



5762 Woodcock Road Sequim, WA 98382

SunLand Water District
Public Records Act Compliance Policy
Resolution No. 119
Reference: RCW 42.56.040

**A RESOLUTION OF THE SUNLAND WATER DISTRICT TO
ESTABLISH A PUBLIC RECORDS ACT COMPLIANCE POLICY**

INTRODUCTION

The SunLand Water District (SWD) is committed to making its records accessible to the public. Requests for access to District records may be made by members of the general public, litigants, courts, and other governmental agencies. The procedure for responding to a particular type of request may vary, but in all cases it is our top priority to provide full and timely access to SWD records while remaining mindful of individual privacy rights and efficient administration.

AVAILABILITY OF RECORDS

Most records are available for public inspection and copying; however, some records are not. Both State and Federal law place restrictions on access to certain records. Public records are available for inspection and copying during the SWD's normal business hours, Monday through Friday, currently 9:00 a.m. to 1:00 p.m., excluding legal holidays. Inspection of records occurs at the District Office.

PUBLIC RECORDS OFFICER (PRO)

The SWD Office Administrator is designated as the public records officer, to whom members of the public may direct requests for disclosure of public records.

TYPES OF RECORDS REQUESTS

Requests made under the Public Records Act are the most common type. The Public Records Act (PRA) is found in Chapter 42.56 of the Revised Code of Washington. In common parlance, these are sometimes called "freedom of information" or "sunshine law" requests.

All requests, no matter the type or the manner of receipt should be immediately directed to the SWD Public Records Officer.

PURPOSE OF REQUEST

A requester is not required to divulge the purpose of a request; however, the SWD may ask the requester to certify, in writing, that a request for a list of individuals will not be used for a commercial purpose (see RCW 42.56.070(8)).



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GOOD FAITH COMPLIANCE

The SWD, its Board or employees, are not liable for loss or damage based on release of any record if the SWD official or employee acted in good faith in attempting to comply with the Public Records Act.

REQUESTING A PUBLIC RECORD

Access to public records may be requested by submitting a Public Records Request to the District's public records officer. Although no particular format is required, the SWD has developed a Public Records Request form available on the SWD's website at www.sunlandwater.com. The form may be obtained at the District Office or electronically via email or fax upon request. There may be a fee for copies of requested documents.

Public Records Requests (PRRs) may be submitted as follows:

- By hand: Public Records Officer, 5762 Woodcock Road, Sequim, WA 98382
- By mail: Send to the address above.
- By phone (360) 683-3905 (see section on Oral Requests below)
- By email: Website: sunlandwater.com
- By fax: (360) 683-3324

The requester should include all of the following information in all records requests:

- Name and mailing address of requester
- Other contact information, including telephone number and email address.
- The date of the request.
- The preferred method of production (e.g. photocopies, email transmission, etc.)
- Whether requester wishes to make an inspection appointment prior to receiving copies.
- Identification of the requested records adequate for the records to be located by the PRO.
- Signature of requester (or a notation by the staff member who is transcribing the request) indicating that the requester confirmed the information taken down during an oral request.

The following types of information are recommended to expedite search procedures:

- A date range in which to search.
- Permit numbers, addresses; project names; contractor names.
- Meeting dates; agenda items.
- Any other information that will ensure the requesters receive available record

REASONABLE RESPONSE TIME

The SWD will provide its fullest assistance in producing records to the public upon request. If a request cannot be fulfilled within the initial 5 business days' period, the requester will be notified of the anticipated fulfillment date.



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MULTIPLE REQUESTS BY THE SAME PARTY

Where a requester makes multiple, separate requests, or makes one or more additional requests while a prior request is open, the PRO may queue the requests in the order in which they were received. The PRO is not required to work on additional requests until the initial request is completed and closed. Requesters are solely responsible for informing the PRO if they want to re-prioritize the order of their requests.

TRACKING

The SWD will maintain a Public Records Request Tracking Form to record the Date of the request, the name of the requester, a description of records requested, and the date request was fulfilled.

EXEMPT RECORDS

All SWD records are available for review and copying by the public unless they are specifically exempted or prohibited from disclosure by State or Federal law, which may be contained in RCW 42.56 or in other statutes.

“NO RECORD FOUND” LETTERS

If no identifiable record can be located from the information provided on a PRR and the requester does not provide clarification, or if no such record exists in the possession of the SWD, the SWD will inform the requester in writing that the request is being closed because no identifiable record was found.

NO DUTY TO CREATE RECORDS

The SWD is not obligated to create a new record to satisfy a records request; however, the SWD may, in its discretion create a new record to fulfill the request where it may be easier to create the new record than to collect and make available voluminous existing records containing fragments of the requested information. The SWD and requester must agree in advance in writing to fulfillment by means of the created record.

REQUESTS FOR INFORMATION

Request for information as opposed to documentation – that is, questions that cannot be answered by providing access to an existing identifiable record – will not be handled as public records requests under the Public Records Act.

DENIAL OF RECORDS REVIEW PROCEDURE

A review of any denial of records will be conducted by the PRO’s supervisor, or any individual designated by the district. Review is deemed complete two business days after the initial denial.



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FEES

The SWD is not allowed to charge a requester for the staff time required to locate a record or prepare it for production in response to a request made under the PRA; however, advance payment may be collected on a per page, per device, per scan, or per electronic file basis. Postage fees may also be collected. All fees will be in accordance with the current fee schedule adopted by the Board of Commissioners.

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WHEREAS, the Public Records Act (PRA) RCW 42.56 is a law of the State of Washington, requiring public access to all records and materials from state and local agencies; and

WHEREAS, the SunLand Water District wishes to comply with said Public Records Act; now, therefore be it

RESOLVED, that the SunLand Water District Board of Commissioners adopts the SunLand Water District Public Records Act Compliance Policy dated November 1, 2018.

DATED this 13th day of November, 2018.

Jim Larison

Jim Larison, President

Albert Friess

Albert Friess, Secretary

Gary Fortmann

Gary Fortmann, Commissioner