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Traffic Safety

CITY

RETURN TO
EVERETT CITY CLERK
2930 Wetmore
Everett, WA 98201

MEMORANDUM OF UNDERSTANDING

WASHINGTON TRAFFIC SAFETY COMMISSION
621 8th Ave SE, Suite 409, PO Box 40944, Olympia WA 98504-0944

THIS AGREEMENT is made and entered into by and between:

EVERETT POLICE DEPARTMENT

Hereinafter referred to as "CONTRACTOR" and the WASHINGTON TRAFFIC SAFETY COMMISSION, hereinafter referred to as "WTSC."

IT IS THE PURPOSE OF THIS AGREEMENT to provide overtime funding to law enforcement agencies who have certified Drug Recognition Experts (DRE) to conduct the following activities:

- Respond to radio calls when no other DRE is available on duty and requiring a response in 'overtime status' from list of registered DREs.
- Cover shift extension 'overtime' when completing a drug evaluation or covering a request for a DRE
- Testifying in court as a result of performing drug evaluations due to these call outs and shift extensions when overtime is required to testify. (Not responsible for overtime generated from cases/arrests during normal employment or assignment)
- On an overtime basis, participate in DRE sponsored emphasis patrols and allied agency specific DRE-related requests pre-approved by the DRE Program Coordinator between **July 1, 2015 through June 30, 2017.**
- Overtime reimbursement to the Everett Police Department under the purpose of this agreement shall not exceed $5,000 total for the period of this MOU.

IT IS, THEREFORE, MUTUALLY AGREED THAT:

1. All contractor DREs will be maintained and available for callout by Washington State Patrol communications in their individual regions. WSP Communications has assigned a special roster of DREs that assists in finding those that are available under these MOUs.
2. Contractor will provide a certified DRE on an "overtime" basis (**not to exceed 1.5 times normal salary and benefits**) to perform drug evaluation activities as specified. No other commissioned personnel will be funded.
3. The period of activity will begin on July 1, 2015 and extend through June 30, 2017.
4. Drug evaluation performance standards for certified and funded DREs must meet the standards of the International Association of Chiefs of Police.
5. DREs will maintain good standing with Drug Evaluation Classification Program; i.e. paperwork, rolling logs, and resumes. (Contractor and DRE will be notified if DRE is not eligible for availability and removed from WSP roster -30 day notice given.)
6. Contractor must submit the billings and supporting documents to the Drug Evaluation Classification Program (DECP) at 811 E. Roanoke St., Seattle WA 98102-3915 for approval and reimbursement **not more than 30 days after the last day of the month in which the overtime is worked**. Contractor must ensure that reimbursement being requested <u>is not</u> for on-duty time, but for call out and shift extension overtime only. Billings will include:

- Completed and signed invoice Voucher, A19-1A Form (attached). Please note that a fax or electronic copy cannot be accepted. Your agency must be identified as the "Claimant" and Federal Tax ID # and an original signature of the agency head, command officer or contracting officer must be provided on the A19-1A form.
- Payment documentation (overtime slips, payroll documents, etc.)
- DRE Request Form showing all pertinent information. If for court case, evidence it came from a prior MOU overtime situation.

7. Disputes arising under this agreement shall be resolved by a panel consisting of one representative of the WTSC, one representative from your agency and one representative from the DECP. The dispute panel shall thereafter decide the dispute with the majority prevailing.
8. Either party may terminate this agreement upon (30 days) written notice to the other party. In the event of termination of this agreement, the terminating party shall be liable for the performance rendered prior to the effective date of termination.
9. WTSC Termination – This project agreement may be terminated or fund payments discontinued or reduced by WTSC at any time upon written notice to the Contractor due to non-availability of funds, failure of the Contractor to accomplish any of the terms herein, or from any change in the scope or timing of the project.
10. The Drug Evaluation Classification Program (DECP) will assist by monitoring and tracking the available funds to ensure the availability of funds and report to WTSC as funding begins to be depleted.

IN WITNESS WHEREOF, PARTIES HAVE EXECUTED THIS AGREEMENT.

Everett Police Dept. 8/24/15
(Agency) **(Date)**

Chief Dan Templeman
Contracting Agent Title & NAME (print/type name)

(Signature)

APPROVED/DISAPPROVED

9/30/15
Washington Traffic Safety Commission (Date)

Please return this signed form to:

Attention: Drug Evaluation Classification Program
Washington State Patrol
811 E Roanoke ST
Seattle WA 98102-3915

AGREED:

CITY OF EVERETT, WASHINGTON

By: Ray Stephanson

Ray Stephanson, Mayor

Date: 9-12-2015

ATTEST:

Sharon Fuller, City Clerk Deputy

Date: 9-12-15

APPROVED AS TO FORM:

James D. Iles, City Attorney

Date: 9/9/15

MOU

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

#14

PROJECT TITLE:
Memorandum of Understanding with the Washington Traffic Safety Commission regarding the use and over-time reimbursement of Everett Police Department Drug Recognition Expert Program

	Briefing
	Proposed Action
	Consent
X	Action
	First Reading
	Second Reading
	Third Reading
	Public Hearing
X	Budget Advisory

COUNCIL BILL #	
Originating Department	Police
Contact Person	Dan Templeman
Phone Number	425-257-8493
FOR AGENDA OF	September 2, 2015

Initialed by:
Department Head
CAA db
Council President AS

Location	Preceding Action	Attachments	Department(s) Approval
			Police, Legal

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

DETAILED SUMMARY STATEMENT:

The Washington Traffic Safety Commission provides reimbursement to law enforcement agencies that make their certified Drug Recognition Experts (DRE) available on an overtime basis.

The Washington State Patrol maintains a roster of registered DREs and will initiate a callout when an on-duty DRE is not available. This Memorandum of Understanding (MOU) allows for Everett Police Department officers who are DRE certified to be added to the on-call roster. It also provides for the Everett Police Department to be reimbursed by the Washington Traffic Safety Commission for the overtime worked by the DRE officer in response to these call outs, not to exceed $5000.00 total for the period of this MOU, which is July 1, 2015 through June 30, 2017.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign a Memorandum of Understanding with the Washington Traffic Safety Commission regarding the use and over-time reimbursement of Everett Police Department Drug Recognition Experts.

Council approved 9/2/15 M.P.