

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-280

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	DMP	08/31/17	RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL	9/26/17	Introduction
Division Head:				10/10/17	Hearing
Dept. Head:	<i>EJR</i>	8/31/2017			
Prosecutor:	CDQ	9/6/2017			
Purchasing/Budget:	<i>BS</i>	9/7/17			
Executive:	<i>TLS</i>	9.18.17			

TITLE OF DOCUMENT:

*Interlocal Agreement between the City of Bellingham and County of Whatcom
2017 Byrne Justice Assistance Grant (JAG) Program Award*

ATTACHMENTS:

*Interlocal Agreement between the City of Bellingham and County of Whatcom
2017 Byrne Justice Assistance Grant (JAG) Program Award*

SEPA review required? () Yes (X) NO
 SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? (X) Yes () NO
 Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

As required by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017 Local Solicitation is made available to the Whatcom County Council for its review and comment and to citizens for public review and comment.

Total Whatcom County Jurisdiction allocation is \$35,941 (with \$22,828 for the City of Bellingham and \$13,113 for Whatcom County). The City of Bellingham will administer the grant and provide \$13,113 to Whatcom County Sheriff's Office to purchase ballistic vests.

COMMITTEE ACTION:

COUNCIL ACTION:

9/26/2017: Introduced 7-0

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

WHATCOM COUNTY
SHERIFF'S OFFICE

BILL ELFO
SHERIFF

PUBLIC SAFETY BUILDING
311 Grand Avenue
Bellingham, WA 98225-4078
(360) 676-6650



JEFF PARKS
UNDERSHERIFF
ART EDGE
CHIEF DEPUTY
DOUG CHADWICK
CHIEF DEPUTY
STEVE COOLEY
CHIEF INSPECTOR

WENDY IONES
CHIEF OF CORRECTIONS

RECEIVED

SEP 7 - 2017

MEMORANDUM

JACK LOUWS
COUNTY EXECUTIVE

TO: Jack Louws, County Executive

FROM: Bill Elfo, Sheriff *Bill Elfo*

DATE: August 31, 2017

RE: Interlocal Agreement Between the City of Bellingham and Whatcom County Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017

Enclosed for review and signature are two (2) originals of the Interlocal Agreement between the City of Bellingham and Whatcom County for Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017.

Total Whatcom County Jurisdiction allocation is \$35,941 (with \$22,828 for the City of Bellingham and \$13,113 for Whatcom County). The City of Bellingham will administer the grant and provide \$13,113 to the Whatcom County Sheriff's Office to purchase ballistic vests.

Please contact Undersheriff Parks at extension 6610 if you have any questions regarding the terms of this agreement.

Thank you.

enclosure

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201709001

Originating Department:	Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	SWAT
Contract or Grant Administrator:	Jeff Parks, Undersheriff
Contractor's / Agency Name:	City of Bellingham

Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes No
 Yes No If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____

Does contract require Council Approval? Yes No If No, include WCC: WCC 3.06.010
 *COUNCIL REVIEW IS REQUIRED (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement? Yes No If yes, grantor agency contract number(s): _____ CFDA#: 16.738

Is this contract grant funded? Yes No If yes, Whatcom County grant contract number(s): _____

Is this contract the result of a RFP or Bid process? Contract _____
 Yes No If yes, RFP and Bid number(s): _____ Cost Center: 1003517001-

Is this agreement excluded from E-Verify? No Yes If no, include Attachment D Contractor Declaration form.

If YES, indicate exclusion(s) below:

- Professional services agreement for certified/licensed professional.
- Contract work is for less than \$100,000.
- Contract work is for less than 120 days.
- Interlocal Agreement (between Governments).
- Contract for Commercial off the shelf items (COTS).
- Work related subcontract less than \$25,000.
- Public Works - Local Agency/Federally Funded FHWA.

Contract Amount:(sum of original contract amount and any prior amendments):
 \$ 13,113.00

This Amendment Amount:
 \$ _____

Total Amended Amount:
 \$ 13,113.00

Council approval required for; all property leases, contracts or bid awards **exceeding \$40,000**, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, **except when:**

1. Exercising an option contained in a contract previously approved by the council.
2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies or equipment included approved in the budget.
4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.

Summary of Scope: Interlocal Agreement between City of Bellingham and Whatcom County for U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017. Total Whatcom County jurisdiction allocation is \$35,941 (with \$22,828 for the City of Bellingham and \$13,113 for Whatcom County). The City of Bellingham will administer the grant and provide \$13,113 to Whatcom County Sheriff's Office to purchase ballistic vests.

Term of Contract: 08/28/17 Expiration Date: _____

Contract Routing:	1. Prepared by: <u>D. Pierce</u> <i>DMP</i>	Date: <u>08/31/17</u>
	2. Attorney signoff: <u>C. QUINN</u> <i>COQ</i>	Date: <u>9/6/17</u>
	3. AS Finance reviewed: <u>[Signature]</u>	Date: <u>9/7/17</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: <u>9/7/17</u>
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____

COUNTY ORIGINAL

CITY SECRETARY
CONTRACT NO. _____

THE STATE OF WASHINGTON

COUNTY OF WHATCOM

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF BELLINGHAM, AND COUNTY OF WHATCOM
2017 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this 28th day of August, 2017, by and between The COUNTY of Whatcom, acting by and through its governing body, the County Council, hereinafter referred to as COUNTY, and the CITY of Bellingham, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Whatcom County, State of Washington, witnesseth:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, per the grant, Whatcom County Jurisdiction is allocated \$35,941 in grant funding, \$22,828 for the City and \$13,113 for Whatcom County: and

WHEREAS, the CITY agrees to provide the COUNTY \$13,113 from the JAG award for the purchase of Ballistic vests: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of \$13,113 of JAG funds.

Section 2.

COUNTY agrees to use \$13,113 for the purchase of Enhanced Ballistic Protection until 2018.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against the "CITY" or "COUNTY"

Section 4.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF Bellingham, WA

COUNTY OF Whatcom, WA

Kelli Linville, Mayor

Sheriff

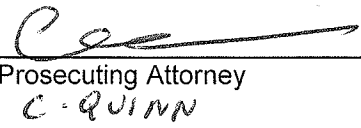


ATTEST:

APPROVED AS TO FORM:

Brian Henshaw, Finance Department

Prosecuting Attorney


C. QUINN

APPROVED AS TO FORM:

City Attorney

Jack Louws, Whatcom County Executive

Chief of Police

Whatcom County Sheriff's Office
Program Abstract

Abstract

Enhanced officer safety and ballistic protection for first responders/tactical personnel – In response to continued violent critical incidents at schools and public venues, the Whatcom County Sheriff's Office has developed enhanced training for incidents involving active violence against vulnerable populations. The most recent tragedy in Orlando, FL which resulted in 49 killed and 53 injured, highlights the threats that face citizens and law enforcement on a daily basis. In an effort to better prepare for and provide an enhanced response to critical violent incidents, the Whatcom County Sheriff's Office conducts ongoing training to deal with these threats and unusual situations that require a tactical response in order to save lives.

In addition to training, law enforcement must be prepared and equipped to deal with armed suspects in order to effectively mitigate the threat posed to the public. In the face of such violence and destruction, law enforcement must be adequately equipped to respond in an effective manner. It is essential that all members of the Sheriff's Office have sufficient ballistic resistant vests and to protect them from gunfire. Sheriff's Office uniformed personnel are required to wear ballistic vests. We are required to provide ballistic protective equipment to personnel who are subject to occupational hazards that include gunfire/ballistic threats. The Sheriff's Office currently issues ballistic vests and helmets to all deputy sheriffs. SWAT has a current need for specialized vests that are designed for their assignment and operational needs. The SWAT vests need to be replaced as they are outside the recommended manufacturer's warranty. The Sheriff's Office objective is to utilize allocated funds to purchase and replace current ballistic vests and improve officer safety.

Project identifiers – Equipment – Tactical, Body Armor – Ballistic Resistant, Counter Terrorism and Officer Safety.

Whatcom County Sheriff's Office
2016 Byrne JAG grant
Program Narrative

The continued trend of violent attacks on innocent citizens at schools and public venues has reaffirmed why it is imperative that responders be trained and prepared to respond to incidents of active violence in an efficient and effective manner. The Sheriff's Office is uniquely positioned on the international border between the US and Canada, and is subject to both domestic and international threats. This includes not only schools and public venues, but multiple federal facilities and critical infrastructure that may be the targets of violent attacks and/or terrorism. The Sheriff's Office continues to train all deputies to deal with critical incidents, to include terrorist attacks and active shooter scenarios.

In addition to training, law enforcement officers must be provided necessary equipment that enhances their officer safety and increases the likelihood that they will be able to carry out their duties without serious injury or loss of life. The recent tragedy in Orlando, FL highlighted the need for ballistic protection for first responder and tactical units. Ballistic protection worn by law enforcement officers saves lives each year and is an essential piece of personal protective equipment.

Sheriff's Office uniformed personnel are required to wear ballistic vests. We are required to provide ballistic protective equipment to personnel who are subject to occupational hazards that include gunfire/ballistic threats. The Sheriff's Office currently issues ballistic vests and helmets to all deputy sheriffs. SWAT has a current need for specialized ballistic vests that are specifically designed for their assignment and operational needs. The SWAT ballistic vests need to be replaced, as at least half are currently passed the 5 year recommended manufacturer's warranty period.

The Sheriff's Office intends to utilize JAG funding to purchase and replace ballistic vests that have exceeded the standard operational life. These vests are NIJ certified and met the current .06 Level IIIA standards of protection.

Whatcom County Sheriff's Office

2017 Bryne JAG program

Budget and Budget Narrative

BUDGET

E. Supplies

Ballistic entry vests	\$13,113
Total	\$13,113
Total project costs	\$13,113

BUDGET NARRATIVE

EQUIPMENT: In order to provide enhanced ballistic protection and increase officer safety, the Whatcom County Sheriff's Office intends to purchase ballistic vests. Ballistic vests are essential personal protective equipment that is utilized by members of the Whatcom County Sheriff's Office. The use by deputies allows them to carry out their duties while protecting them from sudden violent attacks from gunfire.

Ballistic entry vests - The intent is to equip deputies with NIJ certified ballistic entry vests that are rated to stop handgun rounds, as well as some shotgun and rifle rounds. The Whatcom County Sheriff's Office is looking to purchase ballistic vests, which are made in America. These vests are worn by all tactical personnel when responding to incidents where weapons are known to be present or the use of firearms is suspected. The use of ballistic vests by tactical personnel allow them to respond quickly to critical incidents, while providing ballistic protection and improving officer safety. The recent mass shooting in Orlando, FL highlights the use and role ballistic personal protective equipment play in protecting those who protect others. The use of ballistic vests serves to increase the likelihood that they can carry out their duties and save lives, while improving the chances that they go home at the end of the day.

E. **Supplies** – List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

To View an Example, Click Here

SUPPLIES (FEDERAL)

Supply Items	Computation		Cost
	Quantity/Duration	Cost	
PPE - Ballistic vests	5	\$2,622.50	\$13,113
FEDERAL TOTAL			\$13,113

SUPPLIES NARRATIVE (FEDERAL)

Ballistic vests to be worn by deputies/SWAT members when responding to critical incidents, to include Active shooter events, Barricaded/armed subjects and Hostage situations.

Budget Summary – When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	\$0	\$0	\$0
B. Fringe Benefits	\$0	\$0	\$0
C. Travel	\$0	\$0	\$0
D. Equipment	\$0	\$0	\$0
E. Supplies	\$13,113	\$0	\$13,113
F. Construction	\$0	\$0	\$0
G. Consultants/Contracts	\$0	\$0	\$0
H. Other	\$0	\$0	\$0
Total Direct Costs	\$13,113	\$0	\$13,113
I. Indirect Costs	\$0	\$0	\$0
TOTAL PROJECT COSTS	\$13,113	\$0	\$13,113

Federal Request	\$13,113
Non-Federal Amount	\$0
Total Project Cost	\$13,113

Public Reporting Burden

Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project, 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Whatcom County Sheriff's Office
2017 Edward Bryne Memorial JAG Program
FY2017 Local Solicitation

Review Narrative

The Whatcom County Sheriff's Office intends to make its Fiscal Year 2017 JAG application available to the Whatcom County Council for introduction on September 26, 2017.

The application has not yet been made available for public review and comment. The Whatcom County Sheriff's Office will make its Fiscal Year 2017 JAG application available to citizens for comment at the Whatcom County Council meeting on October 10, 2017.

Whatcom County Sheriff's Office
2017 Edward Bryne Memorial JAG Program
FY 2017 Local Solicitation

Applicant Disclosure of Pending Applications

The Whatcom County Sheriff's Office does have a pending application within the last 12 months for federal funding to cover some costs of the proposed program under this solicitation.

The Whatcom County Sheriff's Office has applied for the 2017 DOJ Bulletproof Vest Partnership grant.

Federal Funding Agency	Solicitation Name	Name/Phone/Email for Point of Contact
USDOJ	Bulletproof Vest Partnership	1-877-758-3787/owner-bvp-list@ojp.usdoj.gov

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Justice Assistance Grant (JAG) Program

Body Armor Mandatory Wear Policy Certification

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Body Armor Certification" in the program announcement for the grant program identified above. I certify that our agency currently has a written "mandatory wear" policy in effect.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).

Fiscal Year of JAG Award: 2017


Signature of Certifying Official

Doug Chadwick

Printed Name of Certifying Official

Chief Criminal Deputy

Title of Certifying Official

Whatcom County Sheriff's Office

Full Name of Applicant Entity

8/28/17

Date