



Contract Coversheet

Contract: C2001269
 Amendment: ~~N/A~~ 2019-0044

Supplier Whatcom Transportation Auth	Department Police	Originator Renee Firos	
Classification Interlocal Agreement	Project Name Annual Interlocal Agreement for Police Presence	Project Manager	
Original Amount \$71,523.06	Maximum Amount	Total Agreement Change	Current Amendment Amount
Type SM - Services/Mixed	Structure ST - Standard	Agreement Type REVENUE - Revenue contract	
Termination Date 12/31/2021	Amended Termination Date	Compliance Type	
Retainage %	Retainage Comments		
Renewal Date	Renewal Notes Legacy Contract = 2019-0044		

12/4/20

Additional Contract Notes:

An Agenda Bill has been completed and set for December 14, 2020 Regular Council Meeting , Consent Agenda

Agenda bill # 22857

Contacts:

12/7/20 Finance

12/20/20 Sen

C2001269

**2021 INTERLOCAL AGREEMENT
CITY OF BELLINGHAM – WHATCOM TRANSPORTATION AUTHORITY
SECOND MODIFICATION**

The **CITY OF BELLINGHAM**, a first-class municipal corporation of the State of Washington (hereinafter the "City "), and **WHATCOM TRANSPORTATION AUTHORITY** (hereinafter the "Recipient"), in consideration of the mutual covenants herein, agree as follows:

I. EXISTING AGREEMENT MODIFIED: The City and the Recipient entered into the Agreement, dated January 1, 2019 which is incorporated herein by reference (hereinafter the "Agreement"). The parties hereby modify that Agreement.

II. MODIFICATIONS TO EXISTING AGREEMENT: The Agreement is modified in the following respects:

1. TERM OF AGREEMENT shall be January 1, 2021 through December 31, 2021.
2. To read as follows:
LIAISON. The City’s Project Manager for this Agreement is Deputy Chief Flo Simon. The Recipient’s responsible person is Jeffrey Benson, Safety and Security Officer.
3. PAYMENT.
 - A. The WTA shall pay the city the annual sum of **\$71,523.06 (\$5,960.26 per month)** for the provision of the services contained herein. Payments shall be made monthly (starting January 2021) on or before the fifteenth (15th) of the following month For which the services were provided.
 - B. The payment sum will be renegotiated each calendar year during the annual budget process. The parties agree to work cooperatively during the budget process in order to meet each party’s budget development deadlines.

III. TERMS AND CONDITIONS OF EXISTING AGREEMENT REMAIN THE SAME: The parties agree that, except as specifically provided in this modification, the terms and conditions of the Agreement continue in full force and effect.

FOR WTA

EXECUTED, this the 3rd day of December, 2020 for WTA

Peter L Stark
Peter L Stark, General Manager

EXECUTED, this the 4 day of December, 2020 for the
CITY OF BELLINGHAM.

Seth Fleetwood
Seth Fleetwood, Mayor

ATTEST: [Signature]
Finance Director

APPROVED AS TO FORM:
[Signature]
Office of the City Attorney

DEPARTMENTAL APPROVAL:
[Signature]
Chief of Police

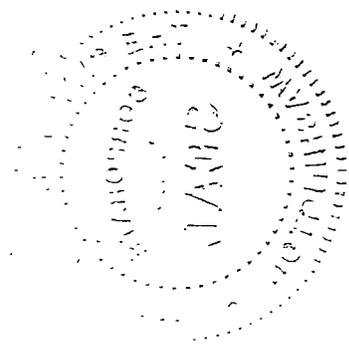


EXHIBIT A

SCOPE OF WORK

This document is intended to serve as a Scope of Work for both the downtown Bellingham and Cordata transit stations.

In order to meet the goals of the WTA and the Bellingham Police Department ("BPD), further a productive and responsive relationship between the agencies, and subject to the operational necessities of BPD operations, guidelines for the duties of officers assigned to Transit duty are described below. These guidelines are not mandatory duties and do not attempt to take away the discretionary decisions of the officers nor are they intended to create any duties, explicit or implicit, to any third parties. Officers assigned hereunder will remain aware of, and responsive to, the WTA's rules and regulations pertaining to the conduct, safety, and related safety and security risk to transit patrons, employees, equipment, and facilities.

NOTE: When coming on duty at WTA Stations, Officers are expected to report to/checking with the on-duty Station Expediter (WTA code names are Hawkeye at Bellingham Station, North Star at Cordata Station). Officers should also do a WTA radio and channel check with these expeditors.

When going off duty, Officers should advise the on-duty Expediter(s).

Officers are asked to periodically check in with the Customer Service representatives at the Bellingham Station.

- 1. Officers are expected to be a high profile presence on the Bellingham Station concourse and the public areas of the passenger lobby.** Officers will assist the Station Expeditors (aka Hawkeyes/Northstar) and Supervisors in observing and controlling conduct in WTA areas. The WTA wishes Officers to generally discourage loitering. The Station facilities are for the use of patrons getting on and off the buses or otherwise conducting WTA business. The loitering rule is applied on a case by case basis subject to legal authority and the facts of each situation. By way of guidance, generally if persons are not being a problem, they may remain on the property for a reasonable amount of time. However, if people are gathering in groups only without conducting WTA business, they may be asked to leave the premises.
- 2. Officers should have a basic familiarity with bus arrival and departure times.** Officers are encouraged to greet as many buses as possible and to become familiar with the transit schedules and general bus route destinations as officers may be needed to respond to a particular bus or route on short notice. Please note: Officers will often be asked by patrons about the schedule.
- 3. Patrol.** When at the downtown Bellingham Transit Station (aka BTC), officers will endeavor to patrol the entire length of the passenger concourse as well as the interior of the lobby at least several times an hour unless operations require otherwise. When at the Cordata Station officers will endeavor to patrol the entire length of passenger concourse A & B several times an hour unless operations require otherwise. Officers should continually be on the lookout for suspicious packages and behavior. Officers should monitor the activities and amount of time

patrons spend in the BTC lobby or on the concourse. Officers may regularly ask questionable persons what bus they are waiting for, and see that they don't spend too much time loitering on WTA properties. Patrons should be waiting for buses either on the concourse or in the BTC lobby.

4. **Customer Service Office** Bus passes are sold at the Customer Service Office in the main Station building. Occasionally significant amounts of cash are kept at that location. Checking the interior of this building regularly will be important as the Customer Service Representatives (CSR's) are often alone in the building. Because of specialized equipment and the detailed duties of the CSR's this business office is generally off limits to all other personal. Occasionally, the CSR's are required to load or unload the change machine. Officers will periodically be asked to accompany a WTA Customer Service Representative while they open the Bellingham Station Change/Cash Machine. This is typically done one day in the afternoon Mon thru Friday.
5. **Cordata Station.** To the extent operationally feasible, at the Officer's discretion, the on duty Officer should periodically, ie once or twice a week, proceed to Cordata Station, either by bus or patrol car to maintain a limited Officer presence and familiarity with that facility in observing and controlling conduct in all WTA Station areas. The WTA wishes Officers to generally discourage loitering. The Station facilities are for the use of patrons getting on and off the buses or otherwise conducting WTA business. The loitering rule is applied on a case by case basis subject to legal authority and the facts of each situation. By way of guidance, generally if persons are not being a problem, they may remain on the property for a reasonable amount of time. However, if people are gathering in groups only without conducting WTA business, they may be asked to leave the premises.
6. **WTA Properties.** For purposes of patrol and enforcement , the WTA owns and controls all the property described as :
 - Bellingham Station, the main passenger lobby and CSR office area; the fenced area around the concourse up to but not including the sidewalk fronting E. Magnolia St.; the sidewalk fronting 1400 Block of Railroad Avenue; and next to the entrance plaza. For reporting purposes, the address of the Bellingham Station is 208 E. Magnolia.
 - Cordata Station, from Short Street, south to the Dairy Queen, from Cordata Parkway, east to metal fence at back of Park & Ride lot. For reporting purposes, the address of the Cordata Station is 4194 Cordata Parkway.
7. **WTA Rules of Conduct.** *See Appendix 1-A Rider Suspension Policy Officers working transit duties are expected to know and will enforce the "Rules of Conduct" listed below for the WTA facilities and buses. The officer's enforcement of these "Rules of Conduct" is subject to state law, including officer discretion to arrest. These rules apply to all passengers and patrons of WTA while on WTA properties. WTA properties (including buses) are "semi-private" meaning that, while the public has access and a right to use, WTA reserves the right to establish specific rules of conduct and enforce them on their properties to the extent authorized by law. The following are prohibited acts as per WTA policy:

- 1.) Bicycle riding, skateboarding, or in-line skating
- 2.) Walking/running in or obstructing the driveways of the Bellingham Station and Cordata Station
- 3.) Obstructing passenger access to and from buses and buildings
- 4.) Loitering
- 5.) Fighting or roughhousing
- 6.) Panhandling of ANY kind
- 7.) Using abusive language
- 8.) Littering
- 9.) Spitting
- 10.) SMOKING

8. **Any criminal act or infraction is also prohibited on WTA properties.** *WTA Supervisors prefer that either they or the Station Expediter (Hawkeye at Bellingham terminal or Northstar at Cordata) accompany officers during contact with any patrons for rule violation or criminal/infraction enforcement whenever possible and safe. Whenever possible, the duration of the trespass should be discussed with a WTA Supervisor prior to being enacted. *Also see Unlawful Transit Conduct Law RCW 9.91.025 Appendix 1-B.
9. **Areas of restriction in a Trespass.** Patrons may be trespassed from the Bellingham or Cordata Station only, or from all WTA property and services including bus stop shelters.
10. **Short term Trespasses.** Officers may, in their discretion, place a short term trespass upon a patron, such as a day or two away from the WTA premises, or excluding that person(s) from a certain bus for the day. The Officer may do so without prior approval from a Supervisor but the Officer should notify a WTA Supervisor or Station Expediter of the action taken so that WTA may monitor the trespassed individual for proper enforcement of the trespass.
11. **Documentation of a Trespass.** If an individual is trespassed, the Officer will assure the individual is properly informed of the trespass' terms. This includes the **Process of Appeal**. For every case of formal trespassing of a patron the following steps will be completed:
 - a. Gather all pertinent personal identification information from the individual
 - b. Have a picture taken of the subject by the Station Expediter or WTA Supervisor
 - c. Obtain a Bellingham PD case number
 - d. Appeal . . . person must call the Director of Operations, Paul @360-676-6843
 - e. Pass all information to the WTA Supervisor or Station Expediter

IMPORTANT WTA ADDRESSES:

Bellingham Station: 205 E. Magnolia, Bellingham, WA 98225

Cordata Station: 4194 Cordata Station, Bellingham, WA 98226

WTA Maintenance, Operations, and Administrative Base (MOAB)
4111 Bakerview Spur Road, Bellingham, WA 98226