



CITY OF KIRKLAND
Police Department
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Eric Olsen, Chief of Police
Michael Ursino, Administrative Captain

Date: January 13, 2014

Subject: REGIONAL ANIMAL SERVICES 2016 INTERLOCAL AGREEMENT

RECOMMENDATION

It is recommended that the City Council approve the resolution authorizing the City Manager to sign the Agreement to Extend Animal Services between the City of Kirkland and King County for the provision of animal services for a term of two years, beginning January 1, 2016 and ending December 31, 2017.

BACKGROUND

In June of 2010, Kirkland, along with 26 other cities, signed the 2010 "Regional Animal Services" Interlocal Agreement (ILA) with King County, contracting for services effective July 1, 2010 through December 31, 2012.

At its June 19, 2012 regular meeting, the Council approved Resolution R-4925 which authorized the City Manager to enter into the current 2013 ILA for Regional Animal Services. The 2013 ILA was made effective January 1, 2013 and is scheduled to terminate December 31, 2015.

At a study session on January 6, 2015, the Council was presented with three options for the provision of Animal Services going forward at the completion of the current agreement. The three options presented were as follows:

Option A – Extend, for two additional years, the current Interlocal Agreement (2013 ILA) with King County for Regional Animal Services (extension effective January 1, 2016 and ending December 31, 2017).

Option B – Extend, for one additional year, the current Interlocal Agreement (2013 ILA) with King County (extension effective January 1, 2016 and ending December 31, 2016) to align with the City's biennial budget and budget process.

Option C – Allow the current Interlocal Agreement (2013 ILA) with King County for Regional Animal Services to expire December 31, 2015. Effective January 1, 2016, provide Animal Services locally.

Following review of the background materials and the completion of the detailed discussion of each option during the study session, the majority of the Council expressed a preference for Option A. The resolution implements Option A by authorizing the City Manager to sign an

extension of services with King County for two years, beginning January 1, 2016 and ending December 31, 2017.

Subparagraph 4 of the existing ILA provides that either party may propose amendments to the ILA as a condition of extension. In recent negotiations about the ILA extension, County staff took the position that if the cities sought to propose amendments, it would be necessary to receive approval from the County Council, which would be unlikely to be granted. Despite taking this position, in its proposed Agreement to Extend, the County included an amendment which would have waived the parties' rights under Subparagraph 4. In the Agreement to Extend Animal Services attached to the Resolution as Exhibit A, City staff has removed the section proposed by the County which would have waived the parties' rights to propose amendments to the ILA during the extended term of the ILA. Removing this language protects the City's rights under the ILA but does not impact the City or County's ability to extend the ILA term administratively.

RESOLUTION R-5106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO EXTEND THE CURRENT INTERLOCAL AGREEMENT WITH KING COUNTY FOR REGIONAL ANIMAL SERVICES FOR TWO ADDITIONAL YEARS.

1 WHEREAS, the provision of animal control, sheltering and
2 licensing services protects public health and safety and promotes animal
3 welfare; and
4

5 WHEREAS, providing such services on a regional basis allows for
6 enhanced coordination and tracking of regional public and animal health
7 issues, consistency of regulatory approach across jurisdictional
8 boundaries, economies of scale, and ease of system access for the
9 public; and
10

11 WHEREAS, the City currently contracts with King County for the
12 provision of animal services through an Interlocal Agreement for
13 Regional Animal Services authorized by the City Council with the
14 passage of Resolution R-4925 on June 19, 2012; and
15

16 WHEREAS, the Interlocal Agreement for Regional Animal
17 Services is set to expire on December 31, 2015, unless extended; and
18

19 WHEREAS, the City Council wishes to extend the Interlocal
20 Agreement through December 31, 2017.
21

22 NOW, THEREFORE, be it resolved by the City Council of the City
23 of Kirkland as follows:
24

25 Section 1. The City Manager is authorized to execute on behalf
26 of the City of Kirkland the Agreement to Extend the Animal Services
27 Interlocal Agreement, substantially in the form attached as Exhibit A and
28 incorporated by this reference.
29

30 Passed by majority vote of the Kirkland City Council in open
31 meeting this ____ day of _____, 2015.
32

33 Signed in authentication thereof this ____ day of _____,
34 2015.

MAYOR

Attest:

City Clerk

**AGREEMENT TO EXTEND
ANIMAL SERVICES INTERLOCAL AGREEMENT
THROUGH DECEMBER 31, 2017**

This AGREEMENT is made and entered into by and between KING COUNTY, a Washington municipal corporation and legal subdivision of the State of Washington (the "County") and the City of Kirkland, a Washington municipal corporation (the "City").

WHEREAS, the County and the City entered into an Interlocal Agreement regarding the provision of animal control, sheltering and licensing services for the period of 2013 through 2015 ("Interlocal Agreement"); and

WHEREAS, the Interlocal Agreement took effect on July 1, 2012 and remains in effect through December 31, 2015, unless otherwise extended through December 31, 2017; and

WHEREAS, the Interlocal Agreement provides for a two-year extension of Term in Subparagraph 4.b.; and

WHEREAS, Subparagraph 4.b, section i, states either Party may propose amendments to the Agreement as a condition of an extension; and

WHEREAS, Subparagraph 4.b, section ii, states that nothing in this Agreement shall be construed to compel either Party to agree to an extension or amendment of the Agreement, either on the same or different terms; and

WHEREAS, Subparagraph 4.b, section iii, states that the County agrees to give serious consideration to maintaining the various credits provided to the City under this Agreement in any extension of the Agreement; and

WHEREAS, the County and the City ("the Parties") wish to extend the Interlocal Agreement through December 31, 2017, as contemplated within Section 4 of the Interlocal Agreement;

NOW THEREFORE, in consideration of the promises, covenants and agreements contained in the Interlocal Agreement, as extended, the Parties agree as follows:

1. The Interlocal Agreement shall remain in effect through December 31, 2017 under the same terms and conditions and may not be terminated for convenience.
2. In order to maintain the same terms and conditions, dates within Interlocal Agreement shall reflect the extended 2016 and 2017 period, as set forth in Attachment A.
3. The County may sign an agreement with additional cities for provision of animal services prior to the expiration of the extended Interlocal Agreement, but only if the additional city agreement will not increase the City's costs payable to the County under the Interlocal Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed effective this ____ day of _____, 2015.

King County

City of Kirkland

Dow Constantine
King County Executive

Kurt Triplett
City of Kirkland City Manager

Date

Date

Approved as to Form:

Approved as to Form:

Deputy Prosecuting Attorney

Kirkland City Attorney

Date

Date

ATTACHMENT A

RASKC ILA Extension Dates

Section 1(d)	Definition of “Agreement” means this Animal Services Interlocal Agreement for 2013-2015 <u>2016 and 2017....</u>
Section 4(e)	Limited Reopener and Termination: “ If a countywide, voter approved property tax levy for funding some or all of the Animal Services program is proposed that would impose new tax obligations before January 1, 2016 <u>2018...</u> ”
Section 7(c)	ii – “ The City may request licensing revenue support from the County in 2014 and 2015 <u>2016 and 2017...</u> ” - “...provision of licensing revenue support in 2014 and 2015 <u>2016 and 2017...</u> ”
Exhibit A, Part II Shelter Services	“During 2013-2015 <u>2016 and 2017</u> ”
Exhibit C, Part 2	
- Bullet #2	“(fixed at 2013 level, payable annually through 2015-2017)” “(also fixed at a 2013 level, payable annually through 2015-2017)”
- Bullet #3	“In 2014 and 2015 <u>2016 and 2017...</u> ” “.. Licensing Revenue Support Cities with a licensing Revenue Target over \$20,000/year will be assured such services in 2013-2015 <u>2016 and 2017</u> ”
- Bullet #4	“...of total New Regional Revenues, in 2014 and 2015 <u>2016 and 2017...</u> ”
- Bullet #5	“In Service Years 2014 and 2015 <u>2016 and 2017...</u> ”
Exhibit C4 – Transition Funding Credit, Shelter Credit, Estimated new Regional Revenue	
A. Transition Funding Credit	“..these cities will receive credit at the level calculated for 2013 in the 2010 Agreement for Service Years 2013, 2014 and 2015 <u>2016 and 2017, ...</u> ”
B. Shelter Credit	“A total of \$750,000 will be applied as a credit in each of the Service Years 2013-2015 <u>2016 and 2017...</u> ”
	Table 3 title “Annual Shelter Credit Allocation – 2013-2015 <u>2016 and 2017</u> ”
Exhibit C5 Licensing Revenue Support (E)	“In 2014 and 2015 <u>2016 and 2017...</u> ” and “...Exhibit F with respect to all 3 service years (<u>2016 and 2017</u>)”
Exhibit C5 Licensing Revenue Support, Table 2	“For Service Year 2015 <u>2016 and 2017....</u> ”
Exhibit C-7	“...Licensing Revenue Support in Service Years 2014 or 2015 <u>2016 or 2017...</u> ”

ATTACHMENT B

King County – Regional Animal Services – Contracting Cities

Beaux Arts	Maple Valley
Bellevue	Mercer Island
Black Diamond	Newcastle
Carnation	North Bend
Clyde Hill	Redmond
Covington	Sammamish
Duvall	SeaTac
Enumclaw	Shoreline
Issaquah	Snoqualmie
Kenmore	Tukwila
Kent	Woodinville
Kirkland	Yarrow Point
Lake Forest Park	