

July 6, 2015

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8941 authorizing execution of an amendment to the existing Interlocal Agreement between Bellevue and King County for use of electronic fingerprint equipment provided by the Regional Automated Fingerprint Identification System (AFIS) Program.

FISCAL IMPACT

The Amendment has no fiscal impact. The current 2013-2018 AFIS levy funds this equipment.

STAFF CONTACT

Stephen Mylett, Chief of Police, 452-4334

Mike Johnson, Deputy Chief of Police, 452-4288

Melissa Chin, Legal Advisor, 452-7826

Police Department

POLICY CONSIDERATION

This interlocal agreement provides Bellevue with the equipment and database as a means by which fingerprints are transmitted into AFIS, resulting in the positive identification of individuals. The amendment will protect the City from having to indemnify the County for the County's negligence or willful misconduct arising in any way relating to the installation, maintenance, or use of the County's fingerprint equipment.

DIRECTION NEEDED FROM COUNCIL

 X Action

BACKGROUND

On October 20, 2014, Council passed Resolution No. 8814 authorizing execution of an Interlocal Agreement between the City and King County regarding the use and maintenance of electronic fingerprint equipment provided by the Regional Automated Fingerprint Identification System (AFIS) Program. An amendment is proposed to Section VII of the Agreement (Indemnification and Limitation of Liability) that adds language to the indemnification clause stating that the City will hold harmless the County from all claims, actions, suits, liability, loss, costs, expenses, and damages arising out of or in any way relating to the installation, maintenance, or use of the County's fingerprint equipment "except for injuries and damages caused by the negligence or willful misconduct of the County, its officers, or employees." This change protects the City from indemnifying against the County's negligence or willful misconduct.

This Amendment is proposed by King County after negotiations with several other Cities resulted in the modification of the indemnity provision. In attempts to make all ILAs uniform, King County has proposed the Amendment to the first batch of Cities who signed prior to the language modification. Per the Agreement, all amendments shall be approved by the governing body of each party.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt the Resolution authorizing execution of an amendment to the existing Interlocal Agreement between Bellevue and King County for use of electronic fingerprint equipment provided by the Regional AFIS Program.
2. Do not adopt the Resolution and provide alternative direction to staff.

RECOMMENDATION

Option 1.

MOTION

Move to adopt Resolution No. 8941, authorizing execution of an amendment to the existing Interlocal Agreement between Bellevue and King County for use of electronic fingerprint equipment provided by the Regional AFIS Program.

ATTACHMENTS

Proposed Resolution

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Proposed Interlocal Agreement