

**KITTCOM'S GOVERNING AGREEMENT
AMENDMENT #1**

This First Amendment to Kittcom's Governing Agreement (hereinafter this "First Amendment"), is made and entered into this 8th day of September, 2016 by and between KITTCOM (Kittitas County 9-1-1), hereby referred to as KITTCOM and Kittitas County, the participating incorporated municipalities of Kittitas County, the participating Kittitas County Fire Protection Districts, and the Kittitas County Hospital District Number 2, hereby referred to collectively as AGENCIES and each individually as an AGENCY, who are signatories to this Agreement.

WHEREAS, on January 1, 2004, the parties entered into an Interlocal Agreement titled "Kittcom's Governing Agreement" establishing KITTCOM, a separate public agency and consolidated public safety communications center created for the purpose of providing communication and dispatch services for public safety and emergencies in the participating incorporated and unincorporated areas of Kittitas County; and

WHEREAS, pursuant to the Interlocal Agreement, as further provided in Section 17 of the Agreement, the Agreement may be amended at any time by the majority action of the Administrative Board and ratified by a majority of the legislative bodies of all parties to the agreement; and

WHEREAS, the parties desire to add a new section to the Agreement that fully explains and defines the duties of the parties regarding record dissemination in response to public disclosure requests to the individual agencies concerning any records generated and stored via the Spillman Records Management Software system; and

WHEREAS, the new section shall be numbered 23 and titled "Spillman Records Management Software Dissemination Policy;" and

NOW, THEREFORE, in mutual consideration of the terms and conditions hereinafter set forth and those contained in the Agreement, it is hereby agreed as follows:

1. Section 23 of the Interlocal Agreement is hereby created and added as follows:

23. Spillman Records Management Software Dissemination Policy

A. The Spillman Records Management Software system is used by KITTCOM and the AGENCIES to record and maintain data relating to incidents reported to KITTCOM and responded to by the AGENCIES. Some of the records are "prepared, owned, used, or retained" by KITTCOM and some of the records are "prepared, owned, used, or retained" by the AGENCIES. See RCW 42.56.010(3).

B. Public Disclosure Requests for information/data in the Spillman Records Management Software system shall be disseminated/completed as follows:

i. KITTCOM shall be responsible for disseminating the CAD call records in the Calls Table and the associated radio logs, as these are records that are “prepared, owned, used, or retained” by KITTCOM.

ii. Each individual AGENCY shall be responsible for disseminating any incident records and the contents of any associated “tables” specific to the category of incident as these are records that are “prepared, owned, used, or retained” by the individual AGENCY.

iii. Spillman Instant Messaging records are “prepared, owned, used, or retained” by the entity of any participant involved in the conversation. Messages involving personnel from more than one entity may be requested from and shall be provided by any agency whose personnel were involving in the instant message use. Messages involving personnel from only one agency are the responsibility of that agency.

2. After it has been approved by a majority of the Administrative Board, this Amendment shall take effect upon the date signed by majority of the signatories in the same manner as in Section 20 of the original agreement.
3. Except as amended herein, all terms, conditions, and provisions of the existing Interlocal shall remain in full force and effect.

IN WITNESS WHEREOF, the parties to this Amendment have caused their names to affix hereto by the proper officers thereto.



Gene Dana, Chair
KITTCOM Administrative Board

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Obie O'Brien, Commissioner 9/20/14
Kittitas County