

Date: May 28, 2025

To: Board of Directors

From: Sam Desue, Jr.

Subject: **RESOLUTION NO. 25-05-26 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH MULTNOMAH COUNTY FOR DISTRICT ATTORNEY INVESTIGATION AND PROSECUTION SERVICES**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute an Intergovernmental Agreement (IGA) with the Multnomah County District Attorney's office (MCDA) for dedicated investigation and prosecution services.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other

3. Type of Contract Procurement

- Low Bid / Invitation to Bid (ITB)
- Request for Proposals (RFP) (inc. CM/GC)
- Request for Qualifications (RFQ) (Personal Services)
- Other (inc. sole source): Intergovernmental Agreement

4. Reason for Board Action

Board authorization is required for all contracts obligating TriMet to pay in excess of \$1,000,000.

5. Type of Action

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

6. Background

To address and deter criminal activity on and adjacent to the transit system, and increase safety for riders, employees and the community, TriMet and MCDA have an IGA through which MCDA dedicates certain investigation and prosecution services to TriMet. This IGA expires on June 30, 2025. TriMet wishes to continue contracting with MCDA for these services.

The proposed IGA would continue the services of the District Attorney's Office dedicated to TriMet as described below for a term of three (3) years, with options for TriMet to extend the services for two (2) additional one-year terms.

Under the proposed IGA, the MCDA would continue providing the assigned services of:

- One (1) Deputy District Attorney dedicated to felony cases for TriMet
- One (1) Deputy District Attorney dedicated to misdemeanor cases for TriMet
- Two (2) District Attorney Investigators to support the two (2) Deputy District Attorneys

In addition, the MCDA would assign the following new positions dedicated to TriMet:

- One (1) Legal Assistant to support the work of the Deputy District Attorneys and Investigators assigned to TriMet
- One (1) Victims Advocate for TriMet staff

The services provided under the proposed IGA will strengthen our overall security efforts, increase the quality of the cases brought forward for prosecution and support TriMet employees who may become victims of crime on the transit system. As a result, more criminals would be held accountable in a timely manner, and Transit Police Division personnel would be freed from investigatory activities so they can spend more time providing security on the system. Both actions help deter criminal activity on TriMet.

The Board's approval of this IGA would continue to strengthen collaboration among the TriMet Safety & Security Division, the Multnomah County District Attorney, the Transit Police Division, and the Multnomah County Sheriff's Office, increasing the ability to hold accountable those who commit crimes on and around the transit system. This IGA would enhance enforcement of the laws safeguarding the transit system, and improve overall safety and security for the benefit of TriMet's riders, employees, and the general public.

7. Description of Procurement Process

Under ORS Chapter 279A, an IGA is exempt from state procurement rules. The terms of the IGA were negotiated by the District Attorney's Office and TriMet's Executive Director of Safety & Security.

8. Financial/Budget Impact

The IGA's total cost for the first year is \$1,364,284. Of that amount, \$1,025,700 is included in the FY2026 Safety & Security budget and the remaining \$338,584 will be paid by cost savings from the FY2025 Safety & Security budget. Funding for future years will be requested at the IGA's annual amount through the budget process. The five-year cost of the IGA scales up to a total cost of \$7,789,356.

9. Impact if Not Approved

If this Resolution is not approved, TriMet would forgo this opportunity to work with MCDA to enhance safety and security within the District, and TriMet's power to pursue thorough and consistent prosecution of the misdemeanor and felony criminal cases that arise on the transit system would be reduced. Failure to approve this Resolution would undermine TriMet's security efforts and ability to hold violators accountable.

RESOLUTION NO. 25-05-26

**RESOLUTION NO. 25-05-26 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
AN INTERGOVERNMENTAL AGREEMENT WITH MULTNOMAH
COUNTY FOR DISTRICT ATTORNEY INVESTIGATION AND
PROSECUTION SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with the Multnomah County District Attorney's office (MCDA); and

WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring Board authorization of all agreements obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of the IGA exceeds \$1,000,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the IGA shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the IGA in the amount of not more than \$7,789,356, through its potential five-year term.

Dated: May 28, 2025


Presiding Officer

Attest:


Recording Secretary

Approved as to Legal Sufficiency:


Legal Department