

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION NO. 2021- 105

**A RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT
BETWEEN THE WASHINGTON TRAFFIC SAFETY COMMISSION AND KITTITAS COUNTY
SHERIFF'S OFFICE**

WHEREAS, RCW 39.34, the Interlocal Cooperation Act, provides the capability for public agencies to cooperate by providing services and facilities for mutual advantage; and

WHEREAS, the Washington Traffic Safety Commission (WTSC) and Kittitas County Sheriff's Office (KCSO) have the ability and desire to enter into such a cooperative agreement, a copy of which is attached hereto and incorporated by reference; and

WHEREAS, the WTSC has and will provide overtime funding to law enforcement agencies which have certified and registered Drug Recognition Experts (DREs) to conduct the activities described in the written agreement; and

WHEREAS, the KCSO has and will provide a certified and registered DRE on an overtime basis (not to exceed 1.5 times normal salary and benefits) to perform DRE activities as specified on the basis described in the written agreement; and

WHEREAS, all contractor DREs will be maintained and available for callout by Washington State Patrol (WSP) communications in their individual regions; and

WHEREAS, WSP communications has a special roster of DREs that assists in finding those who are available under these Memoranda of Understanding; and

WHEREAS, the period of activities will begin on July 1, 2021 and end June 30, 2023; and


NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED, that the Agreement between WTSC and KCSO for DRE funding be adopted pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW. The Sheriff is authorized to sign the written agreement which shall be forthwith filed with the Kittitas County Auditor.

ADOPTED this 6th day of July 2021.

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



Brett Wachsmith, Chairman



Laura Osiadacz, Vice-Chair

ABSENT

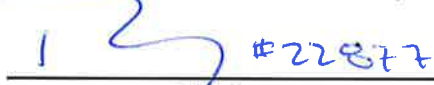
Cory Wright, Commissioner



ATTEST



APPROVED AS TO FORM:

 #22877

Douglas R. Mitchell, Deputy Prosecuting Attorney

- Clerk of the Board- Julie Kjorsvik
- Deputy Clerk of the Board- Mandy Buchholz

MEMORANDUM OF UNDERSTANDING

WASHINGTON TRAFFIC SAFETY COMMISSION
621 8th Ave SE, Suite 409, PO Box 40944, Olympia WA 98504-0944

THIS AGREEMENT is made and entered into by and between:

Kittitas County Sheriff's Office

(Agency Name)

Hereinafter referred to as "CONTRACTOR" and the WASHINGTON TRAFFIC SAFETY COMMISSION, hereinafter referred to as "WTSC."

IT IS THE PURPOSE OF THIS AGREEMENT to provide overtime funding to law enforcement agencies who have certified Drug Recognition Experts (DRE) to conduct the following activities:

- **Respond in person** to allied agency requests for DRE assessments when no other DRE is available on duty and this response is in 'overtime status' from a list of certified DREs.
- Cover shift extension 'overtime' when completing a drug evaluation or covering a request for a DRE
- Court testimony resulting from performing drug evaluations with call outs and shift extensions when overtime is required. (This MOU and grant funding is not responsible for overtime generated from cases/arrests during normal employment or assignment)
- On an overtime basis, participate in duties as a DRE during emphasis patrols, allied agency DRE-related requests, or other DRE programs such as teaching and training deemed necessary and pre-approved by the Washington State DRE Coordinator between **July 1, 2021 through June 30, 2023.**

IT IS, THEREFORE, MUTUALLY AGREED THAT:

1. All contractor DREs will be available for callout by Washington State Patrol (WSP) communications in their individual regions. **WSP Communications will be notified of the DRE availability when that DRE signs into service with their respective allied agency.** As part of this agreement, contractor DREs are responsible to ensure that WSP Communications has their correct contact information in the DRE callout system.
2. Contractor will provide a certified DRE on an "overtime" basis (**not to exceed 1.5 times contracted salary and allowable benefits, even during paid holiday**) to perform DRE activities as specified. No other commissioned personnel will be funded.
3. The period of activity will begin on July 1, 2021 and extend through June 30, 2023.
4. Drug evaluation performance standards for certified and funded DREs must meet the standards of the International Association of Chiefs of Police (IACP).
5. DREs will maintain good standing with Drug Evaluation Classification Program; i.e. paperwork, rolling logs, and resumes. (Contractor and DRE will be notified if DRE is not eligible for availability and removed from WSP roster -30 day notice given.)
6. Disputes arising under this agreement shall be resolved by a panel consisting of one representative of the WTSC, one representative from Contractor agency and one representative from the DECP. The dispute panel shall thereafter decide the dispute with the majority prevailing.
7. Either party may terminate this agreement upon (30 days) written notice to the other party. In the event of termination of this agreement, the terminating party shall be liable for the performance rendered prior to the effective date of termination.

8. WTSC Termination – This project agreement may be terminated or fund payments discontinued or reduced by WTSC at any time upon written notice to the Contractor due to non-availability of funds, failure of the Contractor to accomplish any of the terms herein, or from any change in the scope or timing of the project.
9. The WTSC will monitor and track the availability of DRE Callout funds. Expenditure tracking will be shared with WSP quarterly to ensure DRE Callout funding is being fully utilized.

FISCAL RESPONSIBILITY:

1. For all DRE overtime activities to be billed against this MOU, any projected overtime amount greater than \$3,000 must get prior written approval from WTSC.
2. Contractor must submit the billings and supporting documents to the WTSC at PO Box 40944, Olympia, WA 98504-0944 or emailed to mmedalen@wtsc.wa.gov for approval and reimbursement **not more than 30 days after the last day of the month in which the overtime is worked**. Billings and supporting documents submitted later than the 30 day cutoff will be reviewed on a case by case basis. Contractor must ensure that reimbursement being requested is not for on-duty time, but for call out and shift extension overtime only.

Billings will include:

- Completed and signed invoice Voucher, A19-1A Form (attached). Your agency must be identified as the “Claimant” and Federal Tax ID # and an original signature of the agency head, command officer or contracting officer must be provided on the A19-1A form.
- Payment documentation (overtime slips, payroll documents, etc.)
- DRE Request Form showing all pertinent information. If for court case, evidence it came from a prior MOU overtime situation must be provided with the A-19 1A form.

IN WITNESS WHEREOF, PARTIES HAVE EXECUTED THIS AGREEMENT.

<p><u>Kittitas County Sheriff's Office</u> (Agency) (Date) <u>05/27/21</u></p> <p><u>Sheriff Clay Myers</u> Contracting Agent Title & NAME (print/type name)</p>	<p>APPROVED/DISAPPROVED 5/28/21 <u>Mark Medalen</u> Washington Traffic Safety Commission (Date)</p>
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Clay Myers
 (Signature)

Please return this signed form (email is preferred) to:

mmedalen@wtsc.wa.gov

Washington Traffic Safety Commission
 Attn: Mark Medalen
 PO Box 40944
 Olympia, WA 98504

Kittitas County
Review Form
Grants & Contract Agreement



Today's Date June 28, 2021	Agenda Date July 6, 2021
Fund/Department 30 / Sheriff	

Contract/Grant Information

Contract /Grant Agency: WA Traffic Safety Commission DRE MOU	
Period Begin Date: July 1, 2021	Period End Date: June 30, 2023
Total Grant/Contract Amount : \$ Varies	
Grant/Contract Number: SH21-022	
Contract/Grant Summary: The Washington Traffic Safety Commission (WTSC) supports the Drug Recognition Expert (DRE) program by providing funds for overtime work to perform drug evaluation activities of registered DREs. The WTSC has agreed to fund overtime for DREs who enter this partnership by virtue of a Memorandum of Understanding (though it is effectively an interlocal agreement, in this case) for the period of July 1, 2021 through June 30, 2023.	

Financial Information

Total Amount \$ Varies	State Funds 100%	Federal Funds \$0
Percentage County Funds 0%	Matching Funds \$0	CFDA# NA
	In-Kind \$0 <small>Explain</small>	
Is Equipment being purchased? NO	Who owns equipment? NA	
New Personnel being hired? NO	Contact HR hiring – reporting requirements	
Future impacts or liability to Kittitas County: Contract compliance requirements and correct billing requirements.		

Budget Information

Budget Amendment Needed?	Yes <input type="checkbox"/> attach budget form	No <input checked="" type="checkbox"/> Why not Already budgeted.
New Division Created? NO		
Revenue Code 1 30120933403500		
Expense Code 1 3012095xxxx		

Pass Through Information

Agency to Pass Through	NA
Amount to Pass Through	\$0
Sub-Contract Approved	Date:

Prosecutor Review

Has the Prosecutor reviewed this agreement?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	CAMAS# 52076
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County Departments Impacted

Auditor	Facilities Maintenance
Information Services	Human Resource
Prosecutor	Treasurer

Submitted

Signature: <i>Clay Myers</i>	Date: <i>6-29-21</i>
Department: Sheriff	

Assignment of Tracking Information

Auditor's Office	
Human Resource	
Prosecutor's Office	<i>13 #22877 6/28/21</i>
Who Signed the grant application	

Reviewer	Date
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