

RESOLUTION NO. 1675

A RESOLUTION OF THE CITY OF SNOQUALMIE, WASHINGTON REGARDING RCW 42.56, THE PUBLIC RECORDS ACT, INCORPORATING AN UPDATED PUBLIC RECORDS ACT POLICY, A RECORDS MANAGEMENT POLICY, ADOPTING AN UPDATED FEE SCHEDULE, AND REPEALING RESOLUTION 1501.

WHEREAS, RCW 42.56 is known as the “Public Records Act,” or “PRA”; and

WHEREAS, the PRA requires the City to make nonexempt public records available for inspection and copying, and to establish and publish rules to facilitate disclosure of public records; and

WHEREAS, the City last updated its rules in 2019 through Resolution 1501; and

WHEREAS, the PRA requires all cities and public agencies to maintain and make available a current index of all public records; and

WHEREAS, RCW 42.56.070(4) provides that an agency need not maintain such an index if to do so would be unduly burdensome or interfere with agency operations; and

WHEREAS, City Council adopted, under Ordinance 1216 and codified in Snoqualmie Municipal Code Chapter 2.50 that maintaining a current index of identifying information for the public records would unduly burden and interfere with city operations; and

WHEREAS, RCW 42.56.070(7), RCW 42.56.240(14), and RCW 42.56.120 prescribes that agencies may be reimbursed for the cost of providing copies of records; and

WHEREAS, the City has prepared an updated Public Records Act Policy based on its current procedures; and

WHEREAS, the City has prepared a Records Management Policy, pursuant to RCW 40.14, to establish standard procedures for the preservation and destruction of its public records; and

WHEREAS, the City desires to adopt a new Fee Schedule imposing such charges as allowed by law for the cost of providing requested public records;

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

Section 1. Ordinance 1216, codified in Snoqualmie Municipal Code Chapter 2.50 remains in effect.

Section 2. Resolution 1501 is hereby repealed and is of no force and effect.

Section 3. The Public Records Act Policy, attached as Exhibit A, is hereby adopted as the rules the City will follow in handling public records requests.

Section 4. The Records Management Policy, attached as Exhibit B, is hereby adopted as the governing document regarding how the City will preserve and destroy its public records.

Section 5. The PRA Fee Schedule, attached as Exhibit C, is hereby adopted as the fees imposed in handling public records requests.

Section 6. This Resolution shall be effective immediately upon its passage.

Section 7. Severability. If any portion of this Resolution, Public Records Act Policy, Records Management Policy, or Fee Schedule adopted herein is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other section of this Resolution or the Policies or Schedule adopted herein.

Section 8. The City Clerk or Code Reviser is authorized to make necessary corrections to the Public Records Act Policy or Records Management Policy adopted by this Resolution, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations, or resolution numbering and section/subsection numbering.

PASSED by the City Council of the City of Snoqualmie, Washington, this 22nd day of January 2024.



Katherine Ross, Mayor

Attest:



Deana Dean, City Clerk

Approved as to form:



David A. Linehan (Jan 23, 2024 15:14 PST)

David Linehan, Interim City Attorney

EXHIBIT A PUBLIC RECORDS ACT POLICY

A. PURPOSE AND SCOPE

The City is required by the Public Records Act ("PRA" or the "Act"), Chapter 42.56 RCW, to adopt and enforce reasonable rules and regulations to provide public access to Public Records. This policy complies with the requirements of the PRA by providing for straight-forward, predictable practices for responding to and fulfilling requests for disclosure of Public Records in a manner consistent with the PRA.

This policy includes both statutory requirements and best practices. Except where these provisions are mandated by statute, any duties identified in this policy are discretionary and advisory only and shall not impose any affirmative duty on the City. The City reserves the right to apply, interpret, modify, or suspend this policy at any time.

This policy shall be available at City Hall, the Police Department and posted on the City's website.

B. POLICY

It is the policy of the City of Snoqualmie, (the "City") to release records of the City in compliance with the Public Records Act and any other applicable provisions of federal or state law.

1. Public Records Officer.

- a) Public Records Officer - The City Clerk shall serve as the Public Records Officer ("PRO"). All requests must be submitted to the PRO unless the PRO has delegated the request to a specific staff member.
- b) The Public Records Officer shall:
 - i) Be responsible for implementing the City's process regarding disclosure of Public Records;
 - ii) Serve as the principal contact point with any Requestor who has made a records request to the City, unless the PRO has delegated these responsibilities to a specific staff member;
 - iii) Coordinate City staff in this regard, generally ensuring the compliance of the staff with Public Records disclosure requirements;
 - iv) Make the final decision in cooperation with a legal advisor regarding disclosure and application of exemptions;
 - v) Maintain the agency's indices, if any;
 - vi) Maintain a log of Public Records requests; and
 - vii) Undergo training required of Public Records Officers by Washington State law. (RCW 42.56.152)

2. How to Make a Public Records Request

Individuals submitting PRA requests ("Requestors") should do so via the online form located at www.snoqualmiewa.gov or may contact the PRO via email at cityclerk@snoqualmiewa.gov, by phone at 425-888-8016, at City Hall located at

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38624 SE River Street, Snoqualmie, or via first class mail addressed to City Clerk, City of Snoqualmie, P.O. Box 987, Snoqualmie, WA 98065.

Individuals submitting PRA requests for police records should do so via the online form located at www.snoqualmiewa.gov or may contact the Snoqualmie Police Department via email at policerecords@snoqualmiewa.gov, 425-888-3333 x2, at the Police Department located at 34825 SE Douglas St., Snoqualmie, or via first class mail addressed to Police Records, City of Snoqualmie, P.O. Box 987, Snoqualmie, WA 98065.

All requests should include the following information:

- i) An indication that the request is being made for access to a Public Record pursuant to the PRA.
- ii) The Requestor's name, address, and convenient means of contact, such as email address, phone number, etc.
- iii) The date of the request.
- iv) A description of the Public Record requested that includes sufficient details to allow the City to identify responsive records.
- v) Whether the Requestor wants to inspect records or wants copies. If the Requestor wants copies, the Requestor should indicate if they want the copies mailed or if they want to pick them up.

Washington Courts have recognized that oral requests for Public Records can be problematic and therefore Requestors are strongly encouraged to make written requests using the online form. When a records request is made orally, the PRO shall document the request by creating a request and if an email address is provided, a confirmation will be sent to the Requestor via email. Any oral request must be made during regular business hours.

It is the Requestor's obligation to provide the City with fair notice that a PRA request has been made.

- a) **Identifiable Record.** A Requestor must request an "identifiable record" before the City must respond to it. An "identifiable record" is one that is existing at the time of the request and which City staff can reasonably locate. The Act does not require the City to guess what records are being requested or allow a Requestor to make "future" or "standing" (ongoing) requests for records not in existence. The City is not obligated to hold requests open for records that may be created in the future. If a public record is created after a request is received by the City, it is not responsive to the request and will not be provided. A new request must be made to obtain later created public records.

A request for all or substantially "ALL records" is not a valid request for identifiable records. The City is not required to answer questions about records, City business or City actions, or conduct research for a Requestor.

- b) **Clarification.** When receiving a request that appears to be broad in nature, the Public Records Officer may request clarification from the Requestor to ensure that the appropriate records are identified and to determine if the request can be narrowed. Clarification shall focus on information needed to identify responsive records.

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If the Requestor is unable or unwilling to help narrow the scope of the documents being sought, the City may err on the side of producing more rather than fewer documents. City staff shall not be obligated to decipher which specific documents may be of interest to the Requestor and the Act does not allow a Requestor to search through the City's files for records which cannot be identified or described to the City.

As part of the clarification process, the PRO may work with the Requestor to find ways to narrow the request. When a Requestor agrees to narrow a request, nothing prevents the Requestor from later expanding the request back to its original scope.

If a Requestor does not provide clarification within thirty (30) days and the entire request is unclear, the City may deem the request abandoned and closed. The City will respond to those portions of the request that, in the determination of the PRO, are clear.

- c) **Requests for List of Names.** The PRA prohibits the City from producing a list of names to a Requestor who intends to use the list for commercial purposes. When a Requestor requests a list of names, the Requestor must explain the intended use of the list and will be asked to sign a declaration providing that the list will not be used for commercial purposes. The PRO must conduct research to confirm that the request is not for commercial purposes.
- d) **Bot Requests.** The City may deny a Bot Request that is one of multiple requests from the Requestor to the City within a twenty-four (24) hour period if it is established that responding to the request would cause excessive interference with other essential functions. "Bot request" means a request for Public Records that an agency reasonably believes was automatically generated by a computer program or script.
- e) **Creating Records.** The PRA only applies to records that exist at the time of the request. The PRA does not apply to requests for information or require the City to create a new record.

A request for information, contained in electronic databases, may be considered a request for records, if the information can be *reasonably* extracted to produce a record that is fully or partially responsive to the request. However, as stated above, the city is not required under the PRA to create new records to fulfill a request.

3. Response to Request

- a) **Initial Five-Day Response.** Within five (5) business days of receiving a Public Records Request, the City shall acknowledge receipt of the request and take one or more of the following actions:
 - i) Provide the records or provide notice that the records are available for inspection. If the record requested is available on the City's website, the response may include a specific link to the document;
 - ii) Seek clarification or refinement of the request if needed to identify the record requested and provide to the greatest extent possible a reasonable estimate of the time the agency will require to respond to the request if the request is not clarified.
 - iii) Indicate that the City does not have any responsive records;

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- iv) Indicate that any responsive records are exempt from disclosure and provide an exemption log of the withheld records; or
- v) Provide a reasonable estimate of when the request can be fulfilled. For large requests that will be filled in installments, the response will also indicate when the first installment will be made. When providing a reasonable estimate of time required to fulfill a Public Records request, the PRO may take into account the time required to refine or clarify a request, locate or retrieve requested records, redact or withhold exempt records and create associated documentation, consult with appropriate staff or legal advisor regarding potential exemptions, and notify third parties or other agencies of requests for records of a sensitive nature consistent with the provisions of RCW 42.56.540.
- vi) Deny the request, if authorized by the PRA.

Should an extension of time be necessary to fulfill the request, the Public Records Officer will provide a revised estimate and explain any changed circumstances related to the extension.

Note that in calculating five (5) business days, the following are not counted:
The day the agency receives the request, Saturdays, Sundays, and holidays.

- b) **Installments.** The City may elect to provide records on an installment basis. If a Requestor does not review, claim, or pay for the records requested within the allotted timeframe, the City may deem the request abandoned and closed.
- c) **Multiple Requests by the Same Party.** In order to provide the fullest assistance to all requesters; to prevent damage to or disorganization of City records or excessive interference with other essential City functions; or to assure that the appropriate amount of City time and resources will be fairly allocated among all requests and requesters, the Public Records Officer will queue multiple, open requests from the same individual in the order they are received. Staff is not required to work on additional requests until the initial request is completed and closed. However, staff may choose to fulfill the additional requests if fulfilling them would not be unduly burdensome. The Public Records Officer may ask a requester to prioritize requests. If the requester chooses not to prioritize the Public Records Officer will provide records in the order determined by him/her or his/her designee.
- d) **Notice to Third Parties.** If records being sought contain personal information of an individual or organization, the City may notify that individual or organization to allow third parties to seek relief pursuant to RCW 42.56.540. The City may take this into account when providing an estimate for when the records will be available. Nothing in this policy is intended to create any right to such notice.

If a request seeks information located exclusively in an employee's personnel, payroll, supervisor, or training file, the City must provide notice to the employee, to any union representing the employee, and to the Requestor. The notice must state:

- i) The date of the request;
- ii) The nature of the requested record relating to the employee;
- iii) Copies of the requested record(s).

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- iv) That the City will release any information in the record not exempt from disclosure at least fourteen days from the date the notice is made; and
 - v) That the employee may seek to enjoin release of the records under RCW 42.56.540.
- e) **Later Discovered Documents.** If, after the PRO has informed the Requestor that they have provided all available records, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, they will promptly inform the Requestor of the additional documents and provide them on an expedited basis.
- f) **Log.** The City shall maintain a log, or run a report if applicable, of all requests maintained. This log shall be maintained pursuant to the State Retention Schedules.
- g) **Prevention of excessive interference with essential government functions.** To prevent excessive interference with other essential functions of the City, and to allow the Public Records Officer and other designated City staff members the ability to perform their other assigned duties, the Public Records Officer will spend a maximum of 16 hours per month responding to public records requests. Each department designated staff member assisting the Public Records Officer will spend a maximum of 8 hours per month responding to or assisting with responses to public records requests.

4. City Actions After a Request is Received

- a) **Order of Response.** Fulfillment of requests shall be processed in the order that they are received. Requests may be fulfilled out of order at the discretion of the Public Records Officer.
- b) **Locating Responsive Records.** After receiving a request, the PRO shall identify locations and City Departments where records are likely to be located. The PRO will then notify the appropriate department staff of the request and inform them of the need to search for potentially responsive records. The PRO will then coordinate with the department staff to respond to the request, as needed.

City staff and officials, if applicable, will be prompt in searching for responsive records and providing them to the PRO in accordance with the timeline established by the PRO and providing documentation of their search efforts. If staff or officials are using home computers, personal devices, or personal accounts to conduct City business, those devices and accounts also need to be searched by the staff member or official for potentially responsive records. If the City's contractors performing City work have responsive public records as a consequence of a contract, they should also be notified of the records request. If staff or officials cannot provide the records by the date established by the PRO, they must inform the PRO of a reasonable estimate of how long it will take to provide the records.

In the case of a broad request where the Requestor is unable or unwilling to help narrow the scope of the documents being sought, the PRO may provide all documents located and the search terms used to reasonably locate those documents.

- c) **Identifying Potentially Exempt Records.** The PRO is responsible for identifying records that

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are potentially exempt or contain potentially exempt information for all departments. The PRO or department designee may work with a legal advisor to determine if any exemption applies.

- d) **Failure to Respond.** If the City does not respond in writing within five business days of receipt of the request, the Requestor should consider contacting the PRO to determine whether the request has been received by the City.

5. Exemptions

- a) **Exemptions.** The PRA and other statutes exempt from or prohibit disclosure of certain Public Records. Requested records may only be withheld or redacted consistent with the law, which shall be documented for the Requestor in accordance with the requirements of RCW 42.56.210.

Some Public Records that are otherwise subject to disclosure may contain specific content that is exempt from disclosure. The presence of exempt information does not necessarily exempt an entire record from disclosure. Exempt portions of an otherwise disclosable record shall be redacted prior to inspection or copying, and such redactions shall be documented. The Requestor shall be notified of the redaction in accordance with the requirements of RCW 42.56.210.

Nothing in this policy shall be construed as authorizing the copying of any other document exempt by federal or state law. Police records are subject to RCW 10.97, RCW 42.56, RCW 13.50, RCW 68.50, and RCW 70.48

The Code Reviser's Office annually provides the State Sunshine Committee with a list of public disclosure exemptions contained in the Revised Code of Washington. This list (as may be later amended) is incorporated into this policy as Appendix A. However, the City's failure to list an exemption shall not affect the efficacy of any exemption.

- b) **Withholding Logs and Redaction Logs.** When records are withheld or redacted, the Requestor shall be informed in writing of the statutory citation for the exemption and a brief explanation of the applicable exemption. For withheld records, the City will also provide basic identifying information for each withheld record including the type of record, the date the record was created, the author, and recipients, if any.

6. Inspection.

Records that have not been digitized are not required to be digitized under the PRA. In the event responsive records are located and are not in electronic format, the following shall apply:

- a) **Notice.** Once the PRO has collected all responsive records (or the first installment if the records are being produced on an installment basis), has reviewed the responsive records to remove exempt records and has prepared an exemption log, the PRO shall notify the Requestor that the records are available. Inspection of records shall be by appointment only with the PRO or designee.
- b) **Response by Requestor.** If the Requestor does not contact the PRO to arrange for inspection of one or more of the installments of records within thirty (30) days after the date

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of the notice, the PRO or designee shall stop searching for the remaining records, consider the request abandoned, and close the request. At the PRO's discretion, the thirty (30) period may be extended upon Requestor's request.

- c) Protection of Records. In order for Public Records to be protected from damage or disorganization as required by the Act, the following procedures and practices are hereby instituted:
 - i) No Public Records shall be removed from City Hall without the PRO's permission;
 - ii) Inspection of any Public Records shall be conducted in the presence of the PRO or designee;
 - iii) No Public Record may be marked, defaced, torn, damaged, destroyed, unreasonably disorganized or removed from its proper location or order by a member of the public;
 - iv) Public Records maintained in a file jacket or binders, or in chronological order, may not be dismantled except for the purpose of copying, and then only by City staff; and
 - v) Public Records of the City may be copied only on the copying machines of the City unless other arrangements are made by the PRO.
- d) Loss of Right to Inspect. Inspection shall be denied and the records withdrawn by the PRO if the Requestor, when reviewing records, acts in a manner which will damage or substantially disorganize the records, harasses, or intimidates the PRO or designee, or interferes excessively with other essential functions of the City.
- e) Requestors are urged to take timely action to prevent their requests from lapsing into an abandoned status.

7. Copies of Electronic Records. Records available in electronic format that do not require redaction may be provided in native format. Electronic records that require redaction usually cannot be produced in a native format and will be converted to paper or PDF. When requested and deemed feasible, electronic records may be converted from one format to another provided such conversion is not unduly burdensome.

8. Fee Schedule

- a) Fees shall be charged according to the fee schedule in Exhibit C. Payment of fees is required prior to release of records. If requested by a Requestor, the PRO shall provide a summary of the applicable charges before any copies are made. The Requestor may amend their public records request to reduce the applicable charges.
- b) No fee is charged for locating records, inspecting records in person, or for accessing records made available on the City's website. However, fees may apply for preparing electronic files to paper for inspection. Any fees due will be paid prior to inspection.
- c) The City declares it would be unduly burdensome to calculate the actual costs of providing copies of certain public records, due to variations in copy charges for leased copiers and variations in staff time for manual copying and mailing or uploading or electronically transmitting responsive records. Therefore, except as otherwise indicated, the fee schedule below incorporates the standard fees prescribed in RCW 42.56.120(2)(b) for

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providing public records other than outsourced copies or copies of large-format plans and maps.

- d) **Customized Service Charge.** Customized Access is a matter of law as noted in RCW 42.56.120. The City may assess a customized service charge for exceptionally large records requests that require staff and resources beyond what is normally available to the agency. The fee is in addition to the authorized copying costs and may include reimbursement for the actual costs of providing the records. A customized service charge is warranted if:
- i. Fulfilling the request requires extensive use of information technology resources to identify, locate, format, or translate a record, or provide electronic access services;
or
 - ii. The request requires specialized analytical, research, or supervisory assistance to identify, locate, compile, or transfer the records.

This policy does not apply to records sought under the rules of discovery in the course of litigation. If a requestor is seeking records under discovery, they need to specify this in their request. All records requests made under this policy, regardless of intended use are subject to RCW 42.56 (including the exemptions allowed under the Act).

- e) **Deposit.** The City may require a deposit up to 10% of the estimated costs. When records are being produced on an installment basis, the City may charge for each installment. The decision not to request a deposit shall not serve to waive the City's right to request a deposit for future requests. If a deposit or installment is not paid for within ten (10) days of having been notified, or if the Requestor has not contacted the PRO within this period to make arrangements to pay for the records outside of this ten (10) day period, the City is not obligated to fulfill the balance of the records request and the request may be closed.

9. **Closing the File.** Once all copies of requested records have been provided to the Requestor; the Requestor has inspected the requested records, or thirty (30) days have passed since the Requestor was notified that the records were available and the Requestor has failed to review the records; or the Requestor has failed to pay for the records within the ten (10) days period since the Requestor was notified of the charge, the PRO shall close the request. Upon closing the request, the PRO will provide a closing notice stating the scope of the request and memorializing the outcome of the request.

10. **Administrative Review of Denial.** A Requestor may ask for review of a decision to withhold or redact exempt records by submitting a written petition to the PRO that includes a copy of the redaction or exemption log or detailed description of the City's statement of withholding. The request for review and any relevant information shall be forwarded immediately to the City Attorney or designee, who shall consider the petition and either reverse or affirm the denial within two days of the City's receipt of the petition.

The City and the Requestor may mutually agree to a longer period of time for consideration of a petition for review. If the withholding or redaction is affirmed, the decision shall be considered the City's final action for the purposes of judicial review. If the decision to withhold or redact is reversed, the PRO shall proceed to make the subject records available to the Requestor for inspection in accordance with the provisions of this policy and procedure.

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11. Index of Public Records. For the reasons stated in SMC Chapter 2.50, the City finds that it would be unduly burdensome and would interfere with City operations to maintain an index of records.

12. Retention of Records. The City is not required to retain all records it creates or uses. The Washington State Archivist has developed retention schedules for local government records including e-mail and electronic records. Records of the City shall be retained and destroyed consistent with the retention schedules, which varies depending on the content of the record. If a public records request is made at a time when a record exists, but is scheduled for destruction in the near future, the person with possession and control of the record shall retain the record until the request is resolved.

Backup copies of public records performed by information technology personnel are not a substitute for records retention. Retention is the responsibility of the sender of the record, not the backup process. Backups are for disaster recovery only and files are not individually indexed/identifiable. To avoid interference with essential government operations, and to preserve organization of government records, backup tapes will not be examined in response to a public records request.

The City is not required to retain records longer than the minimum length of time prescribed by law. In order to not artificially extend the retention period of records and/or cause disorganization of the City's records, copies of records compiled for abandoned requests will not be retained. Therefore, records compiled for abandoned requests may not be available for later submittals.

13. Disclaimer of Liability. Neither the City nor any officer, employee, official or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of Public Records if the person releasing the records acted in good faith in attempting to comply with this policy.

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall," nothing in this policy is intended to impose mandatory duties on the City beyond those imposed by state and federal law.

Appendix A

See the Washington State Attorney General's Sunshine Committee webpage for the most up-to-date list of public disclosure exemptions. It is created annually by the Code Reviser's Office.

PRA Rule 090. Exemptions provided by other statutes.

(1) **Exemptions.** RCW 42.56.070(2) requires the city to set forth "for informational purposes" every law, in addition to the Act, that exempts or prohibits the production of public records. Requestors should be aware of the following exemptions, outside the Act, that may restrict the availability of some records held by the City for inspection and copying/scanning:

<u>RCW 2.64.111</u>	Documents regarding discipline/retirement of judges
<u>RCW 2.64.113</u>	Confidentiality – violations
<u>RCW 4.24.550</u>	Information on sex offenders
<u>RCW 5.60.060</u>	Privileged communications
<u>RCW 5.60.070</u>	Court-ordered mediation records
<u>RCW 7.68.140</u>	Victims' compensation claims
<u>RCW 7.69A.030(4)</u>	Child victims and witnesses – protection of identity
<u>RCW 7.69A.050</u>	Rights of child victims and witnesses – addresses
<u>RCW 7.75.050</u>	Records of Dispute Resolution Centers
<u>RCW 9.02.100</u>	Reproductive privacy
<u>RCW 9A.82.170</u>	Financial institution records – wrongful disclosure
<u>RCW 9.51.050</u>	Disclosing transaction of grand jury
<u>RCW 9.51.060</u>	Disclosure of grand jury deposition
<u>RCW 9.73.090(1)(c)</u>	Prohibition regarding specified emergency response personnel recordings
<u>RCW 10.27.090</u>	Grand jury testimony/evidence
<u>RCW 10.27.160</u>	Grand jury reports – release to public only by judicial order
<u>RCW 10.29.030</u>	Organized crime special inquiry judge
<u>RCW 10.29.090</u>	Records of special inquiry judge proceedings
<u>RCW 10.52.100</u>	Records identifying child victim of sexual assault
<u>RCW 10.77.210</u>	Records of persons committed for criminal insanity
<u>RCW 10.97.040</u>	Criminal history information released must include disposition
	Disclosure of identity of suspect to victim
<u>RCW 10.97.080</u>	Inspection of criminal record by subject
<u>RCW 13.32A.090</u>	Crisis residential centers notice to parent about child

<u>RCW 13.34.115</u>	Court dependency proceedings
<u>RCW 13.40.217</u>	Juveniles adjudicated of sex offenses – release of information
<u>RCW 13.50.010</u>	Maintenance of and access to juvenile records
<u>RCW 13.50.050</u>	Juvenile offenders
<u>RCW 13.50.100</u>	Juvenile/children records not relating to offenses
<u>RCW 13.60.020</u>	Missing children information
<u>RCW 13.70.090</u>	Citizen juvenile review board – confidentiality
<u>RCW 18.04.405</u>	Confidentiality of information gained by CPA
<u>RCW 18.19.060</u>	Notification to clients by counselors
<u>RCW 18.19.180</u>	Confidential communications with counselors
<u>RCW 19.215.020</u>	Destruction of personal health and financial information
<u>RCW 19.34.240(3)</u>	Private digital signature keys
<u>RCW 19.215.030</u>	Compliance with federal rules
<u>RCW 26.04.175</u>	Name and address of domestic violence victim in marriage records
<u>RCW 26.12.170</u>	Reports of child abuse/neglect with courts
<u>RCW 26.23.050</u>	Child support orders
<u>RCW 26.23.120</u>	Child support records
<u>RCW 26.26.041</u>	Uniform Parentage Act – protection of participants
<u>RCW 26.26.450</u>	Confidentiality of genetic testing
<u>RCW 26.33.330</u>	Sealed court adoption records
<u>RCW 26.33.340</u>	Agency adoption records
<u>RCW 26.33.343</u>	Access to adoption records by confidential intermediary
<u>RCW 26.33.345</u>	Release of name of court for adoption or relinquishment
<u>RCW 26.33.380</u>	Adoption – identity of birth parents confidential
<u>RCW 26.44.010</u>	Privacy of reports on child abuse and neglect
<u>RCW 26.44.020(19)</u>	Unfounded allegations of child abuse or neglect
<u>RCW 26.44.030</u>	Reports of child abuse/neglect
<u>RCW 26.44.125</u>	Right to review and amend abuse finding – confidentiality
<u>RCW 27.53.070</u>	Records identifying the location of archaeological sites
<u>RCW 29A.08.720</u>	Voter registration records – place of registration confidential

<u>RCW 29A.08.710</u>	Voter registration records – certain information exempt
<u>RCW 35.102.145</u>	Municipal business and occupation tax – Confidentiality, privilege, and disclosure
<u>Chapter 40.14 RCW</u>	Preservation and destruction of public records
<u>RCW 42.23.070(4)</u>	Municipal officer disclosure of confidential information prohibited
<u>RCW 42.41.030(7)</u>	Identity of local government whistleblower
<u>RCW 42.41.045</u>	Non-disclosure of protected information (whistleblower)
<u>RCW 46.52.080</u>	Traffic accident reports – confidentiality
<u>RCW 46.52.083</u>	Traffic accident reports – available to interested parties
<u>RCW 46.52.120</u>	Traffic crimes and infractions – confidential use by police and courts
<u>RCW 46.52.130(2)</u>	Abstract of driving record
<u>RCW 48.62.101</u>	Local government insurance transactions – access to information
<u>RCW 50.13.060</u>	Access to employment security records by local government agencies
<u>RCW 50.13.100</u>	Disclosure of non-identifiable information or with consent
<u>RCW 51.28.070</u>	Worker’s compensation records
<u>RCW 51.36.060</u>	Physician information on injured workers
<u>RCW 60.70.040</u>	No duty to disclose record of common law lien
<u>RCW 68.50.105</u>	Autopsy reports
<u>RCW 68.50.320</u>	Dental identification records – available to law enforcement agencies
<u>Chapter 70.02 RCW</u>	Medical records – access and disclosure – entire chapter (HC providers)
<u>RCW 70.05.170</u>	Child mortality reviews by local health departments
<u>RCW 70.24.022</u>	Public health agency information regarding sexually transmitted disease investigations - confidential
<u>RCW 70.24.024</u>	Transcripts and records of hearings regarding sexually transmitted diseases
<u>RCW 70.24.105</u>	HIV/STD records
<u>RCW 70.28.020</u>	Local health department TB records – confidential
<u>RCW 70.41.200</u>	Hospital quality improvement committee records and accreditation reports
<u>RCW 70.48.100</u>	Jail records and booking photos

<u>RCW 70.58.055</u>	Birth certificates – certain information confidential
<u>RCW 70.58.104</u>	Vital records, research confidentiality safeguards
<u>RCW 70.94.205</u>	Washington Clean Air Act – confidentiality of data.
<u>RCW 70.96A.150</u>	Alcohol and drug abuse treatment programs
<u>RCW 70.123.075</u>	Client records of domestic violence programs
<u>RCW 70.125.065</u>	Records of rape crisis centers in discovery
<u>RCW 71.05.390</u>	Information about mental health consumers
<u>RCW 71.05.395</u>	<u>Chapter 70.02 RCW</u> applies to mental health records
<u>RCW 71.05.400</u>	Information to next of kin or representative
<u>RCW 71.05.425</u>	Notice of release or transfer of committed person after offense dismissal
<u>RCW 71.05.427</u>	Information that can be released
<u>RCW 71.05.430</u>	Statistical data
<u>RCW 71.05.440</u>	Penalties for unauthorized release of information
<u>RCW 71.05.445</u>	Release of mental health information to Dept. of Corrections
<u>RCW 71.05.620</u>	Authorization requirements and access to court records
<u>RCW 71.05.630</u>	Release of mental health treatment records
<u>RCW 71.05.640</u>	Access to treatment records
<u>RCW 71.05.650</u>	Accounting of disclosures
<u>RCW 71.24.035(5)(g)</u>	Mental health information system – state, county and regional support networks – confidentiality of client records
<u>RCW 71.34.200</u>	Mental health treatment of minors – records confidential
<u>RCW 71.34.210</u>	Court records for minors related to mental health treatment
<u>RCW 71.34.225</u>	Release of mental health services information
<u>RCW 71A.14.070</u>	Records regarding developmental disability – confidentiality
<u>RCW 72.09.345</u>	Notice to public about sex offenders
<u>RCW 72.09.585(3)</u>	Disclosure of inmate records to local agencies – confidentiality
<u>RCW 73.04.030</u>	Veterans discharge papers exemption (see related RCW 42.56.440)

<u>RCW 74.04.060</u>	Applicants and recipients of public assistance
<u>RCW 74.04.520</u>	Food stamp program confidentiality
<u>RCW 74.09.900</u>	Medical assistance
<u>RCW 74.13.121</u>	Financial information of adoptive parents
<u>RCW 74.13.280</u>	Children in out-of-home placements - confidentiality
<u>RCW 74.20.280</u>	Child support enforcement – local agency cooperation, information
<u>RCW 74.34.095</u>	Abuse of vulnerable adults - confidentiality of investigations and reports
<u>RCW 82.32.330</u>	Disclosure of tax information
<u>RCW 84.36.389</u>	Confidential income data in property tax records held by assessor
<u>RCW 84.40.020</u>	Confidential income data supplied to assessor regarding real property

Selected Federal Confidentiality Statutes and Rules

18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii) (I)	Limits on Use and Disclosure of Social Security Numbers.
42 USC 654(26)	State Plans for Child Support
42 USC 671(a)(8)	State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7)	State Plans for Medical Assistance
7 CFR 272.1(c)	Food Stamp Applicants and Recipients
34 CFR 361.38	State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67)	Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307	Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420	Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a(b)(2)(A)	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164	HIPAA Privacy Rule
46 CFR 40.321	USCG regulations regarding confidentiality of drug and alcohol test results done by marine employers

EXHIBIT B RECORDS MANAGEMENT POLICY

Purpose

The purpose of this policy is to establish a policy and standard procedures for managing records according to the provisions of Chapter 40.14 RCW and all other state and federal statutes and regulations which govern agency records keeping practices. Organizing and managing records will save space, provide efficient access, and maintain confidentiality where needed.

Scope

This policy applies to all City employees and elected officials. As public employees, we are all stewards of the City's official records and therefore, have a responsibility to actively participate in management of those records. Official records are comprised of a collection of documentation, including legislative, historic, legal, fiscal and administrative documents, as well as essential records.

Records management includes a vast array of elements and each department will strive to ensure proper safekeeping and destruction pursuant to the criteria set forth herein. A concerted effort will be made to adhere to the retention schedules and to destroy all appropriate records that are being stored in various facilities throughout the City and prepare archival material for transfer to the State Archives. All backlogged and inactive records will be stored or destroyed pursuant to the retention schedules.

What is a Public Record?

Chapter 40.14 of the Revised Code of Washington (RCW) contains regulations for the retention, preservation and lawful destruction of public records, and grants authority to Washington State Archives to preserve and protect public records. (Chapter 42.56 RCW defines public records for the purposes of public records requests.) Per RCW 40.14.010, public records are defined by three key criteria:

1. "Made or received by any agency in the State of Washington". Public Records include both the records that an agency creates and those that it receives or collects. For example, when an agency solicits public comment on an issue, both the request for comment and information received in response are public records.
2. "In connection with the transaction of public business". A record provides proof or evidence of agency business. Agency business includes not only the core functions of an agency, but also support functions, such as finance, human resources, and facility management.

If a record meets the two criteria above, then it is a public record, regardless of the format in which it is transmitted or received.

3. "Regardless of physical form or characteristic". This definition encompasses not only paper records, but also records that are created, received, and used in digital format, including emails, websites, databases, digital photos, blogs, and tweets.

Per RCW 40.14.020, public records are the property of the State of Washington, and do not belong to the individuals who create or receive them. These records must be kept, managed, and disposed of lawfully, in accordance with approved records retention schedules. Agencies need to be aware of what constitutes a public record to capture, manage, retain and dispose of them appropriately.

EXHIBIT B RECORDS MANAGEMENT POLICY

Benefits of Managing Public Records

An effective records management program:

1. Enables the City to fulfill its mission. Public records form a critical element of the informational assets of the City. Having timely access to accurate information is central to the City being able to fulfill its mission.
2. Promotes cost-effective use of agency resources.
 - i. Time - City staff can work most productively when the right people are able to locate the right records at the right time. In addition, retaining records that document the agency's actions and experiences helps prevent the wasting of time and resources during staff turnover.
 - ii. Storage costs - Through timely destruction of non-archival records (which have met their minimum retention period) and transfer of archival records to Washington State Archives, the City is able to make optimal use of the physical space within their facilities and the storage space on their servers.
 - iii. IT costs - In addition to reducing IT storage costs, the appropriate disposal/transfer of public records also reduces other IT costs associated with the time it takes to backup/restore data, and to search for and migrate records.
 - iv. Litigation costs - By being able to locate all necessary records in a timely manner during litigation, public records requests, and audits, agencies minimize their risks and associated costs.
3. Promotes Open and Accountable Government. Public records are the evidence by which government agencies can demonstrate, whether during litigation, public records requests, or audits, that they took the right action at the right time for the right reasons. Demonstrating that public records are organized, controlled, and only disposed of as part of a managed program enhances the professionalism of the agency, the public's confidence in the agency, and potentially be a deciding factor in litigation.

Records Management Officer

The City Clerk is designated as the Records Management Officer for the City. The Records Management Officer, or designee, will ensure the citywide records management program is followed and have the following responsibilities:

- Remain current and knowledgeable on the laws and rules governing records retention that affects the City.
- Periodically review the City's retention process to ensure that policies and procedures are being followed and are current with State law.
- Provide periodic training and meetings with Records Liaisons.
- Oversee the destruction of records that have reached the end of their retention prior or coordinate transfer of records to central storage or to the State Archives.

Records Liaisons

Each Department will assign, at minimum, one staff member to serve as the Records Liaison for their Department and whose responsibilities shall include:

EXHIBIT B RECORDS MANAGEMENT POLICY

- Work with the City Clerk to establish a file structure and file naming conventions that assists in classifying and preserving records in their area of responsibility
- Complete training as required under the Open Government Trainings Act at least every four years.
- Be knowledgeable regarding their records and the retention schedule that applies
- Complete annual disposal of records which have met retention
- Prepare records for storage
- Educate and train staff within their department on best practices regarding records management and retention.

Departments Affected

Each department will work to ensure that:

- Only active records are stored in valuable office and network space;
- Historically valuable records are preserved and transferred to the State Archives;
- Records are destroyed at the end of the retention period specified on the retention schedule;
- Essential Records are protected from damage or loss in the event of a disaster;
- Public record integrity and accessibility is preserved for their approved retention periods;
- Records are accessible for public inspection and their security is maintained according to the provisions of the Public Disclosure Act (RCW 42.17).

Records Retention Schedules

The City adopts the retention schedules as set forth by the State of Washington Secretary of State, Washington State Archives, found at:

<http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>

The City is subject to the following records retention schedules:

- Local Government Common Records Retention Schedule (CORE)
- Economic Dev & Transport
- Fire & Emergency Medical
- Land Use Planning & Permits
- Law Enforcement
- Licensing, Permitting & Tax
- Parks, Rec & Culture
- Utility Services

Exceptions to Retention Schedule

Records **MUST NOT** be destroyed, regardless of whether retention has been met, when subject to any of the following:

- Existing public records requests in accordance with RCW 42.56—If there is a pending request for records, you cannot destroy them even though the retention period to keep it has passed. Once the records have been provided to the Public Records Officer pursuant to the request, they may be logged on the destruction log and destroyed.
- Ongoing or reasonably anticipated litigation.
- Legal requirements, federal statutes, grant agreements.
- Archival transfer requirements found on the State Retention Schedule.

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- When a specific business need is identified and approved by the Department Director or Supervisor.
- Documents related to damage claims or litigation must be retained until determined they can be released for standard retention

Transitory Records

Many records will be designated as “Transitory Records” which are records with minimal retention value. Transitory Records need only be retained until no longer needed for agency business and then destroyed. The categories of Transitory Records are listed on page 157 of the CORE retention schedule.

If an employee is unsure whether a record is a Transitory Record or falls into an exclusion, the employee should consult with the retention schedules or the Records Management Officer.

Naming Conventions

Departments are given discretion on file naming conventions however, each department should adopt a uniform way of naming so as to maintain consistency, ease of filing, and locating records. Records Liaisons will be responsible for training departmental staff on naming convention best practices for their department.

Here are some tips:

- File names should be kept as short as possible while also providing meaningful information to identify the record.
- Avoid using initials, abbreviations, and codes that are not commonly understood.
- Avoid redundancy.
- Use capital letters to delimit words, not underscores.
- Avoid using non-alphanumeric characters.
- When including a number, always give it a two-digit number unless it is a year or another number with more than two digits.
- Versioning may be used in which case “v.##” should be added to the end.
- Avoid using “draft” or “letter” at the start of the file name as those records will all appear together in the file directory. This rule may be ignored depending on your file structure.

Notwithstanding the above, the City hereby adopts the following:

- Date convention: yyyyymmdd.
- Agendas, minutes: yyyyymmdd [Committee Name] Agenda
- Agenda bills: AByy-xxxx [Topic abbreviated]
- Contracts: [Contract #] Vendor Name – Type of Contract – yyyyymmdd

Email Management

Email and email systems are intended to be a medium of communication. Email messages are subject to the guidelines provided in chapter 40.14 RCW for the preservation and destruction of public records; as such they are managed through records retention schedules. The retention requirements for email messages and attachments are the same as paper documents with identical content. The messages must be managed individually. Email messages that have no public record significance may be deleted as soon as the message has served its purpose. For emails that have public record significance, the email must be retained. If the email is part of a chain of emails, only the last message in the chain must be saved assuming all prior messages are contained within the chain.

EXHIBIT B RECORDS MANAGEMENT POLICY

All employees are responsible for the proper retention and disposition of their email records. Retention is based on the content of the message which must be evaluated to determine the record series it should be filed under and the length of time it must be retained. Email messages subject to retention must be retained in their electronic and native format until they meet their designated retention period. Printing and retaining a hard copy is not an acceptable substitute for the electronic message.

Employees should be thoughtful in determining who should be cc'd on an email as each recipient creates an additional record. Additionally, employees should refrain from blind copying themselves as that creates an additional record which is unnecessary. Should an employee need to flag an email that they have sent, they can move it from their "sent" folder to their "inbox."

Email communication in general will be retained pursuant to DAN GS2010-001 Rev.3 which states two (2) years after communication received unless subject to retention as stated above. Exceptions apply for elected officials / executive management staff.

IT will immediately purge backlogged email that has met retention and perform purging annually at the first of each calendar year.

Staff who need assistance with learning how to manage their email and identifying emails with retention value should contact the City Clerk for guidance.

Text Records

Records created related to city business—including text messages, voicemail messages, and other electronic communications—are public records. These records therefore (1) should be managed according to the applicable retention schedule, and (2) may be subject to disclosure under the Public Records Act. The following is intended to help manage the business-related messages you send or receive on smart phones or similar messaging devices.

The city does not have text or messaging archiving capabilities and thus employees are discouraged from using text as a means of communicating unless for transitory purposes. Examples of transitory messages include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication. Delete transitory, business-related text messages as soon as possible.

Text messages may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text message, including social security numbers, credit card numbers, and passwords.

In the event a text is sent or received and the employee has determined that it has retention value based on its content, the employee must transfer the messages to the city's network. To do this, they need to screenshot the text thread and email it to him/herself so that it can be properly retained.

Social Media

The city's social media sites are subject to public records laws. Any content maintained in a social media format that is related to city business, including a list of subscribers and posted communication, is a public record. Content related to city business shall be maintained in an

EXHIBIT B RECORDS MANAGEMENT POLICY

accessible format and so that it can be produced in response to a public records request. Whenever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure. Users shall be notified that public disclosure requests must be directed to the city's public records officer.

Record retention schedules apply to social media formats and social media content. Department staff are responsible for ensuring retention of the original-source content including any deleted content. Training and questions related to this subject shall be directed to the city's Communications Coordinator. This section is not meant to conflict with any future social media policy. In the event this section conflicts with any adopted social media policy, the social media policy takes precedence.

Electronic Records

Per WAC 434-662-040, electronic records must be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. This includes text and voice messages related to the conduct of city business.

Paper Records

All employees should routinely, no less than annually, dispose of original paper records that have met retention and do not require offsite storage by either disposing of the records in a secure recycling location or by secure shredding when necessary to protect confidentiality.

Records that have a longer retention period can be boxed and transferred to central storage until retention is met. An approved box label must be completed prior to transfer. See your Records Liaison or the City Clerk for the form.

Disaster Prevention and Damaged Records Recovery Process

It is the policy of the City to ensure that its records are identified and protected as much as humanly possible from natural and man-made disasters. The procedures described below afford the City the most efficient and cost-effective method for protecting City records and recovering records when disasters occur.

- Avoid storing records near water pipes, air conditioning, or near a heat source.
- Strive to store records in file cabinets or in file drawers inside desks. Be sure to store essential records or copies of essential records in an alternate location. Place record storage boxes on shelves off the floor. Properly label boxes and maintain and update inventories of records and record storage locations.
- Properly labeled filing systems and boxes is essential for reporting disaster damage. In the event that records are damaged, City employees must assess the damage, perform recovery procedures, and when necessary, report records that are unrecoverable to the City Clerk's office. Actions necessary to recover documents can range from simply air-drying paper records to hiring restoration specialists for severely damaged records of various media types.
- Damaged records must be documented. If records are damaged, a Records Disaster Recovery Worksheet should be followed and a Damaged Records Assessment Report should be filled out. If records are unrecoverable, an Authorization to Destroy Unrecoverable Damaged Records should be completed. These reports serve as permanent record and would be utilized in any legal proceeding as evidence of damaged records.

EXHIBIT B

RECORDS MANAGEMENT POLICY

Documenting Records Disposal

Documentation of records destruction is required. Any forms left by the third-party shred company shall be immediately sent to the City Clerk for retention. In addition, employees wishing to dispose of records that have met retention, should complete a Public Records Destruction Log and send to the City Clerk for approval prior to disposition. Once approval has been given, the employee may shred, recycle, or delete as appropriate. Original Destruction Logs are maintained in the City Clerk's office. This form serves as a permanent record and would be utilized in any legal proceeding as evidence of proper destruction.

Indexing Records

Pursuant to SMC Chapter 2.50, the City finds that it would be unduly burdensome and would interfere with City operations to maintain an index of records.

Reference

Washington State Archives Laws and Rules for Records Management:
Revised Code of Washington (RCW)

- Chapter 40.14: Preservation and destruction of public records.
- Chapter 40.16: Penal provisions.
- Chapter 40.20: Reproduced records for governments and business.
- Chapter 40.24: Address confidentiality for victims of domestic violence, sexual assault, and stalking.
- Chapter 40.26: Biometric identifiers.

Washington Administrative Code (WAC)

- Chapter 434-600: Promulgation.
- Chapter 434-610: Definitions.
- Chapter 434-615: Custody of public records.
- Chapter 434-620: Powers and duties of the state archivist.
- Chapter 434-624: Powers and duties of the state records committee.
- Chapter 434-626: Powers and duties of the state agency records officers.
- Chapter 434-630: Powers and duties of the local records committee.
- Chapter 434-635: Local records disposition authorization.
- Chapter 434-640: Methods of records disposal.
- Chapter 434-660: Standards for the accuracy, durability and permanence of public records.
- Chapter 434-661: Real property electronic recording.
- Chapter 434-662: Preservation of electronic public records.
- Chapter 434-663: Imaging systems, standards for accuracy and durability.
- Chapter 434-670: The Washington state archives local records grant program.
- Chapter 434-677: Security microfilm.
- Chapter 434-690: Archives—Access to public records.
- Chapter 434-750: Combined fund drive.
- Chapter 434-840: Address confidentiality program.

**EXHIBIT C
PUBLIC RECORDS REQUEST FEE SCHEDULE**

Note: Multiple fees may apply to the same records request.

See Methodology for detailed information on how charges are calculated.

Service/Size	Unit	Proposed Fee
Records Available at No Cost		
In-Person Records Inspection at a City Facility	Appointments available M-W from 8am-5pm. Appointment time slots range from 30 minutes to 1 hour.	No Charge
Records on the City's Website	Direct web links to records already available on the City's website	No Charge
Paper Copies		
Standard Paper (11" x 17" or smaller)	Per side of paper	\$0.30 (1 piece of double-sided printed paper would be \$0.60) (See Methodology)
Plotter Paper – 24" x 36" (Size D)	Per page	\$10.00 for the first page \$1.50 for each additional page
Plotter Paper – 36" x 48" (Size E)	Per page	\$20.00 for the first page \$3.00 for each additional page
Plotter Paper – Other Sizes	Per job requiring outsourcing	Actual cost of vendor's fees
Copying Physical Records to Electronic Format		
Scanning Fee For records which do not exist in electronic format	Per minute OR Per scanning project if outsourced	Actual cost: \$1.12/minute x number of minutes (See Methodology) Over 2 estimated hours or no equipment: Project to be outsourced to a local professional scanning vendor. Vendor's actual costs will be charged.

**EXHIBIT C
PUBLIC RECORDS REQUEST FEE SCHEDULE**

Note: Multiple fees may apply to the same records request.

See Methodology for detailed information on how charges are calculated.

Copying Electronic Records		
Electronic Records Transmission Use of cloud-based data storage and processing service.	Per Request	<i>Not being requested at this time.</i>
Electronic File Flat Rate The cost of each original electronic file copied.	Per Record	First 10 Records: No Charge 11+ Records: \$0.25 per Record (See Methodology)
Gigabyte Fee For requests with one GB or more of data.	Per gigabyte (GB) of files	\$.10 (Statutory Default Rate) Requests with less than 1 GB are not charged this fee
Video or Audio Tape Reproduction	Per job requiring outsourcing	Actual cost of vendor's fees
Copying Records to a Storage Device (USB drive, external hard drive, etc.)	Per minute	\$1.12 per minute spent copying records (plus cost of storage device, listed below) (See Methodology)
Other Records Fees		
Mailing Records	Per envelope/package	Actual cost to mail the records [includes envelope or container, postage, delivery fees, and staff time (\$1.12 per minute)] (See Methodology)
Digital Records Storage Device	Per device	Actual cost of the storage device
Technical Expertise to Prepare Data Compilations or Provide Customized Access to Data or Records	Per job requiring expertise	Actual cost of staff time or vendor's fees
Outsourced Copying Services from a Third-Party Vendor	Per job requiring outsourcing	Actual cost of vendor's fees
Credit Card Surcharge	Per Request	Actual cost of surcharge added to any transaction paid by credit/debit card.

**EXHIBIT C
PUBLIC RECORDS REQUEST FEE SCHEDULE**

Note: Multiple fees may apply to the same records request.

See Methodology for detailed information on how charges are calculated.

Police-Specific Records Fees		
<p>Police Report or Collision Report</p> <p>Police reports may include the case report with narrative or CAD notes if there is no narrative. <i>(Note: If a requester asks for dispatch calls, they will receive the police report with narrative or CAD notes if there is no narrative.)</i></p>	Per report	<p>Parties directly involved in the incident: No Charge for electronic copy; paper copy charges apply.</p> <p>Parties not directly involved: \$5.00 per report</p> <p>(See Methodology)</p> <p>“Directly Involved” means complainant, defendant, person contacted, or victim.</p>
Clearance Letter	Per letter	<p>\$15.00</p> <p>(See Methodology)</p>

Deposits

If the estimated cost of producing requested records is \$50.00 or more, the City reserves the right to collect a 10% deposit of the estimated fees before beginning work on the request. After the deposit is received, staff will commence work. Once the records are available, communication will be sent to the requester for the total actual cost minus the deposit amount. The records will be provided after full payment is received. This applies whether records are produced in one installment or more.

Examples of Fees

Example 1: A request is made for all communication regarding a subject. Costs will be calculated utilizing Electronic File Flat Rate fee:

The following steps to copy records and ready them for disclosure to a customer:

- Exporting or downloading files from their original locations.
- Uploading the files.
- Confirming that all files were successfully uploaded.
- Renaming and labeling records if necessary.
- Making the files accessible to the customer.
- Providing instructions to the customer for how to access their record copies.

Fee = First 10 records at no cost, \$.25 each thereafter

1A. If the customer then requests these to be printed, additional costs will be calculated utilizing Paper Copies rate fee:

- Exporting or downloading the files to be printed.
- Preparing the records for printing on the copier.
- Printing the records.
- Counting the number of pages printed to ensure they equal the total of the digital copies.

EXHIBIT C
PUBLIC RECORDS REQUEST FEE SCHEDULE

Note: Multiple fees may apply to the same records request.

See Methodology for detailed information on how charges are calculated.

- Comparing the printed copies to the digital copies to ensure all pages were copied and are of good quality (no cut-off or skewed pages, no extra pages, no blurred pages, no erroneous ink marks or ink that is too light or dark to see, etc.).

Fee = \$.30 per one sided page of standard size paper. Note: This fee is in addition to the Electronic File Flat Rate fee.

Example 2: A request is made for all police or dispatch calls for a certain police officer or date range. Police reports may include the case report with narrative or CAD notes if there is no narrative. *(Note: If a requester asks for dispatch calls, they will receive the police report with narrative or CAD notes if there is no narrative.)*

Inspection is not permissible due to security clearance issues. In this instance, costs will be calculated utilizing Police Reports or Collision Reports. Staff will:

- May provide a screen shot list of calls and the requester can indicate which calls they would like to receive electronic copies of.
- Export or download files from their original locations.
- Upload the files.
- Confirm that all files were successfully uploaded.
- Rename and label records if necessary.
- Make the files accessible to the customer.
- Provide instructions to the customer for how to access their copies.

Fee = \$5.00 per report

2A. If the customer then requests these to be printed, the costs above will be applied plus additional costs will be calculated utilizing Paper Copies rate:

- Exporting or downloading the files to be printed.
- Preparing the records for printing on the copier.
- Printing the records.
- Counting the number of pages printed to ensure they equal the total of the digital copies.
- Comparing the printed copies to the digital copies to ensure all pages were copied and are of good quality (no cut-off or skewed pages, no extra pages, no blurred pages, no erroneous ink marks or ink that is too light or dark to see, etc.).

Fee = \$.30 per one sided page of standard size paper. Note: This fee is in addition to the Police Reports and Collision Reports fee.