



MEDINA, WASHINGTON

AGENDA BILL

Monday, May 13, 2024

Subject: Adoption of Updated Fee Schedule, including for Body Worn Camera Fees for Redaction Costs

Category: Consent

Staff Contacts: Jennifer Robertson, City Attorney, Aimee Kellerman, City Clerk, and Steven R. Wilcox, Development Services Director

Summary

1. General Housekeeping Updates and Consolidation of Unified Fee Schedule.

The City has historically begun adopting all fees by resolution in order to consolidate fees and keep them updated routinely. This is a best practice as it makes it easier for the public and the staff to locate fees that the City charges for various services. Currently, the City has three different fee schedules that are in Resolution Nos. 400, 406 and 417. The attached resolution consolidates these fees into a single location.

2. Adoption of Redaction Costs for Body Worn Camera Recordings under the PRA.

In addition to consolidating fees, the attached Resolution adds fees for redaction of body worn camera footage that is requested under the Public Records Act, Ch. 42.56 RCW ("PRA"). The City of Medina started using body-worn cameras in recent years which created an obligation to maintain, review, and produce video recordings from the body-worn cameras in accordance with the PRA. Therefore, a body-worn camera redaction fee schedule needs to be created which is incorporated into the current fee schedule.

Under the PRA, RCW 42.56.070(7) and RCW 42.56.120 prescribe that agencies may be reimbursed for the costs of providing copies of public records to requestors. 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)¹ 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 legal exemptions. As part of creating a fee schedule for redactions, the City analyzed the 2018 Body-Worn Video Redaction Cost Study completed by the Seattle Police Department. The study 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 Police Department deems the Study reasonable and recommends that the City adopt the study for the purposes of calculating charges applicable to public record requests involving body worn camera footage and to adopt new sections into the City fee schedule that allows the City to recover the cost of actual staff time incurred by the City

¹ These are the law enforcement or corrections agencies, victims, defendants, attorneys representing involved parties, certain state agencies, etc. who can obtain relief from redaction costs. Other requestors cannot obtain relief and must reimburse the City for the redaction costs.

for redacting body-worn camera footage. More details about how the City will charge for redactions are contained in the Resolution Recitals.

This Resolution Adopting a Unified Fee Schedule meets and supports Council's priorities 1, 3 and 4.

Council Priorities:

1. Financial Stability and Accountability
2. Quality Infrastructure
3. Efficient and Effective Government
4. Public Safety and Health
5. Neighborhood Character and Community Building

Attachments

Resolution No. 443 with **Exhibit A** – Body Worn Video Redaction Study and **Exhibit B** – Updated Fee Schedule

Budget/Fiscal Impact: By adopting fees for services, the City will collect appropriate fees to reimburse the City's costs.

Recommendation: Adopt Resolution No. 443.

City Manager Approval: 

Proposed Council Motion: "I move adoption of Resolution No. 443, 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.