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Title: AN ORDINANCE relating to regional jail services; authorizing the execution of an amended interlocal agreement between King County and cities for jail services.

Sponsors: Reagan Dunn

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4/19/2010	1	Metropolitan King County Council	Passed	Pass
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Clerk 03/04/2010

AN ORDINANCE relating to regional jail services; authorizing the execution of an amended interlocal agreement between King County and cities for jail services.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. King County currently provides jail services to thirty-seven cities under an interlocal agreement approved in 2002 ("the 2002 agreement"). That agreement expires December 31, 2012.

B. At the time the county approved the 2002 agreement, the county also agreed to transfer to the city of Bellevue, on behalf of the cities signatory to the 2002 agreement, a parcel of real property known as the Eastside Justice Center site. The property transfer agreement allowed for the sale of the Eastside Justice Center site by the cities and use of the proceeds to contribute to the cost of building or contracting for secure capacity,

and building or contracting for alternative corrections facilities, sufficient to enable the contract cities to reduce the number of city inmates in the King County system to zero by January 1, 2013.

C. In 2009, the city of Bellevue sold the Eastside Justice Center Site and is now in the process of distributing net proceeds of that sale in the amount of \$13,000,116.20 to all thirty-nine cities in King County in accordance with an allocation formula agreed to by and between these cities.

D. Currently, the cities of Kent, Auburn, Enumclaw, Renton, Issaquah and Kirkland each operate their own misdemeanor detention facilities. Many other cities have short-term holding facilities for persons awaiting arraignment or transfer to longer term detention. The vast majority of cities in King County have entered into contracts with jail service providers in addition to King County to house at least some of their city misdemeanants. Only about forty percent of city misdemeanants are currently housed in county jail facilities.

E. Cities that have historically contracted with King County for jail services are proceeding with plans to house more of their inmates outside of the King County system; however, some of these cities will be unable to construct or acquire additional secure detention facilities sufficient to remove their inmates from the King County system by January 1, 2013.

F. In 2007, King County entered into negotiations with the Jail Advisory Group, composed of all cities signatory to the 2002 agreement, seeking changes to the 2002 agreement that would improve cost recovery under the agreement for services provided by the county to city responsible inmates. The Jail Advisory Group in exchange sought a short-term extension of the 2002 agreement. The parties were unable to reach agreement and negotiations ceased in early 2008. Negotiations were restarted in August of 2008 at the request of the cities and the county council when King County determined that it would have detention capacity in excess of its own needs for some period beyond December 31, 2012.

G. The parties reached agreement in November 2009 and the county council thereafter on December 1, 2009, approved Ordinance 16716 authorizing the executive to sign an amendment to the 2002 agreement that would both improve cost recovery for the county in the provision of services to city-responsible inmates and

extend the term of the 2002 agreement through 2015.

H. In January 2010, the Jail Advisory Group requested, and the executive approved, an extension of the deadline by which the cities were required to sign the amended 2002 agreement from February 1 to March 15.

I. In February 2010, the Jail Advisory Group requested, and the executive agreed to recommend, adding an additional year to the term of the amended 2002 agreement, such that cities would have access to county jail facilities through 2016, allowing more time for regional jail planning.

J. No cities have submitted to the county a signed version of the amended 2002 agreement authorized by Ordinance 16716, and the cities have been requested not to do so in anticipation of enactment of this ordinance.

K. King County has determined that it will have detention capacity in excess of its own needs and its obligations to the state Department of Corrections through December 31, 2016.

L. The attached amended jail services agreement provides for an orderly reduction in the cities' misdemeanor population consistent with current projections of the county's jail bed needs and the county's current and projected obligations to house inmates from the state department of corrections, protects the county from overcrowding in general and special populations, and incorporates a new rate model which enhances the cost recovery for the county on the services provided to city responsible inmates.

M. The attached amended jail services agreement revises the version of the jail services agreement approved by Ordinance 16716 by amending the effective date of the jail services agreement to May 1, 2010, amending the date by which cities must accept the jail services agreement for it to go into effect to May 1, 2010, and extending the term of the jail services agreement through December 31, 2016.

SECTION 2. The King County executive is hereby authorized to execute the amended jail services agreement in substantially the form of the attached Amendment to Interlocal Agreement Between King County and the City of ** for Jail Services.