

**CLARK COUNTY  
STAFF REPORT**



**DEPARTMENT:** General Services/Indigent Defense  
**DATE:** December 2, 2014  
**REQUEST:** Approval of Second Two-Year Extension of the Interlocal Agreement (ILA) between the City of Vancouver and Clark County for District Court indigent defense services for Therapeutic Courts  
**CHECK ONE:**  X  Consent   CAO

**BACKGROUND**

Clark County District Court "Therapeutic Courts" are designed to provide accountability and assistance for defendants with substance abuse and/or mental health issues. Effective January 5, 2009, Clark County and the City of Vancouver approved a four-year Interlocal Agreement (ILA) to provide indigent defense services in the District Court Therapeutic Courts through contracts negotiated and executed by Clark County. This ILA was amended to include the then-new Veterans Therapeutic Court, effective December 14, 2010. The ILA provides for two additional two-year terms of the agreement by mutual agreement. The ILA was extended for two years (2013/14), effective October 16, 2012. The experience of all parties to the ILA remains favorable, and execution of the second two-year extension of the agreement is recommended.

The Second Extension of the Amended Interlocal Agreement has been reviewed and approved as to form by Christine Cook, Civil Deputy Prosecuting Attorney. The Second Extension has been signed and approved by the Vancouver City Manager.

**COMMUNITY OUTREACH**

The combined County and City approach to providing indigent defense representation is endorsed by those involved with the Therapeutic Courts as an efficient and effective method of providing defense services.

**BUDGET AND POLICY IMPLICATIONS**

The second extension of the ILA has no budget implications. The extension supports the County's and the City's efforts to work together to provide services efficiently.

**FISCAL IMPACTS**

Yes (see attached form)  No

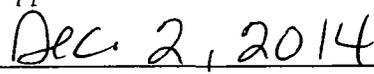
**ACTION REQUESTED**

1. Approval and execution of the two original documents attached to this report: "Second Extension of Amended Interlocal Agreement Between Clark County and the City of Vancouver District Court Therapeutic Court – Indigent Defense."
2. Recordation of the attached two originals of the Second Extension. Please keep one fully executed original and forward the second original to Ann Christian, who will provide it to the City of Vancouver.

**DISTRIBUTION** Mark McCauley - County Administrator; Mark Wilsdon – Risk, Facilities, Purchasing, Indigent Defense; Budget Office.

  
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Ann Christian  
Indigent Defense Coordinator

  
\_\_\_\_\_  
Mark Wilsdon  
Risk, Facilities, Purchasing, Indigent Defense

Approved:  
  
\_\_\_\_\_  
Clark County Board of Commissioners

Date: 12-2-14  
SR #: 272-14

NO

# FISCAL IMPACT ATTACHMENT

## Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

No Impact

## Part II: Estimated Revenues

| Fund #/Title | Current Biennium |       | Next Biennium |       | Second Biennium |       |
|--------------|------------------|-------|---------------|-------|-----------------|-------|
|              | GF               | Total | GF            | Total | GF              | Total |
|              |                  |       |               |       |                 |       |
|              |                  |       |               |       |                 |       |
|              |                  |       |               |       |                 |       |
| <b>Total</b> |                  |       |               |       |                 |       |

II. A – Describe the type of revenue (grant, fees, etc.)

No Impact

## Part III: Estimated Expenditures

III. A – Expenditures summed up

| Fund #/Title | FTE's | Current Biennium |       | Next Biennium |       | Second Biennium |       |
|--------------|-------|------------------|-------|---------------|-------|-----------------|-------|
|              |       | GF               | Total | GF            | Total | GF              | Total |
|              |       |                  |       |               |       |                 |       |
|              |       |                  |       |               |       |                 |       |
|              |       |                  |       |               |       |                 |       |
| <b>Total</b> |       |                  |       |               |       |                 |       |

III. B – Expenditure by object category

| Fund #/Title         | Current Biennium |       | Next Biennium |       | Second Biennium |       |
|----------------------|------------------|-------|---------------|-------|-----------------|-------|
|                      | GF               | Total | GF            | Total | GF              | Total |
| Salary/Benefits      |                  |       |               |       |                 |       |
| Contractual          |                  |       |               |       |                 |       |
| Supplies             |                  |       |               |       |                 |       |
| Travel               |                  |       |               |       |                 |       |
| Other controllables  |                  |       |               |       |                 |       |
| Capital Outlays      |                  |       |               |       |                 |       |
| Inter-fund Transfers |                  |       |               |       |                 |       |
| Debt Service         |                  |       |               |       |                 |       |
| <b>Total</b>         |                  |       |               |       |                 |       |

To be posted on the City of Vancouver website

SH 14-61

**Second Extension of  
Amended Interlocal Agreement  
Between Clark County and the City of Vancouver  
District Court Therapeutic Court -- Indigent Defense**

This Second Extension is made and entered into by and between the City of Vancouver ("City") a municipal corporation under the laws of the State of Washington and Clark County ("County") a county of the State of Washington.

WHEREAS, the County and City have a constitutionally mandated responsibility to provide public defense services to eligible persons entitled to representation in Clark County and the city of Vancouver as authorized by law; and

WHEREAS, Clark County as part of its criminal justice system has District Court Recovery Courts designed to assist indigent misdemeanor clients who have substance abuse issues; and

WHEREAS, in the interest of efficiency and providing the best customer service the City and County adopted an interlocal agreement, effective January 5, 2009 to combine their indigent defense contracts related to the District Court Recovery Courts. Under the terms of the Agreement, the County utilizes a 1/10 of 1% sales tax increase which is specifically designated to support county-wide substance abuse treatment to fund the City and County indigent defense services associated with the District Court Recovery Courts; and

WHEREAS, the City and County amended the Interlocal in December 2010 to add the federally-funded Veterans Therapeutic Court; and

WHEREAS, the City and County agree that the combined Recovery Court contracts have provided efficient customer service from 2009-2014; and

WHEREAS, the 2009 Amended Agreement provides for two (2) additional two (2) year extensions by mutual agreement; and

WHEREAS, the City and County have extended the contract for one (1) two-year term, through December 31, 2014, and there is one (1), two (2) year contract extension remaining.

NOW, THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

- a. In recognition of the above, the City and County agree that the term of the Amended Interlocal Agreement is hereby extended for a two (2) year term commencing on January 1, 2015 and ending on December 31, 2016.

b. All remaining terms and conditions of the Amended Interlocal Agreement are hereby ratified and confirmed.

**IN WITNESS THEREOF**, the following agencies have caused this Extension to be executed in their respective names by their duly authorized officers and have caused this Extension to be dated and effective as of January 1, 2015.

**CITY OF VANCOUVER, WASHINGTON**



Eric Holmes, City Manager  
City Manager  
415 6<sup>th</sup> Street  
Vancouver, WA 98661

Date: 10/23/14

**CLARK COUNTY,  
BOARD OF COMMISSIONERS**



Tom Mielke, Chair  
Board of County Commissioners  
1300 Franklin Street  
Vancouver, WA 98666-5000

Date: 12/2/14

Attest:



R. Lloyd Tyler, City Clerk  
By: Carrie Lewellen, Deputy City Clerk

Attest:



Clerk of the Board

Approved as to form:



E. Bronson Potter, City Attorney

Approved as to form:



Christine Cook,  
Deputy Prosecuting Attorney  
Civil Division