

**THE STATE OF WASHINGTON
COUNTY OF BENTON**

KNOW ALL BY THESE PRESENT

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

2021 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this **July 20, 2021**, by and between The County of Benton, acting by and through its governing body, the Benton County Commissioners (hereinafter referred to as COUNTY) and the City of Kennewick, acting by and through its governing body, the Kennewick City Council (hereinafter referred to as KENNEWICK), and Richland, 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 finds 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 \$31,870, which will be shared between KENNEWICK, RICHLAND, and COUNTY, 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 as only one jurisdiction can make application for the funds. KENNEWICK agrees to pay RICHLAND a total of \$7,968 and COUNTY a total of \$4,780 of JAG funds from the 2021 award.

Section 2.

COUNTY agrees to use \$4,780 for secure storage in marked patrol vehicles.

Section 3.

RICHLAND agrees to use \$7,968 to acquire bicycles for patrol and non-ballistic helmet visors for crowd control helmets.

Section 4.

KENNEWICK agrees to use \$19,122 to purchase five in-car computers for patrol and detective vehicles.

Section 5.

RICHLAND and COUNTY 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 on KENNEWICK for claims against COUNTY or RICHLAND, or on COUNTY or RICHLAND for claims against KENNEWICK.

Section 7.

Any party hereto may terminate this Agreement upon one hundred and twenty (120) days notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the other party's contract representative listed in Section 13 for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination. Termination of this Agreement by any party shall not affect or diminish authority exercised prior to delivery of required notice of termination.

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 from the date of signing through September 30, 2024.

Section 12.

By signing below, the signor certifies 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 parties. The parties' representatives are as follows:

Benton County: Sheriff Jerry Hatcher
City of Richland: Chief John Bruce
City of Kennewick: Chief Ken Hohenberg

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



DON BRITAIN, Mayor

County of Benton, Washington



Chairman of Benton County
Commission

ATTEST:



TERRI WRIGHT, City Clerk

APPROVED AS TO FORM:



Deputy Prosecuting Attorney

APPROVED AS TO FORM:
Contract Authorization



LISA BEATON, City Attorney

City of Richland, Washington



JON AMUNDSON, ICMA-CM
Interim City Manager

ATTEST:



JENNIFER ROGERS, City Clerk

APPROVED AS TO FORM:
Contract Authorization



HEATHER KINTZLEY, City Attorney

RESOLUTION 2021 542

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, CITY OF RICHLAND, WA, AND COUNTY OF BENTON, WA FOR THE 2021 BYRNE JUSTICE ASSISTANCE GRANT (JAG).

WHEREAS, the Benton County Sheriff's Office would like to participate in the 2021 Byrne Justice Assistance Grant (JAG) to fund the purchase of secure storage in marked police vehicles; and

WHEREAS, the total amount awarded to the City of Kennewick was \$31,870, and will be split between Kennewick, Richland and Benton County; and

WHEREAS, the City of Kennewick agrees to pay Benton County a total of \$4,780 of JAG funds; and

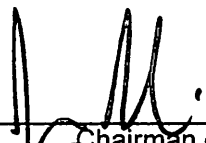
WHEREAS, if there is a balance of grant funding remaining after the purchase of secure storage for marked police vehicles, the Board of Commissioners hereby authorizes the Benton County Sheriff's Office to apply it towards other equipment needed after receiving approval from the JAG Grant Committee; **NOW, THEREFORE**

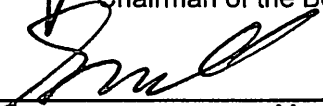
BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby authorizes the Chairman to sign the Interlocal Agreement for the 2021 Byrne Justice Assistance Grant (JAG); and

BE IT FURTHER RESOLVED, Benton County's portion of the 2021 JAG award is \$4,780; and

BE IT FURTHER RESOLVED the term of the attached Interlocal agreement shall commence upon signature of all parties and shall terminate September 30, 2024.

Dated this 20 day of July, 2021.



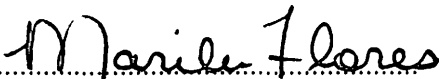
Chairman of the Board


Member

WILL MCKAY - ABSENT

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: K. Gillies

RESOLUTION NO. 91-21

A RESOLUTION of the City of Richland authorizing an interlocal agreement with Benton County and the City of Kennewick for the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds.

WHEREAS, the City of Kennewick is the applicant and fiscal agent for the regional 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds; and

WHEREAS, the total funding award is \$31,870, which will be allocated between Benton County and the cities of Kennewick and Richland; and

WHEREAS, Richland's share of the program funding is \$7,968; and


WHEREAS, Benton County and the cities of Kennewick and Richland desire to enter into an interlocal agreement to allocate the distribution of funds from the City of Kennewick to the City of Richland and Benton County; and

WHEREAS, entering into the proposed interlocal agreement for receipt of Byrne JAG Program funds serves the best interests of the parties and the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an interlocal agreement with the City of Kennewick and the County of Benton for distribution of 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds.

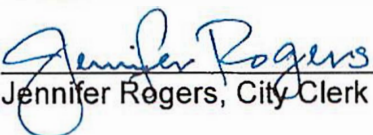
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 20th day of July, 2021.



Ryan Lukson, Mayor

Attest:



Jennifer Rogers, City Clerk

Approved as to form:



Heather Kintzley, City Attorney