



Committee of the Whole

Nicole Gorle

Council Initiated:

Yes

No

ECAF: 2026-1169

Motion: 26-208

Type:

- Contract
- Board Appt.
- Code Amendment
- Budget Action
- Other

Requested Handling:

- Normal
- Expedite – 6.26.26
- Urgent

Fund Source:

- General Fund
- Other
- N/A

Executive Rec:

- Approve
- Do Not Approve
- N/A

Approved as to

Form:

- Yes
- No
- N/A

Subject: Jail Services Interlocal Agreement – Tulalip Tribe

Scope: This Motion would approve an Interlocal Agreement with between the County and Tulalip Tribe under which the County provide the Tulalip Tribe with jail services. Under the agreement, the County agrees to provide jail services to the Tulalip Tribe and the Tribe will pay the specified rates as stipulated in the ILA. The ILA contains a built in cost inflator for the Booking and Daily Maintenance Fees and makes substantive changes from the previously approved template from 2020. A breakdown of the differences between the previously approved template and this agreement is provided in the background section below.

Fee	Approved Temp. ILA		Proposed ILA
	2021	2022	2026
Booking Fee	\$128.88	\$134.70	\$151.61
Daily Maintenance Fee	\$142.63	\$187.64	\$210.99
Video Court Fee	\$207.96	\$223.12	\$251.12

Duration: January 1, 2026 through December 31, 2028
Option to extend two additional three-year terms

Fiscal Impact: Current Year Multi-Year N/A

Expenditures	Current Year	2027	2028	2029	2030	Total
Total's						

Revenue	Current Year	2027	2028	2029	2030	Total
General Fund	\$1,200,000	\$1,200,000	\$1,200,000			3,600,000
Total's	\$1,200,000	\$1,200,000	\$1,200,000			\$3,600,000

Note, out years will increase as two of the three booking fees have a built-in cost inflator of 90% CPI, with a cap of 3% (Booking and Daily Maintenance Fee)

Authority Granted: Authorizes the Executive to execute the contract

Background: [RCW 39.34](#) and [70.48](#) authorizes local jurisdictions to contract with each other for jail services. Snohomish County provides jail services to many jurisdictions throughout the County. Because of the number of jurisdictions served, template Interlocal Agreements (ILA) are approved by Council for use/execution by the

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Sheriffs/Executive's Office. The last time template ILA's were approved was in 2020, one for jurisdictions and one for Tribes. The most recent Jail Services Interlocal Agreement template for tribal jurisdictions was passed under [Ordinance 20-091](#). Under this Ordinance, the Executive was authorized to execute agreements in substantially similar format to the template approved.

The ILA agreement before you here is not substantially similar to the approved template, adding sections, removing sections, and amending others. Because of this, Council approval is required. Additionally, Council adopted [Ordinance 25-023](#) allowing Interlocal Agreements for services that are not creating new programs, but simply continuing existing services to be approved by Motion instead of an Ordinance which is why the proposed ILA here is coming forward by Motion.

Summary of Differences Template ILA vs. Proposed ILA

Sec.	Title	Difference
1	Purpose of Agreement	None/not substantive
2	Effective Date	None/not substantive
3	Administrators	None/not substantive
4	Scope of Services	<ul style="list-style-type: none">- Adds definition of tribal inmate.- Adds language in 4.2 to allow the Tribes substance abuse disorder treatment professional access to the jail for professional visits and allows the Tribes probation department to provide reentry education, planning, and support to tribal inmates in a group setting as space and staffing allows.- Requires a Tribal staff person be present during video court and responsible for all materials.- Tribal Police must stay through the administrative booking process.- Adds sections 4.8 (Tribal inmate booking records) and 4.9 (Tribal booking practices)
5	Conditions of Acceptance of Tribal Inmates	<ul style="list-style-type: none">- If the county does not accept an inmate into custody, the county must notify the Tribe by 5pm the next business day (<i>in writing</i>).- Defines Tribal Court- Removes language saying that max population limits are not just applied to the overall number but to each specialized area based on

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		security level, medical needs, and mental health housing.
6	Payment by Tribe	<ul style="list-style-type: none"> - Amends language from misdemeanors and gross misdemeanors to tribal criminal code charges - Establishes a booking and daily maintenance fee for 2026 that will increase January 1 of each year by 90% of the CIP with a cap of 4%. <i>(the old agreement just had a flat 3% increase).</i> - Establishes the Video Court Fee for 2026 - Amends language pertaining to disputes for invoices/payments.
7	Indemnification/Hold Harmless	None/not substantive
8	Liability Related to Tribal Code, Ord. Policies, Rules and Regulations	None/not substantive
9	Insurance	None/not substantive
10	Limited Waiver of Sovereign Immunity	<ul style="list-style-type: none"> - Old template has the Tribe waiving their immunity, the new proposed ILA states that they maintain all their sovereign rights, including immunity. - Grants limited waiver of immunity to Snohomish County with conditions outlined in 10.a-d - Adds additional clarification language
11	Compliance with Laws	None/not substantive
12	Default and Remedies	None/not substantive
13	Early Termination	<p>None/not substantive</p> <p>Comment: Sections are renumbered as the old section 13, pertaining to Dispute Resolution, is removed, likely because section 15.3 changes the process for disputes and its no longer necessary as a stand alone section.</p>
14	Notices	None/not substantive
15	Miscellaneous	<ul style="list-style-type: none"> - Changed the location for disputes to be heard from the Superior Court to arbitration and establishes a process (15.3).

Requested Action: For Council to consider taking action.