

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

|                      |                                                                                                                                                                                                  |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>AGENDA TITLE:</b> | Authorizing the City Manager to Execute an Amendment to the Agreement with Yakima County for Jail Services                                                                                       |
| <b>DEPARTMENT:</b>   | City Manager's Office                                                                                                                                                                            |
| <b>PRESENTED BY:</b> | Christina Arcidy, CMO Management Analyst                                                                                                                                                         |
| <b>ACTION:</b>       | <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion<br><input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

**PROBLEM/ISSUE STATEMENT:**

City of Shoreline inmates being held post-disposition with sentences longer than three days are held at the Yakima County Jail. In 2015, the City Council approved execution of an agreement with Yakima County for jail housing services. The initial contract term was one year (covering 2016). Council has since authorized two additional extensions, with the current contract extending through December 31, 2022 if the daily bed rate did not exceed above five percent from the current contract year's rate. This year, Yakima County sent the City their rates for 2019 by the contractually required date of October 1, which included a seven percent (7%) increase. This increase requires staff to come back to Council with a contract amendment.

The proposed amendment for tonight's meeting would authorize an extension to the agreement to cover 2019. The proposed amendment also includes provisions to automatically extend the agreement annually for up to three more years (to potentially cover the City through December 31, 2022) if an increase to the daily bed rate does not exceed 10 percent from the current year's daily rate. Under this structure, if an upcoming year's proposed daily rate were to increase above ten percent from the current contract year's rate, Council approval to amend the agreement accordingly would be sought. The agreement will continue to require Yakima County to notify the City of any rate change by October 1 each year.

**RESOURCE/FINANCIAL IMPACT:**

The entire adopted 2019 criminal justice budget, which also funds court costs and public defense services, is \$3.533 million, representing 6.5% of the City's General Fund appropriations. Of that amount 64%, or \$2.0 million, is allocated toward jail services. The cost of this agreement will be covered by this budget amount and will be determined based on actual use at the contracted rate. The 2016 costs totaled \$276,371; 2017 costs totaled \$479,182; and 2018 costs are estimated at \$301,500.

In 2017 the City implemented the agreement with Yakima County anticipating savings of at least \$200,000 per year. Actual savings of using Yakima County instead of SCORE in 2017 were \$466,000, an average savings of over \$39,000 per month. Through September 2018, the City has saved approximately \$159,000, or \$17,000 per month.

If Council were to approve the extension to the agreement with Yakima County for 2019, considering current trends, staff expect a rate of savings similar to 2018. However, exact savings for 2019 cannot be calculated as costs may be affected by a number of factors. For example, arrest rates may affect the number of cases filed by the City's prosecutor and ultimately the frequency and number of jail sentences per year. And, a judge ultimately determines the type of sentence (i.e. work release, electronic home monitoring, jail, etc.) and length of the sentence.

### **RECOMMENDATION**

Staff recommends that Council authorize the City Manager to amend the agreement with Yakima County to house the City's sentenced inmates at Yakima County Jail.

Approved By:            City Manager ***DT***    City Attorney ***MK***

## **BACKGROUND**

The City of Shoreline is required by law to arrange for the booking and housing of its misdemeanor population. This requirement only relates to adults who commit offenses as those committed by defendants less than 18 years of age and all felony offenses are the responsibility of King County. As the City of Shoreline does not operate its own jail facility, the City has contracted with multiple jail providers to house its inmates since incorporation.

The City currently has contracts for jail services with the following three facilities: South Correctional Entity (SCORE) Regional Jail, Yakima County Jail, and the King County Jail in downtown Seattle. SCORE is the City's primary jailing and booking facility, housing approximately 95% of inmates being held pre-disposition that are ineligible for work release. Inmates being held post-disposition with sentences longer than three days are transferred to Yakima County Jail. The King County Jail in downtown Seattle is used when a defendant is booked or jailed on charges from multiple jurisdictions or on felony and City misdemeanor charges.

In 2015, in order to curb jail costs, primarily due to increased jail usage and daily rates at the SCORE and King County jails, Council approved execution of an agreement with Yakima County for jail housing services. The initial contract term was one year (covering 2016). Council has since authorized two additional extensions, with the current contract extending through December 31, 2022 if the daily bed rate did not exceed above five percent from the current contract year's rate. Yakima County sent the City their rates for 2019 by the contractually required date of October 1, which included a seven percent increase. This increase requires staff to come back to Council with a contract amendment.

On December 14, 2015, Council approved execution of an agreement with Yakima County for jail housing services. This initial contract term was one year, and expired on December 31, 2016. Materials from the December 14, 2015 meeting can be found here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2015/staffreport121415-8b.pdf>.

On November 14, 2016, Council approved an extension to the agreement with Yakima County for jail housing services which expired on December 31, 2017. Materials from the November 14, 2016 meeting can be found here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport111416-7c.pdf>.

On November 27, 2017, Council approved an extension to the agreement with Yakima County for jail housing services which will expire on December 31, 2022. Materials from the November 27, 2017 meeting can be found here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport112717-7e.pdf>.

## DISCUSSION

### **Proposed Agreement with Yakima County**

The proposed extension to the agreement with Yakima County Jail is attached to this staff report as Attachment A. New key provisions of the proposed amendment include automatically extending the agreement annually to potentially cover the City through December 31, 2022 if an increase to the daily bed rate does not exceed 10 percent from the current year's daily rate. Under this structure, if an upcoming year's proposed daily rate were to increase above 10 percent from the current contract year's rate, Council approval to amend the agreement accordingly would be sought.

Daily rates are structured with a tiered scale and the daily rate decreases as the number of inmates jailed increases. The 2019 daily rate at Yakima County Jail, at its most expensive, is \$63.65. This is the rate the City is most likely to pay as the City has averaged a use of 13.7 beds per day from January 1 through September 1, 2018. 2018 daily rates for Yakima County Jail are as follows:

| <b>Monthly Average Daily Population</b> | <b>Daily Rate Per Inmate</b> |
|-----------------------------------------|------------------------------|
| 151 - above                             | \$57.65                      |
| 126-150                                 | \$58.65                      |
| 101-125                                 | \$59.65                      |
| 76-100                                  | \$60.65                      |
| 51-75                                   | \$61.65                      |
| 26-50                                   | \$62.65                      |
| 0-25                                    | \$63.65                      |

Transportation of inmates and in-house medical costs are included in the daily rate.

Comparing the City's three contracted jail providers, Yakima and SCORE continue to be the City's best options with regard to cost:

| <b>Jail Daily Rates</b>       | <b>2015</b> | <b>2016</b> | <b>2017</b> | <b>2018</b> | <b>2019</b> |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| King County Jail              | \$146.65    | \$151.99    | \$186.79    | \$189.11    | \$197.19    |
| SCORE Jail Guaranteed Bed     | \$97        | \$105       | \$108.78    | \$120       | \$124       |
| SCORE Jail Non-Guaranteed Bed | \$135       | \$157       | \$162.65    | \$175       | \$180       |
| Yakima County Jail            | \$54.75     | \$54.75     | \$57.20     | \$59.85     | \$63.65     |

### **SCORE Contract**

An amendment to the agreement with SCORE is also proposed tonight. Extension of the agreement with Yakima County Jail would not require amending the City's current contract with SCORE. However, if Council does not authorize the extension to the agreement with Yakima County for jail services for 2019, inmates will be housed at SCORE at a much higher daily rate and the City would have to increase its number of guaranteed beds.

## **FINANCIAL IMPACT**

The entire adopted 2018 criminal justice budget, which also funds court costs and public defense services, is \$3.533 million. The 10-Year Financial Sustainability Model presented to the City Council as part of the 2016 Budget process reflected the ability to reduce annual jail costs by \$200,000 by 2017 as a result of implementing the agreement with Yakima County. In 2017, the City saved \$466,000 by utilizing Yakima County Jail to house sentenced inmates instead of SCORE, which was an average savings of over \$39,000 per month. Through September 2018, the City has saved approximately \$157,000, or \$17,000 per month.

The City's adopted 2019 criminal justice budget of \$3.533 million represents 6.5% of the City's General Fund appropriations. Of that amount 64%, or \$2.0 million, is allocated toward jail services.

If Council were to approve the extension to the agreement with Yakima County for 2019, considering current trends, staff expect a rate of savings similar to 2018. However, exact savings for 2019 cannot be calculated as costs may be affected by a number of factors. For example, arrest rates may affect the number of cases filed by the City's prosecutor and ultimately the frequency and number of jail sentences per year. And, a judge ultimately determines the type of sentence (i.e. work release, electronic home monitoring, jail, etc.) and length of the sentence.

## **RECOMMENDATION**

Staff recommends that Council authorize the City Manager to amend the agreement with Yakima County to house the City's sentenced inmates at Yakima County Jail.

## **ATTACHMENTS**

Attachment A: Draft Amendment to the Agreement with Yakima County for Jail Services

### Inmate Housing Agreement Addendum

This Agreement Addendum is made and entered into between the **CITY OF SHORELINE**, a municipal corporation with its principal offices at 17500 Midvale Avenue North, Shoreline, WA 98133-4905, and **YAKIMA COUNTY DEPT. OF CORRECTIONS**, located at 111 North Front Street, Yakima, WA 98065.

In consideration of the mutual benefits and covenants contained herein, the parties agree that their Inmate Housing Agreement executed on January, 5, 2016 shall be amended as follows:

#### Section 25. Daily Bed Rate.

A. In consideration of Yakima County's Commitment to house City Inmates, the City shall pay the County based on the Monthly Average Daily Population (MADP) sliding scale. Intensive Management Inmates (IMI) who have serious medical, mental health or behavioral conditions and require special housing or treatment, as determined by the County, will be housed at a rate of \$98.35. The IMI populations will be used in the MADP rate calculation listed below for all other inmates.

| <i>Monthly Average Daily Population (MADP)</i> | <i>Daily Rate Per Inmate</i> |
|------------------------------------------------|------------------------------|
| 151 - above                                    | \$57.65                      |
| 126-150                                        | \$58.65                      |
| 101-125                                        | \$59.65                      |
| 76-100                                         | \$60.65                      |
| 51-75                                          | \$61.65                      |
| 26-50                                          | \$62.65                      |
| 0-25                                           | \$63.65                      |

B. Each calendar year, the County may increase the Daily Rate by no more than ten percent (10%) from the current year's Daily Rate. Written notification of any change in the Daily Rate shall be sent to the City as provided in Section 39 no later than October 1 of the current calendar year in order to have the new Daily Rate effective in the following calendar year. Failure of the County to properly notify the City may result in the Daily Rate not becoming effective for the next Agreement term.

C. The Daily Rate includes all in-facility medical, dental (if available), and mental health services for regular and IMI inmate populations. In the event an inmate requires out of facility medical, dental, or mental health services, the City shall be responsible for the cost of the services.

D. The County shall not charge a booking fee in connection with housing the City's Inmates.

E. The City may purchase additional beds, as available, at the then-existing Daily Rate; however, the County shall have the right to refuse to accept custody of or house City Inmates in excess of the City's minimum bed commitment.

F. The Daily Rate for inmates housed for more than one jurisdiction shall be divided equally among those jurisdictions.

Except as expressly provided in this Agreement Addendum, all other terms and conditions of the original agreement shall remain in full force and effect.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

**City of Shoreline**

ATTEST:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
By: City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

**Yakima Board of County Commissioners**

\_\_\_\_\_  
Ron Anderson, Chairman

\_\_\_\_\_  
Michael D. Leita, Commissioner

\_\_\_\_\_  
J. Rand Elliot, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*

ATTEST:

\_\_\_\_\_  
Rachel Michel, Clerk of the Board

Approved as to Form:

\_\_\_\_\_  
Senior Deputy Prosecuting Attorney