

PS 2.1200

**INTERLOCAL AGREEMENT FOR COURT RELATED SERVICES  
BETWEEN KITTITAS COUNTY AND THE  
CITY OF ELLENSBURG**

WHEREAS, The City of Ellensburg has established a municipal department of Lower County District Court for Kittitas County pursuant to RCW 3.46; and

WHEREAS, RCW 39.34.180 provides that each city is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions, and referred from their respective law enforcement agencies, whether filed under state law or city ordinance; this statute further provides that each city must carry out these responsibilities through the use of their own courts, staff, and facilities, or by entering into contracts or interlocal agreements to provide these services; and

WHEREAS, the City of Ellensburg (City) and Kittitas County (County) have previously entered into an interlocal agreement related to compensation for incarceration cost of City prisoners; and

WHEREAS, the City wishes to continue to be directly responsible for providing prosecution and city attorney functions related to city criminal and civil matters; and

WHEREAS, the City wishes to continue with the operation of the municipal department of the district court and contract with the County for the provision of limited services related to the operation of the municipal department of the district court using County facilities and personnel.

NOW THEREFORE, this contract is entered into between Kittitas County ("County") and the City of Ellensburg ("City") in consideration of the mutual benefits to be derived and the terms and conditions set forth below:

1. *Services Provided by the County related to the operation of the Municipal Department of District Court.* The County shall provide to the City all functions and services related to the operation of the municipal department of the district court except as provided in paragraph 2 below. Such services shall include the use of the Kittitas County Lower District Court facilities, court judge, judge pro tempore, court appointed attorneys, court staff, administrative staff, probation services, interpreters, supplies, equipment, and materials.
2. *Municipal Court Functions Provided by City.* The City shall be directly responsible for 1) the provision and payment of a city attorney/prosecutor for all

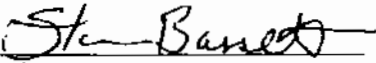
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district court criminal cases related to misdemeanor and gross misdemeanor offenses committed by adults in the City and referred from the Ellensburg Police Department, whether filed under state law or city ordinance, and 2) the provision of a city attorney for pursuing all City civil action in district court including infractions and code enforcement.


3. *Compensation.* As compensation for the services provided pursuant to paragraph 1, the City and County agree that the County shall retain all monies and revenue received, collected and generated by the municipal department including fees, fines, forfeitures, reimbursed costs, and penalties related to the criminal and civil municipal court cases.
4. *Term of Contract.* This contract shall run to December 31, 2004. This contract shall automatically renew for a one-year term from January 1, 2005 through December 31, 2005 unless either party gives written notice on or before October 1, 2004. This contract shall automatically renew thereafter on an annual basis unless either party gives written notice on or before October 1 of each year that there will not be a renewal. This contract shall be periodically reviewed and may be renegotiated by agreement of the parties.
5. *Termination of Contract.* Either party may terminate this contract for public convenience upon 90 days written notice to the other party.

Dated this 18th day of November, 2003.

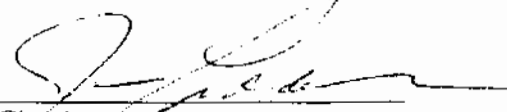
CITY OF ELLENSBURG

  
Mayor

ATTEST:


  
City Clerk

Approved as to form:

  
City Attorney

Dated this 26 day of November, 2003

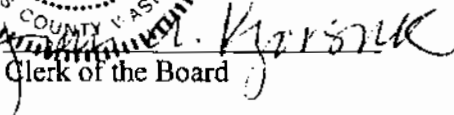
LOWER KITTITAS COUNTY DISTRICT  
COURT JUDGE

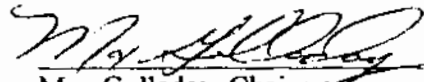
  
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Judge Thomas Haven

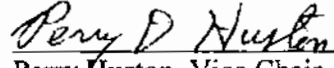
Dated this 18th day of November, 2003

BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON



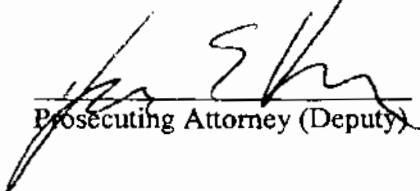
  
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Clerk of the Board

  
\_\_\_\_\_  
Max Golladay, Chairman

  
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Perry D. Huston, Vice Chair

  
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Bruce Coe, Commissioner

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Prosecuting Attorney (Deputy)