

Date: September 16, 2015

To: Board of Directors

From: Neil McFarlane 

Subject: **RESOLUTION 15-09-58 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING INTERGOVERNMENTAL AGREEMENTS FOR TRANSIT POLICE SERVICES**

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (“Board”) authorize the General Manager to execute Intergovernmental Agreements (“IGAs”) for Transit Police Services.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: IGAs for Transit Police Services

3. Reason for Board Action

Board authorization is required for IGAs obligating TriMet to pay an amount exceeding \$500,000.

4. Type of Action:

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other _____

5. Background

Since 1989, TriMet has engaged transit police services by IGAs with the City of Portland and other cities and counties in the TriMet District who provide officers to the TriMet Transit Police Division (TPD). In April 2010, the Board adopted Resolution 10-04-14 authorizing TriMet to enter into IGAs for Transit Police Services for a five-year period ending June 30, 2015. In June 2015, the Board adopted Resolution 15-06-28 authorizing an extension of the 10-04-4 IGAs to September 28, 2015. Board approval is requested to approve new IGAs for up to another five years, from September 29, 2015 through June 30, 2020.

TPD locations have been established in Gresham (East), Hillsboro (West), and Clackamas Town Center (South). During the past two years, the number of Transit Police officers

assigned to TPD has gradually increased from 62 to 67, with at least 70% of officers' duty time spent on TriMet platforms, trains or buses. In addition, TriMet Code regulations governing conduct on District property and fare payment have been strengthened. Reported crime on TriMet system remains low. When compared to 2012, there was a 26% reduction in 2013 and 19% reduction in 2014.

The new IGAs will retain the current structure of a prime IGA between TriMet and the City of Portland (for providing police services, and administering and managing the work of the TPD), with subsidiary IGAs among TriMet, the City of Portland and 15 separate law enforcement agencies in the TriMet district. While all transit police officers are incorporated into TPD, the officers remain employees of their respective police departments.

The TriMet Transit Police Division is managed by the Portland Police Commander, who reports to TriMet's Executive Director of Safety, Security and Environmental Services. Transit Police officers work in coordinated deployments and missions with TriMet Field Operations supervisors, and with TriMet non-sworn contracted security officers, in a comprehensive program of presence/deterrence, incident response, enforcement (including fare inspection), and customer service.

The agencies currently participating in the TPD and the estimated amount of the respective new TPD IGAs from July 1, 2015 to June 30, 2020, are listed below (see Transit Police 5 Year Breakdown Page 3).

Costs for individual IGAs can vary year-to-year dependent upon TPD officer availability and agency size. Agencies provide TPD officers based on their own staffing levels and may not be able to staff a TPD position every year. Most agencies provide approximately one to three officers, with the City of Portland providing a third of the officers. This accounts for variation in costs from agency to agency.

Note that of 20 local law enforcement jurisdictions in the TriMet District, 16 have participated in the Transit Police Division:

Participating TPD Agency	Actual IGA Cost 7/1/2011-6/30/15	Estimated IGA Cost 7/1/15 – 6/30/20	Note
City of Portland	\$19,252,290	\$30,371,730	Includes Command Staff and Administrative support
City of Beaverton	\$ 2,800,242	\$ 3,399,118	
City of Cornelius	\$ 469,368	\$ 0	Policing now provided by Multnomah County Sheriff
City of Forest Grove	\$ 490,786	\$ 721,907	
City of Gresham	\$ 3,973,439	\$ 5,292,818	
City of Hillsboro	\$ 1,663,044	\$ 2,587,907	
City of Lake Oswego	\$ 622,538	\$ 888,625	
City of Milwaukie	\$ 1,689,524	\$1,097,905	
City of Oregon City	\$ 603,586	\$ 703,758	

Participating TPD Agency (Continued)	Actual IGA Cost 7/1/2011-6/30/15	Estimated IGA Cost 7/1/15 – 6/30/20	Note
Port of Portland	\$ 430,714	\$ 730,026	
City of Tigard	\$ 2,743,948	\$ 3,763,280	
City of Tualatin	\$ 563,969	\$ 677,657	
City of Troutdale	\$ 534,394	\$ 0	Policing now provided by Washington County Sheriff
City of West Linn	\$ 604,236	\$ 771,074	
Clackamas County	\$ 2,951,485	\$ 4,392,677	
Washington County	\$ 935,601	\$ 3,588,439	
Multnomah County	\$3,650,008	\$ 4,939,075	
TOTALS:	\$43,679,172	\$63,925,995	

6. Financial/Budget Impact

The budgets for the TPD IGAs are determined annually in coordination with the annual budget processes of TriMet and the participating agencies. The fiscal year 2015-2016 TPD IGA budget is \$11,111,118. The five-year budget for the IGAs, assuming the present number of participating agencies and police officers, and a 5% administrative fee, benefits and overtime is estimated to be approximately \$63.9M. Total IGA costs will be based on TriMet's actual requirements.

Transit Police 5 Year Breakdown of Estimated Costs 2015-2020

Contractor	Initial Funding	Option Yr 1	Option Yr 2	Option Yr 3	Option Yr 4
City of Beaverton	\$615,148	\$645,910	\$678,210	\$712,120	\$747,730
Clackamas County	\$794,967	\$834,710	\$876,450	\$920,270	\$966,280
City of Gresham	\$957,868	\$1,005,760	\$1,056,050	\$1,108,850	\$1,164,290
City of Hillsboro	\$468,347	\$491,760	\$516,350	\$542,170	\$569,280
City of Lake Oswego	\$160,815	\$168,860	\$177,300	\$186,170	\$195,480
City of Milwaukie	\$198,695	\$208,630	\$219,060	\$230,010	\$241,510
Multnomah County	\$893,845	\$938,540	\$985,470	\$1,034,740	\$1,086,480
City of Oregon City	\$127,358	\$133,730	\$140,420	\$147,440	\$154,810
Port of Portland	\$132,116	\$138,720	\$145,660	\$152,940	\$160,590
City of Portland	\$5,305,819	\$5,571,110	\$5,849,670	\$6,142,150	\$6,449,260
City of Tigard	\$681,060	\$715,110	\$750,870	\$788,410	\$827,830
City of Forest Grove	\$130,647	\$137,180	\$144,040	\$151,240	\$158,800
City of Tualatin	\$122,637	\$128,770	\$135,210	\$141,970	\$149,070
Washington County	\$649,419	\$681,890	\$715,980	\$751,780	\$789,370
City of West Linn	\$139,544	\$146,520	\$153,850	\$161,540	\$169,620
Totals	\$11,568,975	\$12,147,430	\$12,754,830	\$13,392,560	\$14,062,200

TOTAL 5 YEAR COST ESTIMATE

\$63,925,995

Contract Base amt = Staff x Avg annual cost * 5% Admin Fee + Benefits

Benefits and Tax % of Rate	62.5%	Used PPB Rates for Benefits/OT Benefits rates
OT Benefits & Tax Rate	38.2%	Used PPB Rates for Benefits/OT Benefits rates
Admin Fee	5%	Contract Rate

7. Impact if Not Approved

The Board could elect not to approve this Resolution. However, not authorizing the IGAs would leave TriMet without a dedicated transit police services unit.

RESOLUTION 15-09-58

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING INTERGOVERNMENTAL AGREEMENTS FOR TRANSIT POLICE SERVICES

WHEREAS, TriMet has authority under ORS 267.200 to enter into intergovernmental agreements for Transit Police Services (“Agreements”); and

WHEREAS, the total amount of the Agreements shall exceed \$500,000; and

WHEREAS, the TriMet Board of Directors (Board), by Resolution November 25, 2009, adopted a Statement of Policies requiring the Board to approve intergovernmental agreements obligating TriMet to pay an amount exceeding \$500,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreements shall be in conformance with applicable laws.
2. That the General Manager is authorized to execute the Agreements.

Dated: September 16, 2015

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department