TO: City Council

FROM: Troy Niemeyer, Finance Director

DATE: October 20, 2026

SUBJECT: Interlocal Agreement with Thurston County Public Defense for Indigent Defense Legal Services

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1) Recommended Action:

Authorize the Mayor to sign the interlocal agreement with the Thurston County Office of Public Defense.

The agreement was recommended for approval on the consent calendar at the October 7, 2026 Public Health and Safety Committee meeting.

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2) Background:

In 2012 the City of Tumwater City Council decided to outsource its municipal court and contract with Thurston County for court services. In 2013 the City entered into an interlocal agreement with Thurston County's Office of Assigned Council, now referred to as Thurston County Public Defense (TCPD), to provide indigent defense legal services. A supplemental agreement for services was also approved in 2013 detailing the services to be provide and the cost of those services. That agreement was renewed in 2018, 2020, 2022 and 2024. This is a new, updated agreement to contract for the same services in 2027 and 2028.

Patrick O'Connor, Director of TCPD, presented to the Public Health and Safety Committee on September 2, 2026 to give a general update on the services they provided under this agreement.

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3) Policy Support:

2026-2032 Strategic Priorities & Goals: Tumwater Excellence: refine and sustain a great organization. Be good stewards of public funds by following sustainable financial strategies.

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4) Alternatives:

- ❑ Direct staff to explore other options for providing indigent defense services.
- ❑ Direct staff to place this item on the considerations calendar instead of the consent calendar.

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5) Fiscal Notes:

The total cost of this agreement is $685,490 over the two-year term ($327,189 in 2027 and $358,301 in 2028). The two-year costs are increasing by $200,790 due to the Washington State Supreme Court decision on public defense caseload standards. The full scope of the Supreme Court decision will be phased in over six years. Thurston County estimates that Tumwater will need two full-time attorneys in 2027 and 2028 (an increase of one FTE) to make adequate progress in addressing the new requirements.

6) Attachments:

A. Attachment A – Interlocal Agreement with Thurston County Public Defense for Indigent Defense Legal Services