

RESOLUTION NO 2024 - 037
CITY OF LAKE CITY, FLORIDA

A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA, APPROVING THAT CERTAIN INTERAGENCY AGREEMENT BETWEEN THE LAKE CITY POLICE DEPARTMENT AND THE CLERK OF THE COURT FOR COLUMBIA COUNTY, FLORIDA FOR CRIMINAL JUSTICE INFORMATION EXCHANGE AND COMPUTER USAGE; RECOGNIZING THE AUTHORITY OF THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID AGREEMENT; DIRECTING THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID AGREEMENT; DIRECTING THE CHIEF OF POLICE OF THE LAKE CITY POLICE DEPARTMENT TO JOIN THE MAYOR IN EXECUTING SAID AGREEMENT; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City (“City”) by and through the Lake City Police Department (“LCPD”) recently participated in an audit with Florida Department of Law Enforcement (“FDLE”); and

WHEREAS, the audit was related to Criminal Justice Information System compliance; and

WHEREAS, the current interagency agreement between the LCPD and the Clerk of the Court for Columbia County, Florida (“Current Agreement”) was adopted by the City of Lake City City Council by Resolution 2018-087; and

WHEREAS, FDLE and the City desire to adopt a revised interagency agreement between the LCPD and the Clerk of the Court for Columbia County, Florida (“Revised Agreement”) providing for new terms and conditions to supersede the Current Agreement; and

WHEREAS, in the form of the Exhibit attached hereto; and

WHEREAS, adopting the Revised Agreement is in the public interest and in the interests of the City; now therefore

BE IT RESOLVED by the City Council of the City of Lake City, Florida:

1. Adopting the Revised Agreement is in the public interest and in the interests of the City; and
2. In furtherance thereof, the Revised Agreement in the form of the Exhibit attached hereto should be and is approved by the City Council of the City of Lake City; and
3. The Mayor of the City of Lake City is the officer of the City duly designated by the City’s Code of Ordinances to enforce such rules and regulations as are adopted by the City Council of the City of Lake City; and
4. The Mayor of the City of Lake City is authorized to execute on behalf of and bind the City to the terms of the Revised Agreement; and
5. The Mayor of the City of Lake City is directed to execute on behalf of and bind the City to the terms of the Revised Agreement; and

6. The Chief of Police of the Lake City Police Department is directed to join the Mayor in executing the Revised Agreement; and
7. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
8. This resolution shall become effective and enforceable upon final adoption by the City Council of the City of Lake City.

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at a regular meeting, this ___ day of May, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY, FLORIDA

Hon. Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF
THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney

INTERAGENCY AGREEMENT
BETWEEN
THE LAKE CITY POLICE DEPARTMENT
AND
THE CLERK OF COURT OF COLUMBIA COUNTY, FLORIDA
FOR CRIMINAL JUSTICE INFORMATION EXCHANGE AND COMPUTER USAGE

WITNESSETH

WHEREAS, The **Lake City Police Department** hereafter referred to as the "LCPD", and the **Clerk of the Court for Columbia County Florida**, hereafter referred to as the "Clerk", are criminal justice agencies, formally recognized by the Federal Bureau of Investigations. (FBI) and the Florida Department of Law Enforcement (FDLE); and

WHEREAS, The LCPD maintains electronic databases and applications (System) for the creation and storage of offense reports, hereafter referred to as Criminal Justice Information (CJI); and

WHEREAS, The LCPD and the Clerk wish to routinely share CJI for the administration of criminal justice;

NOW THEREFORE, The parties agree as follows,

1. The LCPD will provide the Clerk access to CJI systems for search capabilities, information storage, and case management. Access to these systems will be provided through a FIPS 140-2 certified encrypted path.
2. The LCPD and the Clerk may also exchange CJI, as needed, via voice and/or physical paper dissemination.
3. Both the LCPD and the Clerk will utilize the records for criminal justice purposes.
4. The LCPD and the Clerk agree to abide by all applicable local, state, and federal laws, rules and regulations, with regards to the use of said electronic systems.
5. Both parties agree to abide by all the terms and conditions of the Criminal Justice User Agreement executed between the FDLE and each party, to include but not be limited to the FBI CJIS Security Policy.
6. Both LCPD and the Clerk agree that they shall make use of the records for authorized criminal justice purposes only.
7. Both parties will disseminate CJI related information obtained from one another only for criminal justice purposes.
8. Both parties agree to maintain any information obtained from one another in a secure place, and will destroy records containing such information in compliance with all applicable federal and

state laws.

9. All CJIS data transmitted over any public network segment must be encrypted as required by the FBI CJIS Security Policy.
10. To the extent provided by the laws of Florida, the parties agree to be responsible for the violations, negligent acts or omissions of their agency's' personnel arising out of or involving any information contained in, received from, entered into or through the receipt of the records.
11. Both parties must ensure all devices with connectivity to CJI systems and/or data employ virus protection software and such software shall be maintained in accordance with the software vendor's published updates; and will promptly and fully patch Windows and other software present on all such devices, after any necessary testing, upon such patches becoming available.
12. CJI may only be accessed via computers or interface devices owned by the criminal justice agencies or contracted entities. Personally owned devices shall not be authorized to access, process, store, or transmit CJI. Vendors under contract with the hosting agency may be allowed access provided all requirements of the FBI CJIS Security Addendum are complied with and member security training is current as required by the FBI CJIS Security Policy.
13. All policies, procedures and operating instructions contained in the FBI CJIS Security Policy are hereby incorporated into and made a part of this agreement, except to the extent that they are inconsistent herewith or legally superseded by higher authority.
14. Both LCPD and the Clerk will have a written policy for discipline of personnel who access CJI for purposes that are not authorized, disclose information to unauthorized individuals or in an unauthorized manner, or violate CJIS rules, regulations or operating procedures.
15. The Clerk shall submit instances of violations to the proper point of contact within the LCPD for follow-up.
16. The LCPD and the Clerk have an obligation to report instances of misuse to the FDLE for follow up of applicable investigation and applicable discipline in compliance with the FBI CJIS Security Policy.
17. The LCPD reserves the right to deny CJI or related records to any individual based on valid, articulable concerns for the security and integrity of CJIS and related programs/systems information.
18. Either party may terminate this agreement upon thirty (30) days written notice.

This agreement constitutes the entire agreement of the parties and may not be modified as amended without written agreement executed by both parties.

IN WITNESS HEREOF, the parties hereto have caused this agreement to be executed by the proper officers and officials.

BY THE MAYOR OF THE CITY OF LAKE CITY, FLORIDA

Hon. Stephen M. Witt, Mayor Date
CITY OF LAKE CITY POLICE DEPARTMENT

Gerald Butler, Chief of Police Date

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF
THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

CLERK OF COURT, COLUMBIA COUNTY, FLORIDA

James M. Swisher, Jr., Clerk of Court Date