

**CITY OF PULLMAN,
WASHINGTON
PUBLIC RECORDS PROCEDURES**

The City of Pullman, Washington ("City") seeks to conduct all of its work in an open and transparent nature. To help make sure people have access to records, the City has prepared the following procedures that represent the best practices of government in the state of Washington, as recommended by the Office of the Attorney General.

Section 1. Authority and Purpose

- a. Chapter 42.56 RCW, the Public Records Act ("the Act"), requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public records" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the City.
- b. This document describes the procedures the City will follow in order to provide full access to public records. These procedures provide information to persons wishing to request access to public records of the City and establish processes for both requestors and City staff that are designed to best assist members of the public in obtaining such access. These procedures have been written to incorporate best practices for compliance with the act and are based upon and organized according to Model Rules promulgated by the Attorney General of the State of Washington.
- c. The purpose of the act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights, and the desirability of the efficient administration of government. In carrying out its responsibilities under the act, the City will be guided by the provisions of the act describing its purposes and interpretation.

Section 2. Contact Information – Public Records Officer

Any person wishing to request access to public records of City, or seeking assistance with making such a request should contact the public records officer of City:

Public Records Officer
City Clerk's Office
Pullman City Hall
190 SE Crestview Street
Telephone: 509-338-3209
Fax: 509-338-3209

Information is also available on City's website at www.pullman-wa.gov.

- a. The public records officer will oversee compliance with the act, but another City staff member may process the request. Therefore, these procedures will refer to the public records officer "or designee." The public records officer or designee and the City will provide the "fullest assistance" to requestors, ensure that public records are protected from damage or disorganization, and prevent the fulfillment of public records requests from causing excessive interference with essential functions of the City.

Section 3. Availability of Public Records

- b. **Hours for inspection of records.** Public records are available for inspection and copying during normal business hours of the City, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Records may be inspected only at the

offices of Pullman City Hall, Pullman Police Department, or Pullman Fire Department.

- a. **Records index.** The City finds that maintaining an index is unduly burdensome and would interfere with City operations. The requirement would unduly burden or interfere with City operations in the following ways:

- The creation of a single index providing the intricate detail described in RCW 42.56.070 would interfere with City operations in that it would take an inordinate amount of staff time to develop.
- It would be unduly burdensome for City staff to index each and every of the many varied City records, given the wide range of City activities and the City's limited staffing levels.

The CITY will, however, index and maintain the following general administrative records on the City's website at

<https://go.boarddocs.com/wa/pullman/Board.nsf/vpublic?open>
to make them available for public inspection and copying:

- Ordinances
- Budget documents
- Resolutions
- Minutes and agendas of regular and special meetings of City Council and standing City Boards and Commissions
- Interlocal Agreements
- Street and Alley Vacations
- Deeds, Easements, and Dedications
- Annexations and Zoning

Requestors are encouraged to view the documents available on the website prior to submitting a records request.

Other records that relate to the specific function or responsibility of a particular department shall be maintained in the offices of the particular department. The public records officer will coordinate responses to public records requests with the departments, and responsive records shall be made available for public inspection and copying in accordance with RCW 42.56.

- b. **Organization of records.** The City will maintain its records in a reasonably organized manner. The City will take reasonable actions to protect records from damage and disorganization. A requestor shall not take City records from City offices without the permission of the public records officer or designee.

- c. **Making a request for public records.**

1. Any person wishing to inspect or copy public records of the City should make the request in writing via City's public records webform:

[https://pr-pullmanwa.mycusthelp.com/WEBAPP/rs/\(S\(s5sswch0czj2enh0f13s3cxy\)\)/SupportHome.aspx?sSessionID=216982404DZEWACCZYFWWMUDCJWSBOBGVXEXSRIG](https://pr-pullmanwa.mycusthelp.com/WEBAPP/rs/(S(s5sswch0czj2enh0f13s3cxy))/SupportHome.aspx?sSessionID=216982404DZEWACCZYFWWMUDCJWSBOBGVXEXSRIG)

paper request form, or via letter, fax, or email addressed to the public records officer and including the following information to facilitate a response:

- Name of requestor
 - Address of requestor
 - Other contact information, such as telephone number and any email address
 - Identification of the public records is adequate for the public records officer or designee to locate the records
2. If the requestor wishes to have copies of the record made instead of simply

inspecting them, they should so indicate and make arrangements to pay for copies of the records or at least make a deposit of 10 percent of the cost of copying estimated by the public records officer before copying will commence. Applicable fees will be collected.

3. A form is available for use by requestors at Pullman City Hall.
4. The public records officer or designee may also accept requests for public records by telephone or in-person. If the public records officer or designee accepts such a request, they will confirm receipt of the information and the substance of the request in writing.
5. Persons requesting public records that include a list of individuals will be required to provide a declaration under penalty of perjury certifying that the records will not be used for any commercial use (profit-expecting activity) prohibited by RCW [42.56.070\(9\)](#) unless specifically authorized by other law.

Section 4. Processing of Public Records Requests—General

- a. **Providing "fullest assistance."** The City is charged by statute with adopting rules which provide for how it will "provide full public access to public records," "protect public records from damage or disorganization," "prevent excessive interference with other essential functions of the agency," provide "fullest assistance" to requestors and provide the "most timely possible action" on public records requests. The public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner.
- b. **Acknowledging receipt of request.** Within five business days of receipt of the request, the public records officer will do one or more of the following:
 1. Make the records available for inspection or copying.
 2. If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor.
 3. Provide a reasonable estimate of when records will be available.
 4. If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available.
 5. Deny the request.
- c. **Protecting rights of others.** In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer or designee may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask them to revise the request, or, if necessary, to seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.
- d. **Records exempt from disclosure.** Some records are exempt from disclosure, in whole or in part. If the City believes that a record is exempt from disclosure and should be withheld, the public records officer or designee will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempted portions, provide the nonexempt portions, and provide an exemption log to the requestor identifying each redaction and the legal authority for the redaction.

e. **Inspection of records**

1. Consistent with other demands, the City shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the City to copy.
 2. The requestor must claim or review the assembled records within 30 days of City's notification to him or her that the records are available for inspection or copying. The City will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the City to make arrangements to claim the copies or review the records. If the requestor or a representative of the requestor fails to claim the copies or review the records within the 30-day period or make other arrangements, City may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or similar records, which can be processed as a new request.
- f. **Providing copies of records.** The public records officer or designee shall make the requested copies or arrange for copying upon a deposit of at least 10 percent of the estimated cost of copying. At the City's discretion, this deposit may be waived for small requests.
- g. **Providing records in installments.** When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If within 30 days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.
- h. **Completion of inspection.** When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that the City has completed a diligent search for the requested records and made any located non-exempt records available for inspection.
- i. **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the City has closed the request.
- j. **Later discovered documents.** If, after the City has informed the requestor that it has provided all available records, the City becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

Section 5. Processing of Public Records Requests—Electronic Records

- a. **Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.
- b. **Providing electronic records.** When a requestor requests records in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the City and is generally commercially available, or in a format that is reasonably translatable from the format in which the City keeps the record. Costs for providing electronic records are governed by Section 7.b.

- c. **Customized access to databases.** With the consent of the requestor, the City may provide customized access under RCW [43.105.280](#) if the record is not reasonably locatable or not reasonably translatable into the format requested. The City may charge a fee consistent with RCW [43.105.280](#) for such customized access.

Section 6. Exemptions

- a. The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restricts the availability of some documents held by the City for inspection and copying:
 - The City is prohibited by statute from disclosing lists of individuals for commercial purposes.

This list is for informational purposes only; other exemptions not listed here may apply.

Section 7. Costs of Providing Copies of Public Records

Costs for paper copies. There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies for 15 cents per page.

Before beginning to make the copies, the public records officer or designee may require a deposit of up to 10 percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the copies, or the payment of the costs of copying an installment before providing that installment. The City will not charge sales tax when it makes copies of public records.

- a. **Costs for electronic records.** If the City provides electronic records on an external storage device, it may charge the actual cost for the device. There will be no charge for emailing electronic records to a requestor, unless another cost applies, such as a scanning fee.
- b. **Costs for scanning.** The City may charge for scanning existing City paper or other non-electronic records. The rate will be the actual labor cost for scanning, not to exceed 15 cents per page. A statement of factors and the manner used to determine this charge will be made available by the public records officer. The CITY will not charge sales tax for scanning public records
- c. **Costs of mailing.** The City may also charge actual costs of mailing, including the cost of the shipping container.
- d. **Payment.** Payment may be made by cash, check, or money order to The City of Pullman.

Section 8. Review of Denials of Public Records

- a. **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.
- b. **Consideration of petition for review.** The public records officer shall promptly provide the petition and any other relevant information to the City Administrator or,

if the City Administrator is unavailable, another senior staff person designated by the City Administrator or the Mayor. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the City's receipt of the petition, or within such other time as City and the requestor mutually agree to.

- c. **Judicial review.** Any person may obtain a court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

This policy is approved and adopted this 29th day of September, 2021.



City Administrator Mike Urban

Attest: 

City Clerk Dee Stiles-Elliott