

Contract No. 62-10

After Recording Return to:
Kennewick City Clerk
PO Box 6108
Kennewick WA 99336

**THE STATE OF WASHINGTON
COUNTY OF BENTON**

KNOW ALL BY THESE PRESENT

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF KENNEWICK, WA; RICHLAND, WA AND COUNTY OF
BENTON, WA**

2010 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This agreement is made and entered into this 1st of June 2010, by and between the County of Benton, a political subdivision of the State of Washington, acting by and through its governing body, the Benton County Commissioners (hereinafter referred to as COUNTY) and the City of Kennewick, a municipal corporation, acting by and through its governing body, the Kennewick City Council (hereinafter referred to as KENNEWICK), and the City of Richland, a municipal corporation, acting by and through its governing body, the Richland City Council (hereinafter referred to as RICHLAND), all three of Benton County, State of Washington, witnesseth:

WHEREAS, this agreement is made under the authority of RCW 39.34 and,

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and,

WHEREAS, each governing body find that the performance of this agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and,

WHEREAS, the total award to KENNEWICK, RICHLAND and COUNTY is \$55,444, which will be shared between KENNEWICK, RICHLAND and COUNTY based on the formula provided by BJA (Bureau of Justice Assistance) which is based on the Uniform Crime Reports for each agency, as they are certified as disparate, therefore requiring one application and award to be shared between all three jurisdictions; and,

WHEREAS, KENNEWICK, RICHLAND and COUNTY believe it to be in their best interests to reallocate the JAG funds;

NOW THEREFORE, KENNEWICK, RICHLAND and COUNTY agree as follows:

Section 1.

KENNEWICK is the fiscal agent for this grant since only one jurisdiction can make application for the funds.

KENNEWICK agrees to pay COUNTY a total of \$8,317 of JAG funds. KENNEWICK agrees to pay RICHLAND a total of \$13,861 of JAG funds.

Section 2.

COUNTY agrees to use \$8,317 for LWRC M6A3 rifles for SWAT members.

Section 3.

KENNEWICK agrees to use \$33,266 for replacement of officer's weapons to next generation models, spike strips for fleet vehicles, investigative surveillance equipment, and hardware/software purchase and upgrades for firearm tracking and handgun licensing.

Section 4.

RICHLAND agrees to use \$13,861 the purchase of Multi-Functional Armor Blankets and to replace current SWAT member rifles with LWRC M6A3 Carbine Rifles.

Section 5.

COUNTY and RICHLAND agree to submit timely quarterly reports to KENNEWICK, the grantee/fiscal agency by the fifth calendar day at the end of each quarter (January 5, April 5, July 5 and October 5), consistent with, and for the purpose of compliance with the reporting requirements for the JAG program.

Section 6.

Nothing in the performance of this agreement shall impose any liability for claims against COUNTY or RICHLAND.

Section 7.

Nothing in the performance of this agreement shall impose any liability against KENNEWICK.

Section 8.

Each party to this agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 9.

The parties to this agreement do not intend for any third party to obtain any right by virtue of this agreement.

Section 10.

By entering into this agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this agreement shall not create any rights in any party not a signatory hereto.

Section 11.

The term of this Agreement shall be through December 31, 2013.

Section 12.

By signing below, the signor certified that he or she has the authority to sign this Agreement on behalf of the party, and the party agrees to the terms of this Agreement.

Section 13.


Each party shall have a contract representative. Each party may change its representative upon providing written notice to the other party. The parties' representatives are as follows:

Benton County: Sheriff Larry Taylor or his successor
City of Kennewick: Chief Ken Hohenberg
City of Richland: Chief Tony Corsi

Section 14.

The parties agree that this Agreement is the complete expression of its terms and conditions. Any oral or written representations or understanding not incorporated in this Agreement are specifically excluded.

City of Kennewick, Washington



STEVE C. YOUNG, Mayor

ATTEST:



VALERIE J. LOFFLER, City Clerk

APPROVED AS TO FORM:
Contract Authorization



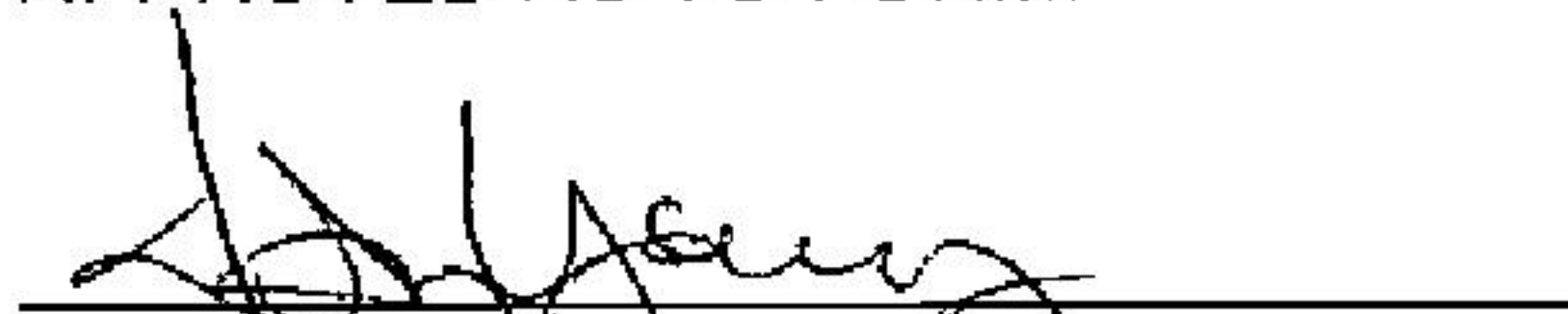
LISA BEATON, City Attorney

County of Benton, Washington



Chairman of Benton County Commission

APPROVED AS TO FORM:



Deputy Prosecuting Attorney

City of Richland, Washington



CYNTHIA D. JOHNSON, City Manager

ATTEST:



DEBRA C. BARHAM,
Chief Deputy City Clerk

APPROVED AS TO FORM:
Contract Authorization



THOMAS O. LAMPSON, City Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our view of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

RESOLUTION 10 300

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KENNEWICK, WA; RICHLAND, WA, AND COUNTY OF BENTON, WA FOR THE 2010 BYRNE JUSTICE ASSISTANCE GRANT (JAG), CURRENT EXPENSE FUND NO. 0000-101, SHERIFF PATROL DEPARTMENT 121.

WHEREAS, the Benton County Sheriff's Office came before the Board on May 17, 2010 to inform the Board about the 2010 JAG Grant that the City of Kennewick was applying for on behalf of the City of Kennewick, City of Richland, and Benton County; and

WHEREAS, the Board agreed with the usage of the grant funding and directed the Sheriff's Office to move forward with the grant paperwork; and

WHEREAS, an Interlocal Agreement between the City of Kennewick, City of Richland, and Benton County is part of the 2010 JAG application packet; and

WHEREAS, the Benton County Sheriff's Office will receive the Interlocal Agreement at a later date; and

WHEREAS, to assist in meeting the deadline for the 2010 JAG application, the Benton County Sheriff's Office request approval for the Chairman of the Board of the Benton County Commissioners to sign the Interlocal Agreement to be submitted by the City of Kennewick as part of the application; **NOW, THEREFORE,**

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby authorizes the Chairman to sign on the Interlocal Agreement for the 2010 Byrne Justice Assistance Grant (JAG); and

BE IT FURTHER RESOLVED Benton County's portion of the 2010 JAG award is \$8,317.

Dated this 24 day of May, 2010.


Chairman of the Board


Member


Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest 
Clerk of the Board

Orig: Sheriff's Office
cc: Auditor, City of Kennewick

Prepared by: J. Thompson