

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McCLEARY, WASHINGTON, RELATING TO COMPLIANCE WITH THE PUBLIC RECORDS ACT, RCW 42.56, ADOPTING A PUBLIC RECORDS POLICY AND PUBLIC RECORDS FEE SCHEDULE, AND ORDERING PUBLICATION OF THIS RESOLUTION AND THE PUBLIC RECORDS ACT RULES.

RECITALS:

WHEREAS, the Public Records Act (“PRA”), Chapter 42.56 of the Revised Code of Washington (RCW) requires the City to make nonexempt public records available for inspection and copying; and

WHEREAS, RCW 42.56.040 requires the City to establish and display rules to facilitate the disclosure of public records; 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, but it must issue and publish a formal order specifying the reasons why and the extent to which compliance would be unduly burdensome or would interfere with agency operations; and

WHEREAS, the City is comprised of numerous departments, their divisions, and subdivisions, many if not all of which maintain separate databases and/or systems for the indexing of records and information; and

WHEREAS, currently, the City's public records requirements are codified in Chapter 2.72 of the McCleary Municipal Code (MMC), which was last updated in 1997; and

WHEREAS, providing copies of public records is a growing expense for taxpayers; 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, RCW 10.97.100 and RCW 46.52.085 prescribe that law enforcement agencies may establish and collect reasonable fees for the dissemination of criminal history record information to agencies and persons and to cover the costs of furnishing copies of traffic accident reports; and

WHEREAS, RCW 42.56.070(7) requires a public hearing be held regarding adopting a fee schedule; and

WHEREAS, a public hearing was held on ***, 2025; and

WHEREAS, the City considered the fees at the meetings of ***, 2025, and ***, 2025; and

WHEREAS, the City Council wishes to adopt the Public Records Act – Policy & Procedures to replace the provisions in the McCleary Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF McCLEARY, WASHINGTON, DOES RESOLVE AS FOLLOWS:

SECTION I: The Public Records Rules attached as Attachment A are hereby adopted as the rules the City will follow in handling public records requests.

SECTION II: The City Clerk-Treasurer is designated as the City's Public Records Officer and thus is hereby directed to publish this Resolution and the availability of these Rules,

post and maintain the Rules on the City's website, and make them available for inspection and copying at the City Clerk-Treasurer's Office.

SECTION III: The City adopts the Public Records Fee Schedule set forth on pages 5 and 6 of Attachment A. The factors and manner used to determine actual costs for producing copies are based on studies performed by Spokane and Seattle Police Departments and further set forth on pages 5 and 6 of Attachment A.

SECTION IV: Pursuant to RCW 42.56.070(4), the City adopts the above "whereas" clauses as findings and has determined that maintaining a records index is unduly burdensome, costly, and would interfere with agency operations due to the number and complexity of records generated as a result of the wide range of City activities and office locations.

SECTION V: This resolution shall take effect and be in full force upon passage and signature hereon.

PASSED THIS _____ DAY OF _____, 2025, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2025.

CITY OF McCLEARY:

CHRIS MILLER, Mayor

ATTEST:

, City Clerk-Treasurer

APPROVED AS TO FORM:

MADISON A. PLEASANT, City Attorney