

MEMORANDUM
“Sample Staff Briefing Memo”

DATE: November 10, 2004

TO: City Council

FROM: (Name, Mayor or City Manager)

SUBJECT: Second Amendment to Interlocal Agreement with Yakima County for Jail Services

Purpose

The purpose of this Second Amendment to the Interlocal Agreement with Yakima County for Jail Services is to clarify the responsibilities of the parties with respect to billing and payment, the annual reconciliation, the daily fee for unused beds, and the medical premium.

If approved, this agreement will reduce the fee for up to 100 beds of the 440 bed commitment. This fee reduction will result in an annual savings of approximately \$1.3 million total for all consortium cities in 2005. The savings could increase to more than \$1.8 million of annual savings by year 2010. In addition, this amendment creates a process for quarterly and annual reconciliation, and establishes appropriate medical and therapeutic charges.

Staff recommends Council approval of this agreement in substantially the same form as provided in Attachment A. The Jail Oversight Assembly of elected officials from King County consortium cities met on November 10th, 2004 and unanimously approved a motion that recommended approval of this agreement by the membership. The minutes and original information packet from this Jail Assembly meeting are provided in Attachment B and C.

Background

This amendment was negotiated on behalf of the consortium cities during the past 18 months in response to the current low usage of the Yakima beds. The negotiating team included the following representatives:

- Penny Bartley – Manager, Staff and Auxiliary Services Divisions, City of Renton
- Diane Carlson – Director of Intergovernmental Relations, City of Bellevue
- David Cline, Assistant City Manager, Burien
- Jay Covington – City Administrator, Renton
- Catherine Cornwall – Senior Policy Analyst, Seattle
- Jim Kelly – Police Chief, Auburn
- Pete Lewis – Mayor of Auburn
- Gary Long – City Manager, Burien (Chair of the City JAG)
- Jim Montgomery – Police Chief, Bellevue
- David Moseley – City Manager, Federal Way
- Nina Rivkin – Senior Policy Analyst, City of Redmond

All of these representatives recommend approval of this amendment. Yakima County Commissioners approved the amendment on November 9, 2004. Cities are being asked to provide formal approval prior to December 31, 2004, the proposed effective date of the amendment.

Proposed Amendment

The proposed amendment makes the following changes to the interlocal agreement with Yakima County.

Duration: The current interlocal agreement with Yakima County ends December 31, 2010. The proposed amendment allows for a two year extension of the interlocal agreement if agreeable to both Yakima County and to the cities. If the cities want to extend the contract, they need to notify Yakima County by July 1, 2009.

Billing and Payment: Payment shall be due to Yakima County within thirty days from the date the statement is received. Payments not received by the 30th day shall bear interest at the rate of 1% per month until payment is received.

Daily Fee: The proposed amendment reduces the amount cities will pay for up to 100 unused beds by 48%. Under the terms of the amendment, cities will pay the full Bed Maintenance Fee on 340 beds, even if they are unused, and for all city inmates over 340. Retroactive to October 1, 2003, cities shall pay the Reduced Rate Fee for each unused bed up to a maximum of 100 beds. The cities will not pay the medical premium fee on unused beds.

New Fee Schedule

Year	Bed Maintenance Fee (340 bed min.)	Medical Premium	Reduced Rate Fee (up to 100 unused beds)
2002	\$51.00	\$5.00	
2003	\$53.55	\$5.25	\$27.75
2004	\$56.23	\$5.51	\$27.75
2005	\$59.04	\$5.79	\$28.45
2006	\$61.99	\$6.08	\$29.19
2007	\$65.09	\$6.38	\$29.96
2008	\$68.34	\$6.70	\$30.77
2009	\$71.76	\$7.04	\$31.62
2010	\$75.35	\$7.39	\$32.51

This rate change will collectively save the cities over \$1.3 million a year. The 100 Reduced Rate beds will be allocated to consortium members who fail to meet their minimum bed commitment and will be based on each city’s share of the 440 total bed purchase.

Reconciliation: Retroactive to October 1, 2003, Yakima will bill each city quarterly for unused beds (the difference between the city’s minimum bed commitment and its actual use). A portion of the unused beds shall be charged at the Reduced Rate Fee. The number of each city’s unused

beds that will be charged at the Reduced Rate Fee is shown in Attachment B to the amendment. The payment for beds will work as follows:

- Each month, the city pays Yakima County for its actual bed use.
- Each quarter, the city pays for the difference (if any) between its actual bed use and its bed commitment. This payment is a combination of the city's share of the reduced rate beds and the full rate beds.
- At the end of the year, cities which exceeded their bed commitment are identified. Any overage is applied as a credit against all the cities which did not meet their bed commitment. Cities which did not use all of their reduced rate beds are also identified; any surplus reduced rate beds are reallocated to the rest of the cities.

Medical Premium: The proposed amendment makes clear that cities will pay the medical premium only on used beds. It also clarifies that Yakima County may charge the cities for psychiatric services for their inmates which are either court ordered or meet a Diagnostic Statistical Manual IV Diagnosis and are deemed medically necessary by a mental health professional. These charges would come out of the Medical Premium fee the cities pay to Yakima (similar to other medical and dental charges).

Attachments:

- A. Second Amendment to Yakima County Jail Interlocal agreement
- B. Jail Oversight Assembly Meeting Minutes from November 10th, 2005
- C. Jail Oversight Assembly Meeting November 10th, 2005 Packet with Cities 2005 Assessment