



OFFICE OF COUNTY COMMISSIONERS

TODD MIELKE, 1ST DISTRICT • SHELLY O'QUINN, 2ND DISTRICT • AL FRENCH, 3RD DISTRICT

December 4, 2014

Honorable Tom Trulove, Mayor
City of Cheney
609 2nd Street
Cheney, Washington 99004

Honorable Patti Connolly Walker
District Court Presiding Judge
West 1100 Mallon
Spokane, Washington 99260

Re: *Modification of Interlocal Cooperation Agreement Between Spokane County and the City of Cheney (January 1, 2014 – December 31, 2018) Regarding Temporary Use of Spokane County District Court Judicial Assistant*

Dear Mayor Trulove and Presiding Judge Walker:

This correspondence will act as a Modification among Spokane County (“County”), Spokane County District Court (“Court”), and City of Cheney (“Cheney”) (jointly “Parties”) with respect to the above referenced matter.

BACKGROUND

The Parties entered into an agreement entitled “Interlocal Cooperation Agreement between Spokane County and the City of Cheney (January 1, 2014 – December 31, 2018)” signed by Cheney on April 22, 2014, Court on June 4, 2014 and County on May 6, 2014 under Resolution No. 14-0355 (“Interlocal Agreement”). Under the terms of the Interlocal Agreement, the Court agreed to provide certain enumerated judicial services to the Cheney in conjunction with its municipal court in facilities located in Cheney. Section No. 3 (RESPONSIBILITIES OF SPOKANE COUNTY DISTRICT COURT/CITY OF CHENEY) of the Interlocal Agreement included the following language:

- The City of Cheney will provide the services of a bailiff for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney. The City of Cheney will provide a Court Commissioner for the Cheney Municipal Court as may be deemed necessary by the Municipal Court Judge. The City of Cheney will provide the Cheney Municipal Court and District Court, on those days that the District Court sits in Cheney, all courtroom facilities, judge’s chambers, clerk’s workspace, telephone services, office equipment, desk space, and a personal computer with internet access for court and judicial business, as well as all heat, utilities and any required related facilities without cost to Spokane County or the Spokane County District Court. The Clerks of the Cheney Municipal Court are authorized and will take telephone calls, accept fines and bonds, act as receptionist and otherwise provide support to the Spokane County District Court when a District Court Clerk is not in Cheney. (Underlining added)

Honorable Tom Trulove, Mayor
Honorable Patti Connolly Walker
December 4, 2014
Page 2

Cheney has advised the Court and County that it will be unable to provide the services of a bailiff for both the City of Cheney Municipal Court and District Court as provided for in the above underlined language on those days that the District Court sits in Cheney commencing December 11, 2014 and running through the end of March 2015.

Recognizing the need for a bailiff aka judicial assistant as provided for in the above underlined language, the Parties are desirous of modifying the above underlined language so as of December 11, 2014 and running through the end of March 2015, Mr. Tracy Hansen, Judicial Assistant for the Honorable Gregory J. Tripp will provide bailiff services for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney.

MODIFICATION

The Parties agree that the Interlocal Agreement will be modified in Section No. 3 (RESPONSIBILITIES OF SPOKANE COUNTY DISTRICT COURT/CITY OF CHENEY) to provide as follows:

(Underlined language added, lined out language deleted)

- The City of Cheney will provide the services of a bailiff for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney. Provided, however, for the timeframe commencing December 11, 2014 and running through the end of March, 2015, Mr. Tracy Hansen, Judicial Assistant for the Honorable Gregory J. Tripp, will provide bailiff services for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney. The City of Cheney will provide a Court Commissioner for the Cheney Municipal Court as may be deemed necessary by the Municipal Court Judge. The City of Cheney will provide the Cheney Municipal Court and District Court, on those days that the District Court sits in Cheney, all courtroom facilities, judge's chambers, clerk's workspace, telephone services, office equipment, desk space, and a personal computer with internet access for court and judicial business, as well as all heat, utilities and any required related facilities without cost to Spokane County or the Spokane County District Court. The Clerks of the Cheney Municipal Court are authorized and will take telephone calls, accept fines and bonds, act as receptionist and otherwise provide support to the Spokane County District Court when a District Court Clerk is not in Cheney.

But for the Modification to that language in Section No. 3 (RESPONSIBILITIES OF SPOKANE COUNTY DISTRICT COURT/CITY OF CHENEY) as provided for above, all other terms and conditions set forth in the Interlocal Agreement shall remain in full force and in effect without any change or modification whatsoever.

Honorable Tom Trulove, Mayor
Honorable Patti Connolly Walker
December 4, 2014
Page 3

This Modification maybe executed in counterparts, each of which when so executed and delivered shall be an original, but such counterparts shall constitute one and the same.

Very truly yours,


AL FRENCH, Chair



TODD MIELKE, Vice Chair


SHELLY O'QUINN, Commissioner



DATED: December 4, 2014

SPOKANE COUNTY DISTRICT COURT:

By: 
Patti Connolly Walker, Presiding Judge

Reviewed: 
Judge Gregory J. Tripp

DATED: _____

CITY OF CHENEY, WASHINGTON:

By: 
Mayor Tom Trulove

ATTEST:
By: 
City Clerk Cindy Niemeier

NO. 14-0983

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER EXECUTING A)
MODIFICATION TO THE INTERLOCAL)
COOPERATION AGREEMENT BETWEEN)
SPOKANE COUNTY SPOKANE COUNTY)
DISTRICT COURT AND THE CITY OF)
CHENEY (JANUARY 1, 2014 – DECEMBER 31,)
2018) REGARDING THE TEMPORARY USE)
OF SPOKANE COUNTY DISTRICT COURT)
JUDICIAL ASSISTANT)

RESOLUTION

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County has the care of county property and the management of county funds and business; and

WHEREAS, pursuant to the provisions of chapter 39.34 RCW two or more public entities may contract between / among each other to perform functions which each may perform; and

WHEREAS, pursuant to the above references statutes, Spokane County (“County”) , the Spokane County District Court (“Court”) and the City of Cheney (“Cheney”) (“Parties”) entered into an agreement entitled “Interlocal Cooperation Agreement between Spokane County and the City of Cheney (January 1, 2014 – December 31, 2018 (“Interlocal Agreement”). Under the terms of the Interlocal Agreement, the Court agreed to provide certain enumerated judicial services to Cheney in conjunction with its municipal court in facilities located in Cheney.; and

WHEREAS, Section No. 3 (RESPONSIBILITIES OF SPOKANE COUNTY DISTRICT COURT/CITY OF CHENEY) of the Interlocal Agreement includes the following language:

“...The City of Cheney will provide the services of a bailiff for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney.

WHEREAS, the Cheney has advised the Court and County that it will be unable to provide the services of a bailiff for both the City of Cheney Municipal Court and District Court as provided for in the language within the above referenced recital on those days that the District Court sits in Cheney commencing December 11, 2014 and running through the end of March 2015. Recognizing the need for a bailiff a/k/a judicial assistant as provided for in the above underlined language, the Parties of desirous of modifying language in the above referenced recital so as of December 11, 2014 and running through the end of March 2015, the Judicial Assistant for the Honorable Gregory J. Tripp will provide bailiff services for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, Washington, pursuant to the provisions of RCW 36.32.120(6) and chapter 39.34 RCW that either the chairperson of the Board or a majority of the Board be and are hereby authorized to execute that document dated December 4, 2014 entitled "Modification of Interlocal Cooperation Agreement Between Spokane County and the City of Cheney (January 1, 2014 – December 31, 2018) Regarding Temporary Use of Spokane County District Court Judicial Assistant" pursuant to which Spokane County, the Spokane County District Court and City of Cheney will modify language within Section No. 3 of that document entitled "Interlocal Cooperation Agreement between Spokane County and the City of Cheney (January 1, 2014 – December 31, 2018 to add the underlined language:

"...The City of Cheney will provide the services of a bailiff for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney. Provided, however, for the timeframe commencing December 11, 2014 and running through the end of March, 2015, Mr. Tracy Hansen, Judicial Assistant for the Honorable Gregory J. Tripp, will provide bailiff services for both the City of Cheney Municipal Court and District Court on those days that the District Court sits in Cheney. The City of Cheney will provide a Court Commissioner for the Cheney Municipal Court as may be deemed necessary by the Municipal Court Judge. The City of Cheney will provide the Cheney Municipal Court and District Court, on those days that the District Court sits in Cheney, all courtroom facilities, judge's chambers, clerk's workspace, telephone services, office equipment, desk space, and a personal computer with internet access for court and judicial business, as well as all heat, utilities and any required related facilities without cost to Spokane County or the Spokane County District Court. The Clerks of the Cheney Municipal Court are authorized and will take telephone calls, accept fines and bonds, act as receptionist and otherwise provide support to the Spokane County District Court when a District Court Clerk is not in Cheney.

PASSED AND ADOPTED this 9th day of December 2014.



BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON


AL FRENCH, Chair

ATTEST:


Daniela Erickson, Clerk of the Board


TODD MIELKE, Vice-Chair


SHELLY O'QUINN, Commissioner

* * * * *

CERTIFICATION

I, Daniela Erickson, Clerk of the Board of County Commissioners of Spokane County, Washington, hereby certify that the attached Resolution No. 14-0983 and Modification of Interlocal Cooperation Agreement is a full, true and correct copy duly passed and adopted at a regular meeting of the Board of County Commissioners, duly held at the regular meeting place thereof on December 9, 2014, of which meeting all members of such Board had due notice and at which a majority thereof was present; and that at such meeting such resolution was adopted by the following vote:

AYES, Commissioners: Al French, Todd Mielke and Shelly O’Quinn

NAYS, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that said resolution is a full, true and correct copy of the original resolution adopted at said meeting; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of Spokane County on January 23, 2015.

SPOKANE COUNTY, WASHINGTON



(S E A L)

Daniela Erickson, Clerk of the Board
Spokane County Commissioners