



Memorandum

Date: 1/19/2021

Meeting of: Committee of the Whole - Public Safety

File No. CM 21-021

Type: Committee Memo

TO: Committee of the Whole - Public Safety

FROM: Mayor Angela Birney

DEPARTMENT DIRECTOR CONTACT(S):

Executive	Malisa Files	425-556-2166
-----------	--------------	--------------

DEPARTMENT STAFF:

Executive	Nina Rivkin	Chief Policy Advisor
-----------	-------------	----------------------

TITLE:

Approve Interlocal Agreement for the Provision of District Court Services between King County and the City of Redmond

OVERVIEW STATEMENT:

The City of Redmond contracts with King County for the provision of court services from King County District Court pursuant to a fifteen-year agreement that began in 2006 and expires at the end of 2021. The agreement has been updated for the next thirteen-year time period, with an initial five-year term and two four-year extensions, expiring on December 31, 2034.

☒ **Additional Background Information/Description of Proposal Attached**

REQUESTED ACTION:

☐ **Receive Information**

☒ **Provide Direction**

☐ **Approve**

REQUEST RATIONALE:

- **Relevant Plans/Policies:**
N/A
- **Required:**
Under Washington State law (RCW 39.34.180), cities are responsible for providing criminal justice services for misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions; these services include prosecution, public defense, court and jail services.
- **Council Request:**
N/A
- **Other Key Facts:**
Twelve cities contract with King County for court services and are bringing the agreement to their Councils for approval. The contract cities are: Auburn, Beaux Arts, Bellevue, Burien, Carnation, Covington, Duvall, Kenmore, Redmond, Sammamish, Shoreline and Skykomish.

OUTCOMES:

The Interlocal Agreement with King County for court services is essentially the same agreement that has been in place since 2006, with updates to reflect changes in state law and improve clarity of terms and processes. The cost model, which is an attachment to the agreement, has been updated and includes a cap on costs for security provided by the King County Sheriff's Office at facilities used by cities. The model has also been refined to reflect the intent that the cities pay only for services, staff and facilities used by cities.

The continuation of court services from King County District Court will ensure the City meets its statutory obligations to adjudicate misdemeanor and gross misdemeanor offenses occurring within the City. District Court has successfully partnered with the City of Redmond to meet City needs and address any operational and service items. The City benefits from being a part of a unified District Court system that has been serving the City for decades, with a court facility located on the City's municipal campus, adjacent to the City's public safety building that houses the Redmond Police Department and Prosecutor's Office. In addition, Redmond's Community Court, operated in partnership with District Court, the City and the Redmond Library, will continue to provide court and a wide array of services to Redmond participants.

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**
N/A
- **Outreach Methods and Results:**
N/A
- **Feedback Summary:**
N/A

BUDGET IMPACT:

Total Cost:

King County receives the revenue from City of Redmond case filings to help defray the costs of court services. Each year, District Court conducts a reconciliation of their costs and revenue that has been collected for the year. The City pays the difference between case filing revenue and City costs. For 2019, the last year for which reconciliation was conducted, the City's total costs were \$826,950; case filing revenue was \$434,571 and the City paid \$392,378.

Approved in current biennial budget: ☒ **Yes** ☐ **No** ☐ **N/A**

Budget Offer Number:

228 Criminal Justice

Budget Priority:

Safe and Resilient

Other budget impacts or additional costs: ☐ **Yes** ☒ **No** ☐ **N/A**

If yes, explain:

N/A

Funding source(s):

General Fund

Budget/Funding Constraints:

The interlocal agreement identifies all costs that cities pay; only costs included in the agreement can be charged to cities and included in the reconciliation of city costs and revenue retained by King County.

☒ **Additional budget details attached**

COUNCIL REVIEW:

Previous Contact(s)

Date	Meeting	Requested Action
	Item has not been presented to Council	N/A

Proposed Upcoming Contact(s)

Date	Meeting	Requested Action
2/2/2021	Business Meeting	Approve

Time Constraints:

King County and the cities originally intended to complete negotiations and bring an updated agreement to councils for review and approval in 2020, at least one-year before the current agreement expires. However, this work was delayed somewhat due to the pandemic. All current contract cities are bringing the agreement to their councils for approval in early 2021. District Court and the cities could potentially be impacted by a decision of a city not to continue to contract with King County for services from District Court, as the cost model spreads some fixed costs across the cities and King County. Cities have been requested to approve the Interlocal Agreement in January and February of 2021, to be followed by King County Council review and approval.

ANTICIPATED RESULT IF NOT APPROVED:

The City is required to provide municipal court services. The City can provide court services either through its own municipal court or pursuant to an agreement with King County District Court or another city's municipal court. If the Council chooses to not approve the interlocal agreement, the City would need to provide another option for court services. Due to the size of Redmond's caseload, it is not feasible to contract with another municipal court for these services (as the workload would overwhelm a municipal court). The City could create a municipal court to begin operations January 1, 2022, however Council would need to fund expedited planning efforts, which would require consultant assistance or supplemental staff with municipal court experience. Council would also need to fund start-up costs and initial facility costs (including remodel costs) in 2021, as well as facility and operational costs for 2022.

ATTACHMENTS:

Attachment A: Background and Summary of Terms

Attachment B: Interlocal Agreement

Attachment C: Exhibits A-D to the Interlocal Agreement