

A RESOLUTION MODIFYING THE CURRENT METHODOLOGY FOR  
CONTRACTUAL POLICE SERVICES AND ACCEPTING THE MODIFIED VERSION  
OF THE COUNTY ADMINISTRATOR'S RECOMMENDATION ON FINANCING THE  
REVISED PUBLIC SAFETY AND JUSTICE RECOMMENDATION

WASHTENAW COUNTY BOARD OF COMMISSIONERS

September 7, 2005

WHEREAS, since January 1, 2002, the County has contracted with local governmental units to provide police services for those communities; and

WHEREAS, as part of the initial contractual process, the County agreed to pay .5 mills allocated by the Board of Commissioners from its general fund to subsidize approximately 50% of the cost of a road patrol police services unit; and

WHEREAS, under the existing police service contracts, the County also bears the financial risk for all increases in overtime and all fixed costs related to those contracts; and

WHEREAS, in recent years it has become apparent that the County jail is seriously overcrowded and in need of infrastructure upgrades; and

WHEREAS, in recent years, the overcrowding problem has resulted in the statutorily mandated early release of numerous inmates, including felons; and

WHEREAS, the Sheriff is mandated to operate and the County is mandated to fund a viable jail in the County; and

WHEREAS, the County is mandated to provide a district court in the 14A-1 district; and

WHEREAS, the current facility being used for this district court has serious security and operational concerns and must be replaced; and

WHEREAS, the Board of Commissioners authorized a Public Safety and Justice ballot proposal for the February 2005 election that would have provided enough funding for a comprehensive solution to the public safety and justice problems facing the County, including a jail expansion, new district court, mental health diversion programs and operational and infrastructure associated with these projects; and

WHEREAS, this ballot proposal was overwhelmingly defeated by the voters; and

WHEREAS, on April 7, 2005, the County Administrator presented the Board of Commissioners with a scaled-back proposal to provide jail expansion and upgrades, court security, diversion programs and operational costs; and

WHEREAS, on April 21, 2005, the County Administrator presented the Board of Commissioners with three options to fund the Revised Public Safety and Justice proposal, which included Option (1) Approve another County-wide millage ballot proposal; Option (2) Eliminate County support for major non-mandated programs from the general fund in community of interests outside of public safety & justice; and Option (3) Eliminate the County's general fund subsidy to governmental entities contracting for police services, a non-mandated service; and

WHEREAS, Option (3) is the most equitable means of financing the critical improvements stated in the Revised Public Safety and Justice proposal; and

WHEREAS, after objections from some contracting entities and the Sheriff to Option 3, County Administration met with the interested parties and developed modifications to Option 3 ("Modified Option 3"); and

WHEREAS, Modified Option 3 calls for a four-year contract for police services with local entities from 2006-2009; and

WHEREAS, under Modified Option 3 the methodology for the first two years of the contract (2006-2007) will be similar to the existing methodology in that local entities will purchase "Police Service Units" and the County will provide a .5 mill subsidy from its general fund to help pay for the cost of the services; and

WHEREAS, during the first year of the Contract (January 1-December 31, 2006), contracting entities will be permitted to contract for individual PSU's, which are defined by the Contract as, "the services of one Sheriff's deputy (1800 deputy hours per year) plus all supervisory and administrative activities, including training as determined by the Sheriff, that are required to enable that deputy to perform the responsibilities of his/her job," with the County paying for all other expenses, including overtime;

WHEREAS, during the first two years of the Contract (January 1, 2006-December 31, 2007), contracting entities will be assessed an annual PSU increase of 6%, effective January 1 of each subsequent year, resulting in a per-PSU cost of ninety-four thousand two hundred and eighteen (\$94,218.00) dollars for 2006 and ninety-nine thousand, eight hundred and seventy-one (\$99,871.00) dollars for 2007; and

WHEREAS, beginning on January 1, 2007, the calculation of the base level of deputy service will include a deputy working 80 hours bi-weekly (2080 deputy hours per year) with the following standard work hours being included in the level of base service hours: 1) travel time to, from and between Sheriff work sites; 2) attendance at authorized trainings (not to exceed 100 annual hours); 3) provision of mutual aid, response to national Condition Red or any other exceptional circumstance; 4) appearance in court or meeting relating to court issues; 5) service for the municipality that takes the deputy outside of the geographic area; 6) approved annual leave for vacation, sick, holiday, personal or any other leave or compensatory (comp) time in accordance with policy and

employment contracts, provided, however, that compensatory time earned prior to January 1, 2006 shall not count toward base service hours; and 7) the first ten working days of an illness or injury; and

WHEREAS, under the methodology, an overtime hour is defined as any hour filled to increase service above the base 80 bi-weekly service hours, including backfilling for any of the standard work items included in the base rate, if so desired by the contracting entity; and

WHEREAS, the methodology distinguishes between "routine" and "non-routine" overtime with "routine" overtime covering hours for late calls, report writing, court appearances, short notice back-fill requirements, emergencies or holiday pay and "non-routine" overtime covering all other reasons; and

WHEREAS, beginning on January 1, 2006 under the Contract, all overtime must be pre-approved by the contracting entity; and

WHEREAS, contracting entities are urged to develop an overtime authorization protocol in conjunction with the Sheriff in order to streamline and clarify the approval process for both routine and non-routine overtime; and

WHEREAS, beginning January 1, 2007 regardless of the nature of the overtime, whether "routine" or "non-routine," all overtime must be paid by the contracting entity; and

WHEREAS, overtime hours may be filled by the contracted deputy, a deputy from the County fill-in pool or through other Sheriff personnel not assigned to the contracting entity; and

WHEREAS, beginning in 2008, the police services methodology will fundamentally change as follows: (1) contracting entities will be able to purchase a basic deputy; (2) contracting entities will have the option to add additional personnel, equipment and services at a price to be determined by the County; and (3) the County will pay for "core services" related to road patrol;

WHEREAS, the County will announce what constitutes County-funded "core services" as well as the personnel, equipment and services available for purchase by the contracting entities, along with the associated cost for each contractual item, by March 1, 2006 with final approval of these items by April 30, 2006; and

WHEREAS, under the new methodology beginning in 2008, contracting entities will be fully responsible for the personnel, equipment and services they choose to contract for, including overtime costs; and

WHEREAS, Modified Option 3 calls for the County to cooperate with any contracting entity that chooses to form its own police force or create a sub-regional department by

furnishing equipment, working to ensure the smooth transition of any County employees who may transfer to the new department, and provide the "core services" referenced above; and

WHEREAS, implementing Modified Option 3 will result in cost savings that will be used to fund the Revised Public Safety and Justice proposal; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, the Human Resources Department, the County Administrator's Office and the Ways & Means Committee.

NOW THEREFORE, BE IT RESOLVED that the Washtenaw County Board of Commissioners approves the compromise to the County Administrator's recommendation concerning the funding of the Revised Public Safety and Justice proposal referred to in this Resolution as "Modified Option 3" as the most equitable means of financing the critical upgrades to the County's public safety and justice system.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners adopts the methodology for determining the cost of police service contracts as stated in the attached Modified Option 3 and authorizes the County Administrator to determine, and publicly announce by March 1, 2006 what "core services" the County will provide to the contracting entities for the last two years of the Contract (2008-2009), with such "core services" and their cost to be approved by the Board of Commissioners no later than April 30, 2006.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes the County Administrator to determine and publicly announce by March 1, 2006, the cost of deputies, as well as additional personnel, equipment or services to be charged to the contracting entities for the last two years of the contract (2008-2009), with such items and their costs to be approved by the Board of Commissioners no later than April 30, 2006.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners approves the attached draft Police Services Contract and authorizes the Administrator and Corporation Counsel to further negotiate and execute these contracts for 2006-2009 within the guidelines of the attached methodology.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners requires that the local governmental entities seeking to contract with the County notify the Administrator in writing of how many Police Service Units they wish to contractually obtain by no later than October 7, 2005.

BE IT FURTHER RESOLVED that all Police Service Contracts must be fully executed by December 1, 2005.