

RESOLUTION NO. R - 2852

A RESOLUTION OF THE KIRKLAND CITY COUNCIL RELATING TO FILING FEES TO BE PAID BY THE CITY OF KIRKLAND FOR FILING CERTAIN CRIMINAL OR TRAFFIC INFRACTION ACTIONS IN NORTHEAST DISTRICT JUSTICE COURT PURSUANT TO RCW 3.62.070 AND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF KIRKLAND THAT CERTAIN AGREEMENT WITH KING COUNTY ESTABLISHING THE AMOUNT OF THE FILING FEE.

Whereas, RCW 3.62.070 requires King County and the City of Kirkland to enter into an agreement establishing a filing fee to be paid in certain criminal or traffic infraction actions filed by the City of Kirkland in Northeast District Court for Kirkland ordinance violations; and

Whereas, King County and the City of Kirkland are desirous of establishing a filing fee in such cases in the amount of \$9.68 for each criminal or traffic infraction filed during the calendar year 1982; now, therefore,

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The Mayor of the City of Kirkland is hereby authorized and directed to sign on behalf of the City of Kirkland that certain Inter-Local Governmental Agreement with King County entered into pursuant to RCW 3.62.070 and establishing Northeast District Justice Court filing fees for certain criminal and traffic infraction actions to be filed in said district court by the City of Kirkland. Said contract, a copy of which is attached to the original of this resolution and by this reference incorporated herein, establishes a filing fee of \$9.68 for each criminal or traffic infraction filed by the City of Kirkland in Northeast District Justice Court for violation of any City ordinance during the calendar year, 1982.


Section 2. The Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland is directed to deliver to the office of the King County Executive before September 1, 1981, the original and three copies of said Inter-Local Governmental Agreement, each bearing the signature of the Mayor.

Passed by majority vote of the Kirkland City Council in regular, open meeting on the 17th day of August, 1981.

Signed in authentication thereof on the 18th day of August, 1981.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)



1 INTERLOCAL AGREEMENT ESTABLISHING
2 DISTRICT COURT FILING FEES FOR CERTAIN
3 CRIMINAL AND TRAFFIC INFRACTION ACTIONS

4 WHEREAS, RCW 3.62.070, as amended by Chapter 129, Laws of
5 1979, 1st Ex. Sess., and by Chapter 128, Laws of 1980, 1st Reg.
6 Sess., requires King County and the City of Kirkland to enter into
7 an agreement establishing a filing fee to be paid in certain
8 criminal or traffic infraction actions filed in district court for
9 ordinance violations, and,

10 WHEREAS King County and the City of Kirkland are desirous
11 of establishing a filing fee in such cases at a mutually
12 acceptable rate, therefore;

13 BY THIS AGREEMENT, the County of King, hereinafter called
14 the County, and the City of Kirkland, hereinafter called the City,
15 mutually agree to the establishment of certain filing fees as
16 follows:

17 SECTION 1: GENERAL

18 1.1 Purpose. The explicit purpose of this Interlocal
19 Agreement is to establish a filing fee to be paid by the City in
20 certain criminal or traffic infraction actions filed in Northeast
21 District Court for the ordinance violations.

22 1.2 Administration. The administration of the terms of
23 this Interlocal Agreement shall be done in the same manner and by
24 the same agencies and agents as now administer filing fees in
25 district courts.

26 1.3 Property. This Interlocal Agreement does not
27 provide for the acquisition, holding or disposal of real or
28 personal property.

29 1.4 Financing. There shall be no financing of any joint
30 or cooperative undertaking pursuant to this Interlocal Agreement.

1 There shall be no budget maintained for any joint or cooperative
2 undertaking pursuant to this Interlocal Agreement.

3 SECTION 2: FILING FEES

4 2.1 Filing Fee. The City agrees to pay a filing fee of
5 nine dollars and sixty-eight cents (\$9.68) for each criminal or
6 traffic infraction filed in Northeast District Court for violation
7 of any City ordinance, except as provided in Section 2.2 of this
8 Interlocal Agreement.

9 2.2 Exceptions. This Interlocal Agreement does not
10 apply in traffic cases wherein bail or penalty is forfeited to a
11 violations bureau, in cases filed in municipal departments
12 established pursuant to Chapter 3.46 RCW, or in cases where a city
13 has contracted with another city for such services pursuant to
14 Chapter 39.34 RCW.

15 SECTION 3: DURATION AND TERMINATION

16 3.1 Duration. This Interlocal Agreement shall remain in
17 full force and effect from January 1, 1982 to December 31, 1982
18 and shall be renewed automatically for one-year periods commencing
19 January 1 and ending December 31 unless either the County or City
20 notify the other party in writing of its intent to terminate as
21 provided in Section 3.2 of this Interlocal Agreement.

22 3.2 Termination Notice. Any notification of intent to
23 terminate this Interlocal Agreement must be received by the other
24 party no later than July 1 preceding the date of termination.

25 3.3 Renegotiation and Arbitration. In the event of
26 termination of this Interlocal Agreement, the County and the City
27 agree to renegotiate the filing fee which is the subject of this
28 Interlocal Agreement. In the event the County and City are unable
29 to agree upon a new filing fee by September 1 preceding the date
30 of termination, the County and City agree to submit the issue to
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1 arbitration pursuant to Chapter 7.04 RCW and the County and City
2 shall be entitled to the same rights and subject to the same
3 duties as other parties who have agreed to submit to arbitration
4 pursuant to Chapter 7.04 RCW. In the event that such issue is
5 submitted to arbitration, the arbitrator or arbitrators shall only
6 consider those additional costs borne by the County in providing
7 district court services to the City.

8 3.4 Interim Filing Fee. If, in the event of
9 termination, a new filing fee is not established by negotiation or
10 arbitration prior to the date of termination, the filing fee
11 established in Section 2.1 of this Interlocal Agreement shall
12 remain in full force and effect until a new filing fee is
13 determined by negotiation or arbitration. Once the new filing fee
14 is established, it shall be applied retroactively only to those
15 cases filed after the date of termination in which a decision on
16 the merits is still pending.

17 SECTION 4: NOTICE

18 Any notice or other communication given hereunder shall
19 be deemed sufficient if in writing and delivered personally to the
20 addressee; or sent by certified or registered mail, return receipt
21 requested, addressed as follows, or to such other address as may
22 be designed by the addressee by written notice to the other party:

23 To County: King County Executive
 Room 400, King County Courthouse
 Seattle, Washington 98104
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25 To City: Mayor, City of Kirkland
 210 Main Street
 Kirkland, WA 98033
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SECTION 5: SUCCESSORS

This Interlocal Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their successors and assigns.

ACCEPTED AND APPROVED:

KING COUNTY:

CITY OF KIRKLAND

By: _____

By: _____

Title: _____

Title: _____

This ___ day of _____,
19__.

This ___ day of _____,
19__.

Approved as to form:

Deputy Prosecuting Attorney

This ___ day of _____,
19__.