we are only contracting for 15 officers. Dedicated detective service will cease as the scope broadens to the rest of the County. Adding two of our detectives to the County's current staff will help, but we lose control over future staffing levels. Efficiency is gained with combined training. On the people aspect, cooperation between the entities is good, and we should encourage cooperation. The Sheriff Deputies that I have talked to are in favor, and the Troutdale Officers I have talked to are in favor. More pay for our union employees. Greater opportunities for the transferred employees provided future cut backs at the County level are not realized. Employee loyalty typically transfers to the employer over time. In this case it would be the MCSO. Community support may be negatively affected with this change. Police morale may be negatively affected without this change. Some of the people active in passing the bond measure during a recent recession to build a new police facility have expressed disappointment over this proposal. If we don't go through with this contract we will need to make sure that current pay and benefit structure is competitive for our employees. Really those aren't questions, they are just the thoughts that are going through my head and if someone can set me straight if I have the wrong perception that would be all the better for my education.

Craig Ward stated one statement that you made was that if we terminate the contract our costs for restarting will be prohibitively expensive. I don't think we know that at all. I would agree that it would be very hard to predict and the range may go from having some savings to being prohibitively expensive. Just like some of the questions that Councilor Ripma asked earlier, we simply don't know the answers. It may depend on how long the proposed service continues. Five years from now if we terminate than what would the cost of restarting a police department be if we don't have obligations to rehire the same people, if they choose to not take the demotion because we are not hiring a detective at the pay scale that the County is offering. I don't know anything that would require us to endorse the pay scale that the MCSO is paying five years from now. Our pay scales are inflating as it is, so I have no doubt that five years from now restarting a police department would cost more than we are paying now. Running our own police department five years

from now is going to cost more than it costs to run it now. That would be my only obvious qualification to your preliminary conclusions that it would be prohibitively expensive. I just don't think we know.

Councilor Allen stated entering a contract that may be terminated by either party at any time, it would be beneficial to have an idea of what it would cost us to recover.

Craig Ward replied certainly it would. My preference would be that we don't have a contract that can be terminated at any time. I know that there are some advantages to doing that, but I also think that the Sheriff noted that the contract that they have had with Wood Village has been ongoing for many years and I think that the County's obligation to continue to provide a level of service standard, in our case two patrol officers and a supervisor 24/7, the longer we can continue that at a reasonable cost the better for everybody.

Councilor Allen asked what is the longest possible contract that we can have before it is subject to be reconsidered by either of the governing bodies? Is it two elections cycles?

Mayor Daoust stated didn't we assume 10 years.

Sheriff Stanton stated the County Attorney is recommending 10 years.

Councilor Thomas stated I think our charter says 8.

Councilor Allen stated is there a legal opinion?

Ed Trompke replied not without referring to the charter; you say there is something in the charter.

Councilor Thomas stated yes, I think it is in the charter somewhere. I think with the garbage franchise we wanted to go 10 years and they said we couldn't go longer than 8.

Erich Mueller stated the fire contract is in its 10th year, but it is an IGA versus a franchise with a non-governmental entity.

Mayor Daoust stated it sounds like 10 years based on the fire contract. Is your assumption that all of the police officers are going to remain in place and their pay is going to continue to rise and at the end of 5 or 10 years all we have is high paid police officers?

Councilor Allen stated that is actually not my concern.

Mayor Daoust stated I talked with the Mayor of Wilsonville and he said there are some years where the police officers leave and they hire younger, less expensive police officers that they pay less for and they actually save money in a particular year.

Councilor Allen stated I am actually more concerned about protecting our employees and being able to recover if we have to, not getting cheaper service.

Councilor White stated maybe we should ask to have this privileged confidential attorney-client communication become part of the public record. That might make it easier for Ed to answer Councilor Allen's question.

Ed Trompke stated I sent it as privileged because I wanted everybody to understand it, and I wasn't sure how it might affect the negotiating posture of the Council and staff. It is up to the Council to waive that privilege if you want to. If you think that it wouldn't affect your negotiating posture then I would say that you can waive it, but you could waive it even if you disagreed with me on that. I don't have a particularly strong feeling that it needs to stay confidential.

Councilor White stated that would be my preference.

Mayor Daoust stated when I read it I didn't think it would matter.

Councilor Allen stated good information usually works out to be good decisions, so I am all for understanding.

Councilor Thomas stated could we just have it added to the packet for the next meeting.

Mayor Daoust asked would all of the human resource workload go to the County?

Sheriff Staton replied yes.

Mayor Daoust asked what about the vehicles? I was a little unclear about the sharing of the fleet, fuel and the maintenance. Would the County also be picking up all of that cost?

Sheriff Staton replied the bulk of it. The numbers still have to be put together.

Craig Ward stated the discussion we had really just dealt with the transfer of the existing vehicles and the credit that we would get for vehicles that have utility in the future. Erich mentioned that we have some vehicles that have very little utility that the County isn't going to want and they won't give us credit for those. We have to work that out. Erich estimated \$200,000 credit for vehicles. My assumption is that if our officers become deputies they will be driving vehicles that the County will own. Some of those will be ours that transferred to the County and we will get a credit for, others the County will go out and buy and perhaps there will be some variable that deals with ongoing vehicle maintenance and fuel costs. I don't know. We haven't discussed it at that depth. I think it is very important that the deputies are driving County owned cars. Those cars need to be managed, maintained and controlled by the MCSO otherwise there are liability problems. There are significant liability benefits, we think, from this proposed agreement. If a County deputy is driving one of our cars that we own, maintain and operate and the car has a problem, who is responsible? Those vehicles have got to be the responsibility of the MCSO.

Erich Mueller stated the assumption of the working group in terms of how we were looking at calculating the numbers is the transfer of existing vehicles that would have utility is the one-time item. The expectation would be that the vehicles would transfer at the point that this was implemented directly to address that liability issue. They would then be covered by the County's liability insurance and no longer covered by the City's policy with CIS. There would be a charge back for the on-going costs of maintenance, fuel and operation. There is a cost factored into the numbers for replacement vehicles all related to those 15 positions; no longer related to 28 positions. There are numbers estimated in the materials and services section that are added into the total contract cost, but more than 70% of the total contract cost is for personnel.

Mayor Daoust stated that would be part of our cost savings because we would now longer have to worry about as many vehicles as we have to worry about now.

Mayor Daoust stated it may seem like I am all gung ho for this but I am the type of guy that goes out and gets information just like Councilor Allen does and I make a decision on a lot of facts that I hear. So I called four mayors that have agreements with counties to provide police service. I called the mayors of Wilsonville, Maywood Park, Wood Village and Happy Valley. The one that I spent the most time talking to was Wilsonville which has a population of 20,000. They have had a contract for 20 years with the county. I talked with Mayor Tim Knapp and he has had nothing but a positive experience with the county. They have successfully kept the sense of being local with the county police officers that they work with because it was important to them to have that local sense just as it is with Troutdale. He talked about the county police officers being involved with public events, just like our police officers are. They did not start out this way, but they evolved into city uniforms and city identified cars even though they were county sheriffs. The sheriffs are involved in community policing in Wilsonville. The cost factors are very favorable according to Mayor Knapp. Contract adjustments are made each year; they true-up the cost at the end of the year. If they hire younger police officers they have a cost savings, but the cost savings that he was talking about are the extra added benefits of the sheriff's office bringing their staffing to the city which is the same thing that we are talking about here. Mayor Knapp said that the professional cost savings, the training cost savings, all of the high-tech backup that they require in Wilsonville like hazmat, investigative work, etc., if they were to pay for that and have that staff at Wilsonville it would be expensive. Now they are pay for all of that support work as needed. They could not afford to pay for it on their own. Vacation time and training is shuffled by the county not the city. Mayor Knapp said the bottom line is that is has been very stable over the last 20 years. I asked him about the County Commissioners and how they come across with this whole thing and he said they are not losing any money on the deal and they have a larger service area that the Sheriff is responsible for, so the County Commissioners are not raising any red flags because they are not losing any money on the deal. The other three mayors all had similar comments. Mayor Knapp's main arguments were capacity. In Wilsonville the main reason they keep staying with this arrangement is just the capacity of the police force and the depth of the back-up day-to-day operations, the specialty situations that you get into was over and above what Wilsonville could pay for.

Mayor Daoust asked is there was anyone in the audience that would like to ask a question?

Resident (male) and member of the bond committee for the police facility, stated operationally I will defer to the experts. There is no downside to a better paid, happier and a well-trained police force. Let's get to this building and talk about the bond. What happens to the savings? Is the rent on the building going to be a reduction on the Sheriff's costs?

Councilor Anderson stated it is actually two separate discussions and something that I am keenly aware of. This meeting is about contracted law enforcement provisions for Troutdale. What we do with the building and the resulting savings from that will be a separate discussion. But I think we are going in the same direction.

Resident (male) stated that is my only question, is there a direct cash savings on this or is this going to go toward the bill we get from the Sheriff for maintaining cars, etc. If there is a direct savings what happens to that money?

Craig Ward replied the revenue that the City will make from leasing portions of this building that we agree are necessary for their patrol operations is not factored into the numbers you saw here earlier. It is a stand-alone conversation in the sense that it has not yet been negotiated. We expect to command a reasonable cost recovery for the building. Then what the Council does with that is the Council's choice.

Resident (male) stated and it will be recognizable as such.

Craig Ward replied I presume that it will. We typically break revenue streams like that out. It will certainly not surprise me if the Council chooses to dedicate that towards bond repayment. They have not said that yet; that is not a policy choice that they are obligated to make but they may feel a responsibility to do that and that is their call. As I understand it, statutorily it is not required. From day one of this negotiation that we have begun my position has been, and Council is all aware of that, that we not sell them this building. If we do sign a 10-year agreement and we have a 20-year bond, if this deal goes south in 10 years we will need to have a building that we can return to with a police force that we create at that time. I think we can handle that very affectively through a reasonable lease agreement with the Sheriff's office and then we will dedicate that revenue to whatever purpose the Council chooses to put it to.

Resident (male) stated I understand that is another issue for a different meeting but I am bringing it up because that information needs to be readily available as to the funds that are coming in and the follow through to address that and what happens to those funds. If we have those funds in a bucket to spend someplace else, or if it needs to go to reduce the bond either legally or if that is what we want to do. If we are going to use that money to build another arch on the other end of town I am going to through my body in front of Rich's dump truck. If we have that money it needs to go towards reducing the bond.

Councilor Thomas stated my preference for that money would be to dedicate that to the bond to offset the annual payment that has to be made every year and offset what gets charged back to the individual property owners.

Resident (male) stated we are going to need this information before we...

Councilor Anderson interrupted and stated we don't have the number yet. The lease hasn't been negotiated. If we decide to go forward and we get to the contract phase then there will be a lease repayment, a lease clause to lease this building, and at that point then the Council will take it up and say we will sign this if the money from the use of the building goes directly to bond repayment. Personally that is where I am at.

Female asked will that be something that would be open for the public to come to? As the people who are paying for it, we would probably be happy to have our 20-year bond paid off early.

Councilor Wilson stated remember we are paying for that bond also.

James Gurtisen asked can we get a comparison of services of what we are getting now to what we are going to get with the MCSO?

Chief Anderson replied I think we just did that.

James Gurtisen stated like how many robberies we are having now, how much resolution we are getting compared to the future.

Sheriff Staton stated we touched on this at the last session. Our planning and research section becomes at the disposal of the City. If there are any questions that the citizens have about any particular area, crime statistics, etc. we are already doing that. All we have to do is gear it towards capturing that information for this population in this city.

Male stated you are saying it is already available to the other cities.

Sheriff Staton replied right. We are more than willing to provide any data that we are currently collecting.

Craig Ward stated if what you are asking is can we have a guaranteed solved rate on burglaries, or can we have a standard that the MCSO commits to solving 80% of the burglaries. I think the answer is no. I think we will get a report that tracks what the rates are for different kinds of crimes and how we are doing in our overall crime rate. I think that reporting will be enhanced from what we have now because they have capabilities that we don't have. But I don't expect that we will have a penalty clause built in that if the MCSO doesn't hit their target for solving burglaries that we get back \$100,000 or whatever. There are cases where contracts look that way, but this one is not going to be that way.

Chief Anderson stated one of the things I am excited about is the fact that we will have access to the crime analysis unit. We had a grant for but the grant expired and we couldn't afford to keep doing that service. What that does is it helps us be proactive in the deployment of our resources. It will actually collect the data, analyze the data, and help the officers know where they need to be in their undirected patrol time when they aren't taking calls for service. They can be deterring criminal activity. Right now we are on random patrol.

Resident stated Councilor Thomas, I am in agreement. I expect the lease payments to go directly towards the bond repayment. I voted for this building specifically for the police services which I think are incredible here and I hope they stay that way. Sheriff Staton, if the County cuts your costs and doesn't approve your budget you stated that would only affect the unincorporated areas since you would be bound by the IGA here. If you had a budget reduction would we maintain our coverage as agreed upon?

Sheriff Staton replied absolutely.

Resident stated without being in a position where you are stretched.

Sheriff Staton replied at that point it becomes the responsibility of the citizens of the unincorporated areas to then plead with the Board of County Commissioners for any law enforcement lost in those areas.

Resident asked so no reduction?

Sheriff Staton replied there would be no reduction. The service levels established in the contract would remain.

Mayor Daoust stated I looked into Multnomah County's 5-year budget forecast, and I talked to Mike Jaspen the County's Economist and Deputy Budget Director. Basically their 5-year budget forecast is pretty stable. Since the MCSO is heavily dependent on and is the largest consumer of the County's general fund, to the degree that the general fund is stable the MCSO's budget should be relatively stable.

Male stated I have an interest in the public safety in Troutdale. I am a resident here as well as a Deputy with the MCSO. I was previously an employee of the Lane County's Sheriff Office. As an employee there I was a contract deputy for the cities of Vaneta and Creswell. I have some experience with these contract cities. In 2008 Lane County went through some horrible budgetary issues and I was laid off, but the position that I previously had in Creswell and Vaneta was untouched; they are still staffed today. Those contracts were the area of the Lane County Sheriff's Office budget that went virtually untouched.

Male stated I have lived here for 18 years and I would like to ask about the graph that is on the screen (next to last slide in Exhibit A). Erich, could you explain the graph on the left verses the graph on the right.

Erich Mueller replied the graph on the left is my 5-year forecast for our general fund based on a lot of assumptions. The green, blue and red lines are an optimistic set of assumptions, a baseline set of assumptions and a pessimistic set of assumptions. They are nothing other than my opinion once they get into the shaded area of the graph; that is all projected. It is looking at our current configuration, our current service levels, and our current staffing levels. Assuming that none of those things change it shows what would happen with our general fund balance. I don't expect that the budget committee would necessarily continue to make choices that would take us all the way down to that level, but it is an attempt to illustrate what will happen to the funding if things don't change and we keep everything the same. The graph on the right is a hypothetical or projected slope going the other direction showing potential savings that could happen through this proposed contract, which is also based on a lot of assumptions.

Craig Ward stated essentially what you are looking at on the left is what is happening to our savings account. What you are seeing on the right is one thing that could also happen to our savings account. Right now we have nothing else that would suggest, even in the optimistic scenario, that we can add to our savings account in the next five years except for this proposal.

Male asked so there is no room for growth, more police officers, or more sergeants factored into the graph?

Councilor Anderson replied that is a decision that we can undertake at the budget committee or the council but the money has to come from somewhere.

Councilor Wilson stated if we added what the Mayor suggested, all three of those graphs would drop down faster.

Craig Ward stated the savings from this potential contract are not factored into anything in the graph on the left. Our budget is not dependent upon this. Unfortunately our budget is dependent on a lot of other factors, which are factored into the graph on the left and as you can see we are going to have to continue to tap into our savings. We need a certain amount of money just for cash flow, so there is a point at which we hit the wall and we simply can't keep spending out of savings. That is one of the reasons why one of the Council Goals is to look for opportunities for intergovernmental partnerships to save money, and this is an example of that.

Diane White stated on page 10 it says the proposed resolution is not the final decision and approval, but rather a commitment to seek an agreement for approval and implementation. If you approve this next week, does that also include the opportunity for disapproval at any time upon unforeseen findings?

Councilor Anderson replied yes.

Diane White stated on page 2 (of Exhibit A of the staff report) it says, "The City will have the flexibility to determine the level and deployment of certain law enforcement

services...” I know this is just a draft, but does City mean Council, City Administrator, what does that mean?

Erich Mueller replied those are draft bullet points of items that need to be addressed in an IGA. Those are not terms that anyone has agreed to. Those are all my doing from reviewing the six or eight different IGAs that I have reviewed. They are simply to make sure that those topics get discussed and at some point addressed in the contract language.

Diane White stated on the last page of Section 2 (of the draft resolution) it says, “The City Manager or Finance Director are designated to negotiate on behalf of the City...”. I am wondering if the attorney is going to be included as a designated person to negotiate on behalf of the City?

Erich Mueller replied both the County’s attorney and the City’s attorney are going to be very involved ensuring that all of the language is appropriate. There are attorneys beyond that as it relates to the labor agreements that also have to be addressed as part of any potential transfer of the employees. There will be a lot of legal advice on any text that would ultimately be brought back to the Council for approval.

Penny Cruz asked this meeting here is not to vote on anything, but just to decide whether or not to continue conversation?

Mayor Daoust replied we will decide that next Tuesday. We cannot make decisions in a work session. We can gather information, talk about it, express our opinions and ask questions. The decision to move forward to work on the IGA and get all of the details ironed out will be made next Tuesday.

Penny Cruz stated then there still remains the option to either approve or disapprove the agreement after that agreement is actually drafted.

Mayor Daoust replied absolutely.

Councilor Anderson stated there is ample opportunity to interject things as the process goes along. We can’t think of everything right now.

Female stated so we don’t know any projection as to how long this process will take, 6 months, a year.

Mayor Daoust asked about when do we anticipate having a signed agreement?

Craig Ward replied as soon as the Council is prepared to authorize the contract to be signed and the County Commission and the Sheriff approve it.

Sheriff Staton stated I would like to clarify for everyone that there is a lot of benefit for the City of Troutdale. There is no true benefit to the MCSO. If everyone said right now that we really don’t want to do this, I am comfortable to walk out. I am not going to lose or gain

anything. This whole process started because we started looking at how we could provide a better service and save money, whether that is for the County or the City, and to look out for the benefits of the employees that are working in the City and for the MCSO. We came into an opportunity to make something like this work. That window of opportunity is very narrow. That is not a threat to the City Council or the Mayor.

Male asked why is it a narrow opportunity?

Sheriff Staton replied because I locked in vacancies to make this work. I can't carry those vacancies indefinitely. I certainly can't go into a year. With these vacancies I am paying out overtime and that is a huge interest for me because that impacts my budget. I work for you now; I am your elected official. I am trying to provide a better service here in a way that satisfies the citizens and the employees. We are going to see a burden on law enforcement. Public safety is going to take a huge hit and there is going to be a burden to public safety and the City is going to have to recognize that and so will the County. We have prepared for that. We have streamlined our budget. We have cut the fluff out of our operation. We provide a core service.

Female my question was that window of opportunity.

Sheriff Staton stated that goes back to how long I can tolerate and take the pressure of the overtime. That could be two months or four months. I have to look at my budget and how this overtime line continues to grow as I hold those positions open.

Female replied so would you say that it behooves the City of Troutdale to make up their mind.

Sheriff Staton stated what I need from the City is to say that we've invested this much into this to this point, we want you to continue to invest in it and make this work if possible. I can guarantee you if at any point and time I see that this contract is not a benefit to the City I will not push forward. I can't push forward. I have an obligation to you. My obligation to you with regards to public safety is greater than anyone else sitting at this table. If it is not going to work and it's not going to satisfy, and it's not going to provide for your protection than I won't move forward with it.

Chief Anderson stated I echo the Sheriff's statement. One of the reasons we are here is because of those numbers on the left graph. Every year we go to the budget committee and it gets harder. Part of my job is to look out into the future; where are we going to be in 5, 10 or 15 years out. I want the people in Troutdale to be safe. That is the bottom line. If you were here at the April 1st session you heard my plea about the fact that I don't feel good about not having sergeants on the street when officers are making critical decisions. They shouldn't have that burden. That needs to change. We are trying to bring something to the people in Troutdale that makes our citizens safer and our officers safer, and realize the potential savings that is being shown. The only way we are going to get to where you are going to be comfortable is if you allow us to go further down the path. We feel obligated to give you good information so a good decision can be made. That is all I am asking.

Saul Pompeyo asked are all the special events included in the proposal?

Sheriff Staton replied yes. We have a special event coordinator.

Saul Pompeyo asked is there extra pay for that service?

Sheriff Staton replied no.

Male stated I want to second Councilor Ripma's question about the per capita for Troutdale verses Wood Village. I haven't seen where we are going to get a more enhanced support service then they might be getting. At the April 1st meeting the transfer of personnel seemed to be a major component. You are taking 9 Troutdale employees and putting them on the Sheriff's payroll. So you have 9 people, 360 hours worth of workload and 360 hours worth of workload being covered with overtime by the Sheriff's personnel. Seems to me you are still short of 9 people. On page 6 you talk about the current shift coverage for Troutdale and for MCSO and the proposed shift coverage of 6 patrol officers and 1 sergeant if we contract with MCSO. Is that supervisor a Troutdale Sergeant or a Sheriff's Deputy and who does he answer to?

Erich Mueller replied after the transition all of them would be MCSO employees. They will answer to the command structure here.

Male asked the sergeant supervising the 6 patrol officers, does he answer to the Sheriff or to Troutdale.

Chief Anderson replied everyone answers up the chain of command to the Sheriff. From the standpoint of access and responsiveness, if someone has a question about what is going on or if they have a complaint they would come to me just as they do today.

Craig Ward stated Chief Anderson will be in that chain of command and he will have the assignment of keeping Troutdale happy. The sergeants are part of the chain of command that the Chief will be part of and he will make sure that we get the services that we need.

Male asked so the basic command structure that we have today is the same structure we will have tomorrow?

Chief Anderson replied very similar, yes.

Deputy Gates stated we contract with Wood Village and Maywood Park. I go to their City Council meetings the on the second Tuesday of every month and provide them with a public safety report. They call me Chief. Every one of the Councilors are welcome and encouraged to call me at any time. If they don't like what I have to say they can go to the Sheriff. It would be another layer for the good with respect to the overall needs of our citizens in Troutdale with this command structure. The first question you had; it is a simple mathematical equation and it is called elimination of duplication of service through redistricting. The redistricting that is being proposed will enhance the service in Troutdale

not decrease it. When Lt. Wendland was talking about the 29% of the time where Troutdale has no supervision on the street and 52% of the time you are at minimum staffing. In this proposal what we are telling you, we are not saying maybe or it could happen, we are saying at the very minimum you will have maximum staffing including 2 officers in the City of Troutdale and supervision 100% of the time. You are not losing 9 people out of the City. You are paying for 15 and you are getting the service of 130.

Sheriff Staton stated I think what you are concerned about, or at least what I am reading into this is where I come into play in all of this. My job as the Sheriff is to make sure that everybody is doing their job, and to make sure that the MCSO is adhering to the contract that has been agreed upon. The person that is actually responsible for answering to the citizens of Troutdale is Chief Anderson. If Chief Anderson is not doing his job than he answers to me.

Male stated what isn't clear to me is after the merger you have 6 deputies and 1 sergeant covering each shift. That 1 sergeant is supervising the 2 deputies in Troutdale and the 4 guys in the unincorporated areas, so he is over that whole area.

Sheriff Staton stated the standard for supervision is one sergeant to every four to seven officers. That is how we equate the supervision that is out there. You have some sergeants for the City of Portland that have over twenty-five people underneath them which is inadequate. If you are looking at the study and methodology that has been brought to the table with regards to law enforcement it should be between four and seven officers to one supervisor. It doesn't matter the size of the area. The key is if a major incident occurs you have supervision over that incident and if additional supervision is needed that supervisor is going to call that out. You need to have a supervisor on duty; it is a liability issue. The liability of not having one supervisor on duty when a situation happens is the City can get sued. The first question that comes out in litigation is was there a supervisor on duty and present when the incident occurred.

Lt. Wendland stated under our current model 29% of the time that supervisor is at his house either sleeping or doing yard work, because that is me. The 29% of the time that is not covered, I am on call 365 days 24 hours a day. When there is not a supervisor here and something hot is going on they have to call me and inform me of what is going on. I have to make a determination whether I am running for my uniform or my car and try to hot foot it into town, verses having a supervisor already aware of what the call is, what the circumstances are and who knows what his resources are, verses me getting called at 2am waking up to a panicked call where I have to start asking questions while I am in route. That is a bad position for the officers to be in. It is a horrible position for the City to be in.

Mark Herron, Sergeant with MCSO and the Deputy Sheriff's Association President, stated there were concerns about layoffs. In this scenario we would take on Troutdale's officers as Deputy Sheriff's Association members also. The Deputy Sheriff's Association is asking that you vote and give us the opportunity to address concerns. We can't get to the nuts and bolts of this and truly understand what our opportunity is until we get approval from the City Council to move forward. I have faith that I am going to represent our employees

through our attorneys, that your City Manager and Finance Director are going to represent the City at that table, and that the Sheriff has attorneys also so that we can come together with a work product that is going to best represent all sides. It should represent the interests of everybody including the most important piece of how we police this area and all of East County. I respect that there are concerns, but at the same time I ask each of you to have faith that there are people representing you in this process that are ultimately going to give you the best work product that we can negotiate. You have to let us do that. I am asking you to vote in support of letting us move forward.

Mayor Daoust thanked everyone for coming. As far as public input this is certainly not the last public meeting for this process.

Councilor Allen asked will our employees that transfer retain their seniority?

Mark Herron replied yes. That is part of the state statute.

Councilor Ripma stated Sheriff, could you provide us with an explanation of the difference between Wood Village and Troutdale service levels and why there is that disparity in cost. I think we need to see that. The savings of \$800,000 the first year and this line that keeps going up, as far as I can tell it is based on the City being charged for 15 officers and MCSO providing 20, or some greater number than 15 to make it work. I am worried that the County Commission is not going to continue to fund that subsidy for us. But you have made a forceful case that the IGA will override political considerations. I am open-minded; I want to hear it.

Sheriff Staton stated I think that needs to be addressed because the same concern applies to the Board of County Commissioners about the fact that this City Council may throw a monkey wrench into the whole thing. They already realize that as long as there is no cost associated to them in this issue they are perfectly fine with it and it becomes my responsibility. We know under the contract what the costs are going to be. We can explain those numbers with regards to Wood Village and the City of Troutdale. The reason is you have a police department that currently exists. You have staff. I can't come in and say this is the best offer I can get you and just discuss how the patrols layout. The law says that I have to take over all of your staff. That is where the cost burden comes for Troutdale verses Wood Village. They had no staff; they had no building. I was not responsible, nor were the Sheriffs before me, for assuming staff members from Wood Village. The problem is you have 27.5 FTEs here and MCSO is going to be required by law to assume all of them. There is a cost that is incurred with that. We are not creating positions, we are being required to take positions. If I had the option you could say give us your best offer and I could say we could redistrict what we currently have and we could provide a law enforcement service here and here is the cost. It would be a substantially reduced service. But there are laws in place to protect employees and because of that law those are costs that I have to absorb and incur, which is a cost that has to come back to the City.

Councilor Ripma stated I remember from when I was on the Citizens Crime Commission Wood Village paid just a ridiculously low \$20,000 back then so there has been some

adjustment over the years. Does it never wash out? Because you started their department they will always be half the cost of Troutdale?

Sheriff Staton replied their costs will go up, but we are talking about 1 patrol position and we did not have to acquire any staffing when we created it. We are talking about acquiring everything operationally that you have already paid for and that I will now assume the expenses for. Then all of the staff that we assume I will be incurring the cost for. We tried to reduce that cost by holding these vacancies. I know that the deputies coming over that will fill our detective positions for instance will be providing the investigative skills here but they are not limited to here. This will be a pool of detectives that will serve all of unincorporated Multnomah County. So you will have the detectives, it is just that you will have a larger pool to pull from if you have an investigation that takes place.

Councilor Ripma stated it is not intuitively obvious why that costs Troutdale twice per capita of what Wood Village is paying. Perhaps it is in what you said. I will think about it.

Lt. Wendland stated part of that comes from the fact that what I keep hearing over and over again is that you want the Chief to be the Chief and you want the Chief to be the access point in this. There is additional command structure within this proposal that is not in the proposal for the City of Wood Village. That command structure already exists in the form of these guys.

Deputy Gates stated which would exist whether we contracted with Wood Village or not.

Councilor Ripma stated that is what I was thinking.

Lt. Wendland stated we are additional. If you want say there is extra in here it is probably the Chief and myself.

Councilor Ripma stated I wouldn't want to say that. Ed, should we have or should we now solicit proposals elsewhere before going forward with this as part of our due diligence?

Female asked where?

Councilor Ripma replied Gresham.

Ed Trompke replied stated that is really not a legal question, it is more of a policy question.

Councilor Ripma stated on the resolution I want to propose some changes before we consider it next week. I was thinking of eliminating findings #3, #7 and #8. There is a typo in #6 where the words "is made" should be eliminated.

Mayor Daoust stated all three of the points that you just wanted to eliminate are inherent with the reasoning behind adopting this resolution.

Councilor Ripma stated we haven't done an analysis of potential consolidation that would provide a significant cost savings. That will be the result of the proposal.

Mayor Daoust asked what have the last two work sessions been about David? If we drop #3, #7 and #8 those three points are key findings to this resolution.

Council did not agree to the elimination of finding #s 3, 7 and 8 in the resolution.

Councilor Ripma stated in Section 2 on page 2 of the resolution, couldn't the City Attorney be part of the negotiating team.

Council agreed to add the City Attorney to Section 2 of the resolution as part of the negotiating team.

Councilor Ripma stated in Section 3 of the resolution, it says implementation by July 1st.

Mayor Daoust stated that is part of what we are voting on. Again, this falls into the same category of the ones that you wanted to drop. If we are going to move ahead with this...

Chief Anderson stated time is of the essence.

Sheriff Staton stated I will stall it out as long as I can. But I am not going to continue to drag this out because I have vacancies that need to be filled and they are costing me money currently. I want to give this Council and everyone present a full opportunity to look at everything. What I am asking is do we move forward or do we stop here.

Councilor Thomas stated to be fair to you and the County we need to move quickly on whether we are going to go forward or not. We owe you a decision as soon as possible. Having the July 1st...

Sheriff Staton stated I know that is what is written in the resolution, but during the discussion at the last meeting we were looking at the potential of having something drafted by July 1st so we could start moving forward and look at September or October. When I reference July 1, it is that we need to start looking at the operational end of it and start seeing whether or not it is going to work.

Councilor Thomas stated before this comes back to us on Tuesday maybe Section 3 should be amended to reflect what your target goals are. I probably wouldn't expect this to be done before December. If this is approved it needs to have something in there that shows the target goals, and the deliverables.

Mayor Daoust stated a resolution does not have deliverables. July 1st is a target implementation date.

Erich Mueller stated it is basically instruction to target that as the date. There is no guarantee that we will hit the target because there is a lot of negotiation that needs to occur.

Erich Mueller stated there is one motion I would like the council to vote on before adjourning. There was a comment made that some of the Councilors wanted to waive the privilege on the memo and have it included in the packet next week. I believe we need something on the record that the Council has made that decision.

MOTION: Councilor White moved to make the privileged and confidential attorney-client communication non-confidential. Seconded by Councilor Wilson. Motion Passed Unanimously.

Councilor White stated I met with the Chief and Lt. Wendland so a lot of my questions were answered prior to this meeting. To me it comes down to the only reason for doing this when we have such good service is to fill the gap as mentioned, and also the financial incentives. For me to go further I am going to want see some written assurances that the fees will never increase dramatically. If that happens and we lose that financial incentive I think it takes away a lot of why we are doing this.

Craig Ward stated I think that is a great example of how I would hope that you translate your concerns into policy direction. We can work with that. I am confident that we can in fact put in a maximum escalator that we can project out as a cost savings. If there are things that worry the Council you should express them as points that we need to honor in our negotiations with the MCSO.

Councilor Allen asked is the IGA with the MCSO or with the County Commission?

Ed Trompke replied both the County Commission and the Sheriff sign, as well as the City.

Councilor Allen stated so they are a partner just like we are. So they can change it later.

Ed Trompke stated I am not sure I follow.

Councilor Allen stated we are saying that it is a contract that has to be upheld and the Commission can't do anything about it. But if they have to approve it then of course they can revisit it, and you will let us know how frequently it can be revisited later.

Ed Trompke stated 10 years seems to be the standard term of the contract.

Craig Ward stated that does not mean that they get to unilaterally change the terms of the contract whenever they want. It is a contract; the terms of the contract will be in place...

Sheriff Staton interrupted and stated the only thing that can happen with the contract after it is signed is what you agree upon as ways to open the contract. You can't just arbitrarily open it at any point and time, you have to have specific reasons to open the contract and that has to be outlined in there. If it is not, this Council, nor the County Commission, nor I can go in and open the contract.

Councilor Allen stated I am more comfortable with longer rather than shorter.

Ed Trompke stated more importantly than that is when the Council and Commission looks at it and votes to approve it you are getting a morale commitment that they agree with it and that they won't mess it up later. That, at least in the Portland Metro area, is an important thing with elected bodies. They tend to not mess things up once they have made a commitment. Occasionally it happens.

Councilor White stated in looking at this I see a lot of benefits for Troutdale. I want to make sure we are not leaving a hole somewhere else in the County.

Sheriff Staton replied you are not.

3. Adjourn:

Meeting adjourned at 9:22pm.

Doug Daoust, Mayor

Approved May 27, 2014

ATTEST:

Debbie Stickney, City Recorder