

**CITY OF MONROE
RESOLUTION NO. 023/2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, AMENDING THE CITY OF MONROE MASTER FEE SCHEDULE, MISCELLANEOUS CHARGES, TO PROVIDE FOR CUSTOMIZED SERVICE CHARGES (IT SERVICES); OUTSIDE VENDOR FEES; POSTAGE AND MAILING FEES; BODY-WORN CAMERA FOOTAGE REDACTION FEES; AND TO PROVIDE FEE WAIVERS FOR SMALL REQUESTS AND CRIME VICTIMS

WHEREAS, the City Council of the City of Monroe has determined that it is in the best interests of the City of Monroe to provide a single, efficient, and convenient listing of all fees, fines, penalties, interest, and charges for permits, licenses, services, applications and filing fees; and

WHEREAS, such a listing better facilitates the updating and uniform review of all such fees, fines, penalties, interest and charges on a periodic basis; and

WHEREAS, previous resolutions provide for fees that require review from time to time; and

WHEREAS, the Master Fee Schedule of Fees, Fines, Penalties, Interest and Charges for 2017 was adopted through Resolution No. 022/2016, and amended through Resolution Nos. 016/2017, 019/2017, and 021/2017; and

WHEREAS, through Engrossed House Bill 1595, effective July 23, 2017, the Washington State Legislature amended the Public Records Act, RCW 42.56.120, to: authorize the use of new statutory default costs for copying, scanning, and transmitting public records; to authorize agencies to charge requestors for the cost of necessary IT expertise to prepare data compilations or customized access services; to require agencies to find that it would be unduly burdensome to calculate actual costs before imposing statutory default costs; and to authorize the waiver of fees for the provision of records pursuant to agencies' rules and regulations; and

WHEREAS, the City imposed the statutory default costs through Resolution No 019/2017, which included a finding of undue burden, and pursuant to that finding the City would like to add fees for customized services charges, digital storage media/devices, mailing containers/envelopes, and postage/delivery charges as authorized under the statutory default fee provisions of Engrossed House Bill 1595; and

WHEREAS, the City is not able to reproduce all records in its possession in-house, and would like to provide the option for a requestor to use an outside vendor for these reproduction services, and for the City to be reimbursed for the cost of outside vendor services; and

WHEREAS, RCW 42.56.240(14)(f)(1) authorizes cities whose Police Departments had a body-worn camera program in place as of June 9, 2016, to charge certain requestors seeking body-worn camera footage the reasonable costs of staff time taken to redact that footage; and, as the City initiated its body-worn camera program for the Monroe Police Department through Resolution No. 007/2016, adopted May 10, 2016, the City would like to impose such charges for public records requests for body-worn camera footage which must be redacted before production; and

WHEREAS, the City finds that it is inefficient to collect fees for copies when the total amount due (inclusive of multiple installments) is less than one dollar and fifty cents, and that it is in the best interest of the public to provide victims of crimes with records of the relevant offenses, and therefore wishes to establish a rule or regulation waiving these fees; and

WHEREAS, additional amendments to the Master Fee Schedule, Schedule G, Miscellaneous Charges, are necessary to come into compliance with RCW 42.56.120 and current procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals and the content of Agenda Bill No. AB17-XXX as legislative findings in support of this resolution.

Section 2. Amendment of Master Fee Schedule, Schedule G. The City of Monroe Master Fee Schedule, Schedule G, Miscellaneous Charges, is hereby amended as follows:

Copies*	
Copies - customized service charge**	actual costs
Copies – digital storage media/device (e.g. cd/dvd/flash drive)	actual costs
Copies – electronic (files/attachments)	\$0.05/four files
Copies – electronic (gigabyte)	\$0.10/gigabyte
Copies - mailing container/envelope	actual costs
Copies – outside vendor fees***	vendor fees
Copies – paper (black and white)	\$0.15/page
[COPIES – PAPER (COLOR)]	\$0.50/PAGE]
Copies – postage/delivery charges	actual costs
Copies – scanning	\$0.10/page
[COPIES – MAPS (BLACK AND WHITE OR COLOR) ANSI]	
[A – 8.5" X 11"	\$2.00]
[B – 11" X 17"	\$3.00]
[C – 17" X 22" ³	\$7.50]
[D – 22" X 34" ³	\$14.50]
[E – 34" X 44" ³	\$21.50]
[³ IF PREMIUM PAPER IS REQUESTED ADD 10 PERCENT TO COST.]	
[COPIES/DATA – DVD/CD'S	\$5.00/EACH]

[COPIES/DATA – USB FLASH DRIVE (8GB)]	\$10.00/EACH]
[COPIES/TAPES (AUDIO)]	\$5.00/each]
[COPIES/TAPES (VIDEO)]	\$10.00/each]

And

Police Related Services****	
Visa/Clearance Letter	\$7.50
Copy of Collision Report (min/first 5 pages)	\$1.50
Copy of Collision Report - Additional pages	\$0.15/page
Staff redaction time for body-worn camera footage*****	\$0.79/minute
[COPY OF CASE REPORT (MIN/FIRST [5] PAGES)]	\$1.50]
[COPY OF CASE REPORT – ADDITIONAL PAGES]	\$0.15/PAGE]
[ELECTRONIC HOME DETENTION/COMMUNITY SERVICE APPLICATION FEE]	\$25.00]
[ELECTRONIC HOME DETENTION STANDARD MONITORING ⁴]	\$15.00/daily]
[ELECTRONIC HOME DETENTION ALCOHOL MONITORING ⁴]	\$20.00/daily]
[ELECTRONIC HOME DETENTION GPS MONITORING ⁴]	\$15.00/daily]
[⁴ DEPENDING ON EQUIPMENT REQUIREMENTS]	

Fee Schedule Notes:

*The fees for copying may be combined to the extent more than one applies to a particular request. The City may enter into alternative fee agreements with requestors as provided in RCW 42.56.120(4). Fees for copies will be as provided above if the total amount due (inclusive of multiple installments) is more than \$1.50; any charges where the total amount due is under \$1.50 will be waived. The City will also waive any fees for copies of case reports when the requestor is the victim of a crime documented in the requested report.

**The City may charge actual costs of obtaining specialized information technology expertise should a request require the use of these services to prepare data compilations or provide customized electronic access services (when not used for other City purposes) pursuant to RCW 42.56.120(3).

***The City will provide copies of paper records up to 11" X 17" at the fees listed above; for any copies of paper records requested at a size larger than 11" X 17", copies of records in a format that the City is not able to produce in-house, or copies that can be made more efficiently and/or less expensively at an outside vendor, records may be sent to a secure outside vendor for scanning/copying/reproducing through arrangement with the City, and the requestor shall arrange payment directly with the vendor for these services.

****The City will assess fees for copies of police records in accordance with the general fee schedule for copies except as noted above.

*****The City will charge all requestors requesting body-worn camera footage except those listed in RCW 42.56.240(e)(i) for the time it takes the City to redact the footage. See RCW 42.56.240(14)(f)(1). These charges are based on the average per-minute salaries of the City employees responsible for video redaction. For the purposes of providing requestors estimated costs of a request under RCW 42.56.120(2)(f), the City estimates that redaction takes ten minutes of staff time per minute of raw footage for targeted video redaction (with or without audio redaction); five minutes of staff time per minute of raw footage for targeted audio redaction alone; and one minute total per video for complete screen blur and audio removal.


Section 3. Effective Date. The City of Monroe Master Fee Schedule, and fees, fines, penalties, interest, and charges, as amended, will be effective November 14, 2017. It is the express intent of the City Council for the amended fees set forth in Section 2 to apply fully to ongoing public records requests submitted prior to the effective date of this resolution, with respect to any installments thereof that have not yet been produced by that date.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 14th day of November, 2017.

Approved: November 14, 2017
Effective: November 14, 2017

CITY OF MONROE, WASHINGTON


(SEAL)



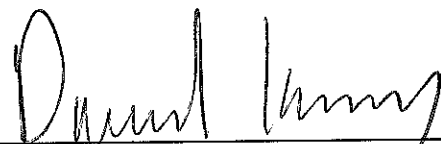
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:



Elizabeth M. Adkisson, MMC, City Clerk



Daniel P. Kenny, City Attorney