



CITY OF KIRKLAND

Police Department

123 Fifth Avenue, Kirkland, WA 98033 425.587.3400

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Eric Olsen, Chief of Police
Robert Balkema, Corrections Lieutenant

Date: February 4, 2014

Subject: Marysville Interlocal Agreement For Jail Services

RECOMMENDATION:

That the City Council approve the attached resolution approving and authorizing the City Manager to execute the Third Amendment to and Renewal of Interlocal Agreement for Jail Services between the City of Marysville and the City of Kirkland.¹

BACKGROUND DISCUSSION:

The attached Amendment to and Renewal of the Interlocal Agreement (ILA) the City of Kirkland currently has with the City of Marysville for jail services is necessary as the fees have increased from \$64.81 per day to \$65.58 per day. Under the terms of the original ILA, the fees charged by Marysville increase each year at a rate of 100 percent of the June Seattle Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). The booking fee, which is also tied to the Seattle CPI-W June Index, is increasing from \$41.82 to \$42.32 per booking. Under the terms of the ILA, the rate increases are effective January 1st of each year. The fees and index language are included in Schedule A at the end of the attached ILA.

The City of Kirkland entered into an Interlocal Agreement with the City of Marysville for Jail services on October 6, 2006. On October 12, 2009, Kirkland and Marysville entered into the First Amendment to the Interlocal Agreement for Jail Services to renew the duration from January 1, 2010, through December 31, 2013. This amended and renewed ILA will be effective through December 31, 2017. There will be no additional funding requirements as these costs are already included in the 'Jail outside housing costs' for the 2013-2014 Budget.

The City of Kirkland has used this ILA with success since October 2006. It is important that this ILA continue as it gives the City of Kirkland options regarding the housing of inmates in other facilities. However, this ILA is on an "as needed" basis. There is no commitment to a certain number of beds. Once the Public Safety Building jail is opened, Kirkland may not need to execute the Marysville option very often or at all.

¹ The attached ILA amendment is actually the second amendment to the original agreement, not the third. The attached amendment, with the error in the title, was prepared by Marysville and approved by the Marysville City Council prior to being received by the City of Kirkland. This is a scrivener's error and will not affect the enforceability of the ILA.

RESOLUTION R-5036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE THIRD AMENDMENT TO AND RENEWAL OF THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND CITY OF MARYSVILLE FOR JAIL SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.

WHEREAS, the City of Kirkland wishes to continue to secure the use of additional jail bed capacity; and

WHEREAS, the City of Marysville is willing to accept City of Kirkland inmates for a rate of compensation mutually agreed upon by the parties; and

WHEREAS, Chapter 39.34 RCW authorizes the parties to enter into an interlocal cooperation agreement to perform any governmental service, activity or undertaking which each contracting party is authorized by law to perform;

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

Section 1. The City Manager is authorized to execute on behalf of the City of Kirkland an interlocal agreement substantially similar to that attached as Exhibit "A," which is entitled "Third Amendment to and Renewal of Interlocal Agreement for Jail Services."

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk

AFTER RECORDING RETURN TO:

City of Marysville
1049 State Avenue Suite 201
Marysville, WA 98270

**THIRD AMENDMENT TO AND RENEWAL OF
INTERLOCAL AGREEMENT
FOR JAIL SERVICES – Kirkland
Section 5 Duration: Renewal 2014-2017 and
Amendment of Schedule "A":
Booking Fee \$42.32,
Transport Fee \$42.32,
Daily Maintenance Fee \$65.58,
Effective January 1, 2014**

THIS AMENDMENT TO INTERLOCAL AGREEMENT FOR JAIL SERVICES ("Amendment") is made and entered into by and between the CITY OF MARYSVILLE ("Marysville"), and the CITY OF KIRKLAND ("Kirkland").

WHEREAS, on October 6, 2006 Marysville and Kirkland entered into an Interlocal Agreement for Jail Services hereafter referred to as the "Agreement" recorded on November 9, 2006 with Snohomish County ; and

WHEREAS, on or about October 12, 2009 Marysville and Kirkland entered into the First Amendment to Interlocal Agreement for Jail Services renewing the duration from January 1, 2010 through December 31, 2013 and amending Schedule A;

WHEREAS, Marysville and Kirkland wish to renew the Agreement for an additional four year term from January 1, 2014 through December 31, 2017; and

WHEREAS, renewals of the Agreement are subject to agreement on the rate and payment for the booking fee and daily maintenance fee set forth in Schedule A of said Agreement.

WHEREAS, Marysville and the Kirkland have agreed to Amend **Schedule "A"** as

follows, Booking Fee from \$40 to 42.32, Transport Fee from \$40 to \$42.32 and Daily Maintenance Fee from \$62. To \$65.58 - Effective January 1, 2014 necessitating the amendment of the Agreement; and,

NOW, THEREFORE, in consideration of the mutual covenants, conditions and promises contained herein, Marysville and Kirkland mutually agree as follows:

1. Pursuant to Paragraph 5 **DURATION** of The Interlocal Agreement for Jail Services entered into between the parties on October 6, 2006 shall be amended to read as follows:

“The parties agree to renew this Agreement for an additional four-year term from January 1, 2014 to December 31, 2017. The parties may negotiate additional renewal periods.”

2. **Schedule “A”**, Booking Fee from \$40 to \$42.32, Transport Fee from \$40 to \$42.32 and Daily Maintenance Fee from \$60.00 to \$65.58 - Effective January 1, 2014 as adopted and attached to this agreement as **Schedule A**.

3. Except as provided herein, all other terms and conditions of the Interlocal Agreement for Jail Services dated October 6, 2006 and Amendments shall be in full force and effect unchanged. This Third Amendment to and Renewal of Interlocal Agreement for Jail Services shall be effective January 1, 2014.

4. **APPROVALS AND FILING**. Each party shall approve this Agreement by resolution, ordinance or otherwise pursuant to the laws of the governing body of said party. The attested signature of the officials identified below shall constitute a presumption that such approval was properly obtained. A copy of this Agreement shall be filed with the Snohomish County Auditor's office or, alternatively, listed by subject on a public agency's web site or other electronically retrievable public source pursuant to RCW 39.34.040.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 9 day of December, 2013.

CITY OF KIRKLAND

CITY OF MARYSVILLE

By _____
Kurt Triplett, City Manager

By [Signature]
Jon Nehring, Mayor

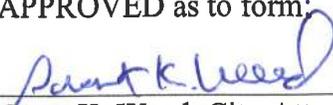
DATE: _____

DATE: 12/9/13

APPROVED as to form:

Robin S. Jenkinson, City Attorney

APPROVED as to form:



Grant K. Weed, City Attorney

DATE: _____

DATE: 12-19-13

Attest: _____
, City Clerk

Attest: 

April O'Brien, City Clerk

Deputy

SCHEDULE A
Effective January 1, 2014

Booking Fee \$42.32 **
Should Marysville decide to collect booking fees pursuant to RCW 70.48.390 from the funds possessed by the prisoner or defendant directly at the time of booking, the booking fee to be paid by Kirkland for such prisoner or defendant shall be adjusted by a credit in favor of the Kirkland of that sum actually paid by the prisoner or defendant.

Inmate Transfer Administrative Fee \$20.00
In cases where Kirkland prisoners are relocated to another jail facility Kirkland agrees to reimburse Marysville for the actual rates and fees charged by such other jail facility.

Marysville Transportation Fee \$42.32 per trip

Daily maintenance fee \$65.58 **
Bed space as needed based on space available

**Yearly COLA Increase on Booking Fees and Daily Maintenance Fees

Booking and Daily Maintenance Fees will be increased at a rate of 100% of the Seattle CPI-W June Index for the year prior with a minimum of 0% to a maximum of 2.25%. The rate increase will occur on January 1 of each year unless otherwise negotiated and agreed by the parties. (For example the June 2010 Seattle CPI-W index will set the amount of the January 1, 2011 increase to Booking and Daily Maintenance Fees.)