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MEMORANDUM

City Recorder's Office

To: Mayor and City Council

Date: September 9, 2026

From: Julie Fisher, City Recorder

Subject: Resolution No. 21 for 2026 – Adopting an Updated Public Records Policy, Including Reasonable Measures for Public Records Requests

I. INTRODUCTION

The City of Lebanon's current Public Records Policy was adopted by Resolution No. 2019-23. Since that time, the City has experienced changes in the volume and complexity of public records requests and has continued to refine its processes for responding to requests in an efficient, consistent, and transparent manner.

The proposed resolution repeals Resolution No. 2019-23 and adopts an updated Public Records Policy. The purpose of the update is to clarify the City's procedures, reflect current practices, establish clearer expectations regarding fees and processing, and ensure the policy continues to support the public's right to access nonexempt public records while allowing the City to efficiently manage its resources.

The proposed policy also incorporates reasonable measures for the inspection and protection of public records, consistent with Oregon Public Records Law and guidance provided by the Oregon Attorney General.

II. CURRENT REPORT

The proposed policy makes several substantive changes to the City's current Public Records Policy. Most notably, it eliminates the former three-level request classification system, reduces the amount of staff time provided without charge from 30 minutes to 15 minutes, and establishes clearer procedures for addressing related, substantially similar, continuing, or recurring public records requests.

Additional updates include:

- **Requests and Online Portal:** The proposed policy allows requests to be made orally or in writing and encourages the use of the City's designated online public records portal for written requests. Use of the portal provides a more efficient method for tracking requests and communicating with requesters. The policy also clarifies the information necessary for the City to identify and locate requested records and allows the City to request clarification when needed.
- **Electronic Records:** The policy updates and simplifies the language addressing records maintained electronically or in a machine-readable format. The City will provide records in the requested format when that format is available. If the

requested format is not available, the City will provide the record in the format in which it is maintained.

- **Review and Redaction:** The proposed policy clarifies that records will be reviewed before release to determine whether they contain information exempt from disclosure. When exempt information is contained within a record, the exempt information may be redacted and the remainder of the record provided. The policy also expressly addresses the City's ability to recover costs associated with legal review and redaction in accordance with the adopted Fee Schedule.
- **Staff Time and Related Requests:** The proposed policy reduces the amount of staff time provided without charge from 30 minutes to 15 minutes. In addition, the proposed policy establishes a process for addressing related, substantially similar, continuing, or recurring requests from the same requester. Under the current policy, each request may receive its own complimentary staff time. The proposed policy allows qualifying related or recurring requests to be considered together when applying the 15 minutes of staff time provided without charge. The policy also establishes parameters for when requests may be considered related and provides that a new complimentary staff time period begins each calendar year.
- **Fee Estimates and Deposits:** The policy retains procedures for providing a written fee estimate when the estimated cost exceeds \$25 and allows the City to require a deposit of up to 50 percent when the estimated cost exceeds \$100.
- **Fee Waivers and Reductions:** The proposed policy clarifies the process for considering requests for fee waivers or reductions when disclosure primarily benefits the general public. It also clarifies that routine materials may be provided without charge at the discretion of the City Recorder or designee and addresses requests made by Lebanon elected officials and appointed advisory board members for information needed in their official capacities.
- **Other Clarifications:** The policy also addresses inspection of original documents, protection of records during inspection, records maintained in electronic formats, requests for alternative formats under the Americans with Disabilities Act, closure of requests when a requester does not respond, and the City's written procedures for making public records requests.

Overall, the proposed revisions remove unnecessary procedural language, simplify the policy, and provide clearer expectations for both requesters and City staff. The updated policy is intended to create a more straightforward and consistent process while continuing to provide public access to nonexempt records.

III. RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 2026-21, repealing Resolution No. 2019-23 and adopting the updated Public Records Policy.