

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

2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This agreement is made and entered into this 22<sup>nd</sup> of June 2009, 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 \$58,881, 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**, the 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 \$8,832 of JAG funds.

KENNEWICK agrees to pay RICHLAND a total of \$14,720 of JAG funds.

**Section 2.**

COUNTY agrees to use \$8,832 for a laptop computer and 5 tasers.

**Section 3.**

KENNEWICK agrees to use \$35,329 for crime mapping software, digital cameras and digital recorders.

**Section 4.**

RICHLAND agrees to use \$14,720 for pistol and rifle magazines, digital cameras, body wire transmitters, telephoto lens and evidence trunk vault.

**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, 2012.

**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

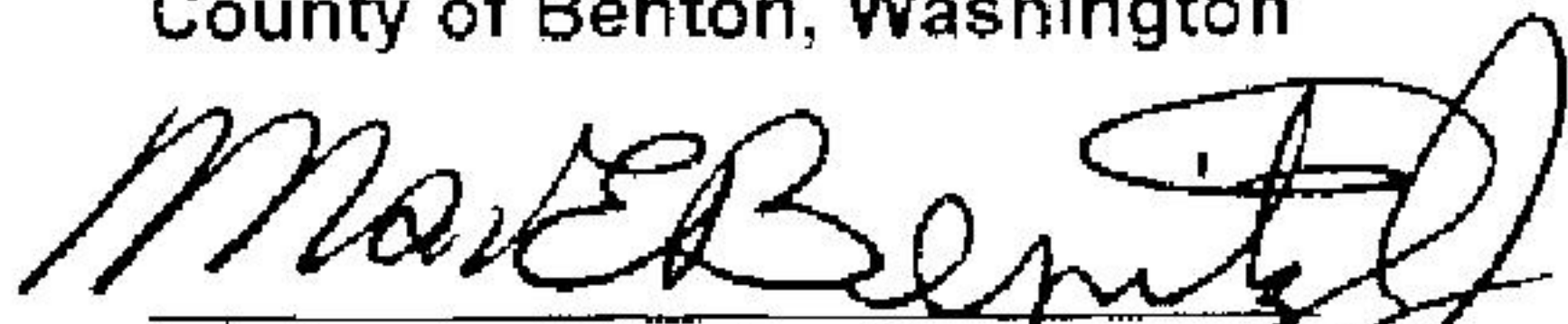
**Section 14.**

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

  
THOMAS C. MOAK, Mayor

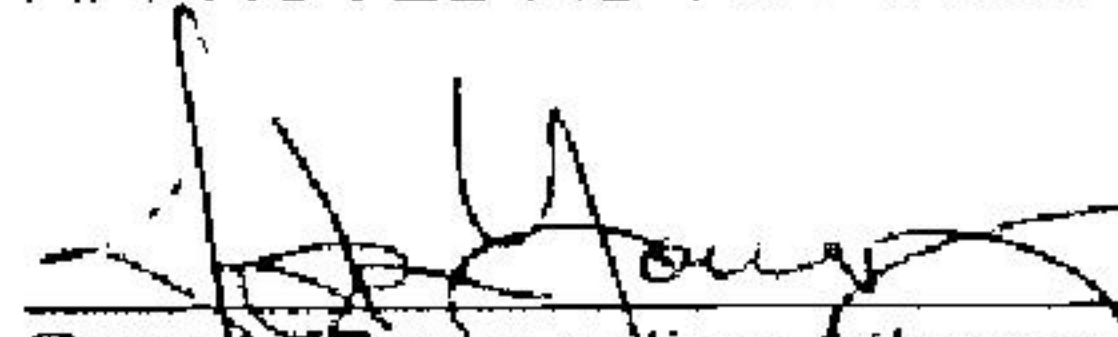
County of Benton, Washington

  
Chairman of Benton County  
Commission

ATTEST:

  
VALERIE J. LOFFLER, City Clerk

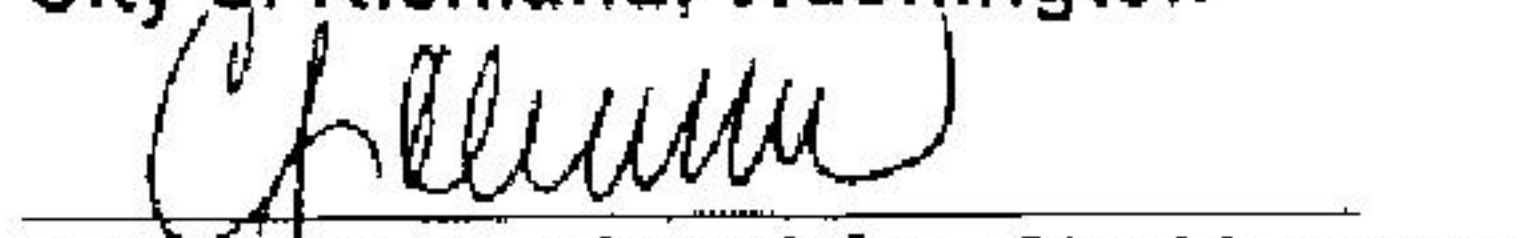
APPROVED AS TO FORM:

  
Deputy Prosecuting Attorney

APPROVED AS TO FORM:  
Contract Authorization

  
LISA BEATON, City 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 09 436

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 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) APPLICATION PACKET, CURRENT EXPENSE FUND NO. 0000-101, SHERIFF PATROL DEPARTMENT 121.

WHEREAS, the City of Kennewick is applying for the 2009 Byrne Justice Assistance Grant (JAG); and

WHEREAS, the 2009 JAG program award is \$58,881 to be shared between Benton County, the City of Kennewick, and the City of Richland based on the formula provided by the Bureau of Justice Assistance; and

WHEREAS, Benton County's portion of the award is \$8,832, which is to be used to procure a laptop computer and five (5) tasers; and

WHEREAS, an Interlocal Agreement between the City of Kennewick, City of Richland, and Benton County is part of the 2009 JAG application packet; and

WHEREAS, the Benton County Sheriff's Office wishes to enter into an Interlocal Agreement with the City of Kennewick, and the City of Richland for the 2009 Byrne Justice Assistance Grant (JAG) Program Award; **NOW, THEREFORE,**

**BE IT RESOLVED** by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby authorizes the Chairman to sign the attached Interlocal Agreement for the 2009 Byrne Justice Assistance Grant (JAG) application packet; and

**BE IF FURTHER RESOLVED** Benton County's portion of the 2009 JAG award is \$8,832; and

**BE IF FURTHER RESOLVED** that the term of the attached agreement commences June 22, 2009 and expires on December 31, 2012.

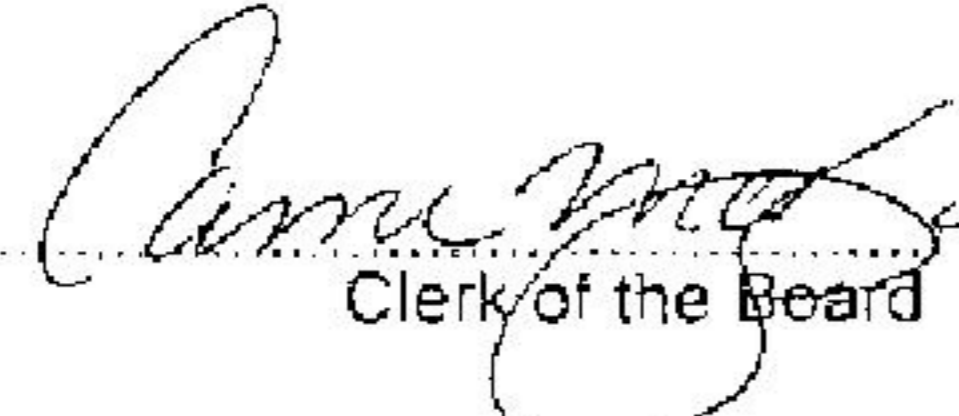
Dated this 6 day of July, 2009.

  
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: K Mercer

## Barham, Debby

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**From:** Cobb, Mike  
**Sent:** Friday, July 17, 2009 2:52 PM  
**To:** Barham, Debby  
**Subject:** FW: 2009 Recovery JAG Grant

**Attachments:** 2009 Rec JAG Interlocal signed.pdf; 2009 JAG Interlocal Agreement.pdf



2009 Rec JAG Interlocal signed...  
2009 JAG Interlocal Agreement...

Hope this helps.

Cpt. Michael Cobb  
Administrative Services  
Bomb Squad Incident Commander  
Richland Police Department  
871 George Washington Way  
Richland, WA 99352  
Phone: 509-942-7362  
mcobb@ci.richland.wa.us

-----Original Message-----

**From:** Scott Ruf [mailto:scott.ruf@ci.kennewick.wa.us]  
**Sent:** Tuesday, July 14, 2009 10:47 AM  
**To:** Keith Mercer  
**Cc:** Cobb, Mike; Steven Keane  
**Subject:** RE: 2009 Recovery JAG Grant

Attached are the signed copies of the 2009 Stimulus Jag and 2009 JAG Interlocals. I do not have the filing numbers.

Scott W. Ruf  
Captain - Staff Services Division  
Kennewick Police Department  
211 W. 6th Ave.  
Kennewick, WA 99336  
(509) 582-1306 - office  
(509) 582-9528 - fax  
scott.ruf@ci.kennewick.wa.us

-----Original Message-----

**From:** Keith Mercer [mailto:Keith.Mercer@co.benton.wa.us]  
**Sent:** Monday, July 13, 2009 2:18 PM  
**To:** Scott Ruf  
**Subject:** 2009 Recovery JAG Grant

Scott,

I was wondering if you could provide me with the Auditors filing number for the 2009 Recovery JAG Grant?

Thanks,  
Keith