



**BUSINESS OF THE CITY COUNCIL  
CITY OF SNOQUALMIE**

**AB24-001  
January 22, 2024  
Public Hearing**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB24-001: Resolution adopting an updated Public Records Act Policy, a Records Management Policy, and an Updated Fee Schedule.	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
	<b>PROPOSED ACTION:</b> Move to adopt Resolution No. 1675 regarding RCW 42.56, the Public Records Act, adopting an updated Public Records Act Policy, a Records Management Policy, and an updated Fee Schedule, and repealing Resolution 1501.	

<b>REVIEW:</b>	Department Director	Mike Chambless	Click or tap to enter a date.
	Finance	n/a	Click or tap to enter a date.
	Legal	David Linehan	12/27/2023
	City Administrator	Mike Chambless	Click or tap to enter a date.

<b>DEPARTMENT:</b>	Administration		
<b>STAFF:</b>	Deana Dean, City Clerk		
<b>COMMITTEE:</b>	Finance & Administration	<b>COMMITTEE DATE:</b> January 3, 2024	
<b>EXHIBITS:</b>	1. Resolution 1675 2. Current Resolution 1501_Rules_Fee Schedule 3. Exhibit A – Public Records Act Policy 4. Appendix A to Exhibit A – PRA Exemptions 5. Exhibit B – Records Management Policy 6. Exhibit C – Fee Schedule 7. Methodology Used to Determine Costs		

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUESTED</b>	\$ n/a

**SUMMARY**

This agenda bill seeks City Council approval of a resolution adopting an updated Public Records Act Policy (Exhibit A), a new Records Management Policy (Exhibit B), an updated Fee Schedule (Exhibit C), and repeal of Resolution 1501.

**INTRODUCTION**

Administration is proposing a change to the Public Records Act Rules and Fee Schedule through repeal of Resolution 1501. This change is prompted by implementation of an enterprise content management system

(Laserfiche) on January 1, 2024, a change in how the City will receive and respond to public records requests, and a new Records Management Policy. In addition, considering the length of time since the last update (2019), it is appropriate to review and update the City's Fee Schedule.

Public Records Act Policy (Resolution Exhibit A):

The proposed Public Records Act Policy, formerly known as the Public Records Act Rules, generally includes the same content and documents the City's existing practices. Sections that have been updated include the process for making a request and the process to be followed by the City in responding to requests. The format has been cleaned up and organized to flow more smoothly. The Fee Schedule has been removed and added as a separate exhibit.

Records Management Policy (Resolution Exhibit B):

With the implementation of an electronic content management system (Laserfiche), the City should adopt a formal Records Management Policy to establish standard procedures and best practices for managing its records. The Policy defines public records, addresses the records management officer and department records liaison roles and responsibilities, records retention schedules and exemptions to those schedules, naming conventions, email management and retention, text and social media records and retention, disaster prevention and damaged records recovery process, records destruction, and more. Some benefits of a formalized Records Management Policy are to promote efficient records management practices for the entire lifecycle of the agency's records, promote open and accountable government through organized, controlled, and legal destruction, and reduce the City's risk and liability.

Fee Schedule (Resolution Exhibit C):

Currently, the City recovers minimal costs when fulfilling public records requests which is due to lack of guidance in how charges should be calculated. The updated Fee Schedule has been modified to provide more clarity to staff on Council approved charges. Sections that have been changed are outlined in Budget Impacts below and are based on an internal study using actual costs from the current fee schedule and the two staff members who regularly fulfill public records requests. Cost studies have been adopted in Seattle, Shoreline, and Kennewick and are in-process in Bellevue and Issaquah. With permission, the City has incorporated the cost study and methodology template from the City of Issaquah as part of this agenda bill.

*(Note: It is more efficient for staff to rely upon a flat fee, when possible, rather than itemizing actual fees. This efficiency is a cost savings for taxpayers.)*

All exhibits are consistent with the practice of other cities.

**LEGISLATIVE HISTORY**

In 2017, the state legislature amended the Public Records Act (RCW 42.56) to allow government agencies to collect certain fees to recover the costs associated with copying public records. The law specifies that an agency can either adopt default fees that are in RCW 42.56.120 or conduct a cost study to determine their actual fees. No fees can be collected until after a public hearing is conducted.

In 2019, after a public hearing, Snoqualmie City Council adopted Resolution No. 1501 which included Snoqualmie Public Records Act Rules and a Fee Schedule.

**BACKGROUND**

The City of Snoqualmie has experienced significant increases in the overall volume and complexity of public records requests as well as having reduced staffing to adequately respond and manage these requests. Currently there are two employees who respond to requests as part of their regular duties (the City Clerk and the Police Records Technician). There are liaisons from other departments who assist when requests come in

for their departments. The number of requests received is below. It should be noted that many of the requests the city receives include many items logged as one request.

Public Records Requests (includes Police)

2019 -	626 Requests
2020 -	614 Requests
2021 –	730 Requests
2022 –	783 Requests
2023 –	720 Requests as of 12/26

An audit was performed for the 2023 requests. Staff spent 288 hours responding to public records requests and reviewed 30,185 records of which 4,759 were responsive and provided to the requesters.

**ANALYSIS**

Proposed changes to the Public Records Act Rules and Fee Schedule are to be accomplished as follows:

1. An ordinance revising Chapter 2.50 of the SMC is not necessary and the current chapter shall remain in effect.
2. A public hearing as required for adoption of fees.
3. A resolution which adopts the City’s Public Records Act Policy, Records Management Policy, and Fee Schedule and repeals the former resolution.

**BUDGET IMPACTS**

The updated Fee Schedule incorporates many of the same charges that exist currently with a few additions including a GB fee, police records fee, and a credit card surcharge. Updating the Fee Schedule will provide more clarity on charges Council have already approved and will result in unrealized revenue although it is difficult to quantify at this point in time. Details on how charges will be calculated based on staff actions are included in attachment #7 to this agenda bill, Methodology Used to Determine Costs. These are reflected in the proposed charges below and will allow the City to better recoup costs associated with managing, researching, and responding to public records requests of increased scope and complexity as has become the new normal.

<u>Item</u>	<u>Current</u>	<u>Proposed</u>
Paper copies	\$.15/page	\$.30/page
Plotter paper 24x36	\$3.50 in house	\$10/for the first page \$1.50 for each additional page
Plotter paper 36x48	\$3.50 in house	\$20/for the first page \$3.00 for each additional page
Scanning Fee	\$67.57/hr	No change in cost; addition of outsourcing if over 2 hours of staff time or if the City does not have appropriate equipment
Electronic File Flat Rate	\$67.57/hr	First 10 records = n/c 11+ records + \$.25 per record
Gigabyte Fee	not stated	\$.10 per gigabyte if over 1 GB.
Police Report/Collision Report	unclear	No charge to parties involved

