

CITY OF MEDINA, WASHINGTON

RESOLUTION NO. 443

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, ESTABLISHING AN UNIFIED FEE SCHEDULE FOR VARIOUS SERVICES, PERMITS AND APPLICATIONS WITHIN THE CITY, ADOPTING A FEE STUDY FOR BODY-WORN CAMERA VIDEO REDACTION COSTS, ESTABLISHING THE CITY'S BODY-WORN CAMERA REDACTION FEES, AND ADDING THESE FEES TO THE CITY'S FEE SCHEDULE FOR PUBLIC RECORDS REQUESTS, AND REPEALING PRIOR FEE SCHEDULES ADOPTED BY RESOLUTION.

WHEREAS, the City has historically begun adopting all fees by resolution in order to consolidate fees and keep them updated routinely; and

WHEREAS, the City has three different fee schedules that are in Resolution Nos. 300, 406 and 417 and these should be consolidated into a single location for ease of review by the public and the City; and

WHEREAS, the City of Medina started using body-worn cameras in recent years and therefore has the obligation to maintain, review, and produce video recordings from the body-worn cameras; and

WHEREAS, the City desires to impose a body-worn camera redaction fee schedule and incorporate it into the current fee schedule; and

WHEREAS, throughout this Resolution, the term "redaction" shall mean the act of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body-worn camera recording; and

WHEREAS, under the Public Records Act ("PRA"), RCW 42.56.070(7) and RCW 42.56.120 prescribes that agencies may be reimbursed for the costs of providing copies of public records to requestors; and

WHEREAS, RCW 42.56.120(4) allows government agencies to: require a deposit in an amount not to exceed ten percent (10%) of the estimated cost of providing copies for a request, including a customized service charge; when an agency makes a request available on a partial or installment basis, the agency may charge for each part of the request as it is provided; when an installment of records request is not claimed or reviewed, the agency is not obligated to fulfill the balance of the request; waive any charge assessed for a request pursuant to agency rules and regulations; enter into any contract,

memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges or in response to a voluminous or frequently occurring request; and

WHEREAS, RCW 42.56.240(14)(f)(i) authorizes cities whose police departments have a body-worn camera program to require any requester not listed in RCW 42.56.240(14)(e) to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body-worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in RCW 42.56 et. seq. or any applicable law; and

WHEREAS, the City has analyzed the 2018 Body-Worn Video Redaction Cost Study, attached hereto as Exhibit A completed by the Seattle Police Department, which determined the amount of time it takes to redact such body-worn camera footage, and multiplied that amount of time by the City Police Department Records Staff salaries to determine the “reasonable cost” for such redactions; and

WHEREAS, the City has determined that the Cost Study provided in Exhibit A is reasonable and the City wishes to adopt said study for the purpose of calculating charges applicable to public record requests involving body worn camera footage; and

WHEREAS, the City wishes to adopt a fee schedule that allows the City to recover the cost of actual staff time incurred by the City for redacting body-worn camera footage; and

WHEREAS, the City has decided not to consider the cost of its body-worn camera redaction software/program in the calculation of its redaction rate at this time, but the City may decide to calculate this into its redaction rate in the future; and

WHEREAS, the City will charge for redactions based on the parameters provided in the Public Records Act; charge staff time applicable to redacting videos; charge staff time (salary only) for no more than the lowest-paid employee assigned responsibility for redacting video; and

WHEREAS, the salary rate for the Records Manager for the Medina Police Department is approximately determined to be \$0.85 per minute. This amount does not include the benefits paid to the Records Manager or other overhead costs. The City intends to charge requestors at the specified rate per minute of Records Manager time to redact body-worn camera video footage. This rate is below the actual cost incurred by the City for redacting body-worn camera footage; and

WHEREAS, the City’s Police Department has a trained Records Manager who applies their expertise to redact video in an efficient and skillful manner; and

WHEREAS, the City’s Police Department uses redaction technology that most efficiently and effectively meets the administrative and operational needs of the City; and

WHEREAS, the City will incorporate its adopted Body-Worn Camera Redaction Fee into its Unified Fee Schedule and make it publicly available on its website; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RESOLVES AS FOLLOWS:

Section 1. Preliminary Findings in Support of Resolution. The City Council hereby adopts the foregoing recitals as its legislative findings in support of this Resolution.

Section 2. Adoption of Body-Worn Video Redaction Study. The 2018 Body-Worn Video Redaction Cost Study, attached hereto as Exhibit A was completed by the Seattle Police Department, which determined the amount of time it takes to redact such body-worn camera footage, and multiplied that amount of time by the City Police Department Records Staff salaries to determine the “reasonable cost” for such redactions. The City of Medina has determined that the Cost Study provided in Exhibit A is reasonable and the City hereby adopts Exhibit A as the Medina study for the purpose of calculating charges applicable to public record requests involving body worn camera footage.

Section 3. Adoption of Fee Schedule. The Fee Schedule attached to this Resolution as Exhibit B is hereby adopted as the Fee Schedule for the City of Medina.

Section 4. Repeal of Prior Fee Resolutions. Resolution Nos. 400, 406, and 417, being fully replaced by this Resolution are hereby repealed.

Section 5. Effective Date. This Resolution shall take effect immediately upon passage by the Council and signature of the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 13TH DAY OF MAY, 2024 BY A VOTE OF ____ FOR, ____ AGAINST, AND ____ ABSTAINING, AND SIGNED IN AUTHENTICATION THEREOF ON THE 13TH DAY OF MAY, 2024.

Jessica Rossman, Mayor

APPROVED AS TO FORM:
Inslee, Best, Doezie & Ryder, P.S.

ATTEST:

Jennifer S. Robertson, City Attorney

Aimee Kellerman, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
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Attachments:

Exhibit A – Fee Study For Body-Worn Camera Video Redaction Costs

Exhibit B – Fee Schedule