

RESOLUTION NO. 10282015-02

A **RESOLUTION** of the Board of Commissioners of North County Regional Fire Authority establishing a policy and procedure for public access to public records, updating and superseding Resolution No. 10222008-01.

WHEREAS, North County Regional Fire Authority (the "NCRFA") serves Snohomish County Fire NCRFA No. 18 and Snohomish County Fire NCRFA No. 14;

WHEREAS, it is the policy of the Commissioners of NCRFA, a municipal corporation, to make available to the public any and all identifiable NCRFA records, subject only to the exceptions contained in law, and to abide by the spirit and the intent of the Public Records Act, Chapter 42.56 RCW;

WHEREAS, it is further the policy of the Commissioners of the NCRFA to impose a reasonable charge reflecting the actual costs to the NCRFA in providing copies to the public;

WHEREAS, the Commissioners of the Snohomish County Fire NCRFA No. 18 established, by Resolution No. 10222008-01, a policy and procedure for public access to public records; and

WHEREAS, in 2015, the NCRFA staff reviewed Resolution No. 10222008-01 and procedures for accessing public records at the NCRFA and reviewed "Public Records Act" and suggests revisions to the documents.

NOW, THEREFORE, BE IT RESOLVED, that the following updated rules and procedures for public access to NCRFA records are hereby adopted to read as follows:

Section 1. LOCATION OF RECORDS.

The NCRFA's central office is located at 8117 267th St NW, Stanwood, WA, 98292. NCRFA's public records are kept and can be inspected at its central office.

Any person wishing to request access to public records of the NCRFA, or seeking assistance in making such a request should contact the Public Records Officer of the NCRFA.

Public Records Officer: Brandi Westling
Address: 8117 267th St NW, Stanwood, WA, 98292
Telephone number: 360-629-2184
Fax number: 360-652-3166

The Public Records Officer is the staff person designated by the Fire Chief. In the absence of such appointment, the Fire Chief shall serve as the NCRFA's Public Records Officer. The Public Records Officer shall report to and be supervised by the Fire Chief.

The Public Records Officer will oversee compliance with the Public Records Act (the "Act"), but another NCRFA staff member may process the request. Therefore, these rules will refer to the Public Records Officer "or designee." The Public Records Officer or designee and the NCRFA will provide the fullest assistance to requestors; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the NCRFA.

(Section 2. PROCEDURE.

Procedures for Accessing Public Records at the NCRFA are attached hereto as Exhibit "A."

Section 3. TIMES FOR INSPECTION AND COPYING.

Public records will be available for inspection and copying during the customary office hours of the NCRFA (Monday through Friday, excluding legal holidays, 8:00am to 5pm, subject to availability of staff to ensure the protection of public records from damage or disorganization.

NCRFA responses regarding identifiable NCRFA documents will be provided promptly, unless such action would excessively interfere with the essential functions of the NCRFA. As used herein, the word "promptly" shall mean within five (5) working days from the time a formal and documented request for identifiable documents is submitted by a requester. The NCRFA's response will either: (1) include the requested documents; or (2) include a statement that additional time is needed to clarify the intent of the request, to locate and assemble the requested documents, to notify third persons or agencies affected by the request, or to determine whether any of the documents are exempt from disclosure.

Should the requested documents be deemed exempt from disclosure, the requester will be notified in writing. The requesting person will be provided a list of those documents that are withheld from disclosure, the specific exemption applicable, and a brief explanation of how the exemption applies to the document withheld.

Section 4. INSPECTION OF PUBLIC RECORDS.

No fee will be charged for inspection of NCRFA documents. Inspection shall be accomplished so as to protect NCRFA documents from damage or disorganization. Documents to be inspected will be provided in the format the documents exist at the NCRFA, hard copy or electronic, without their creation into another format unless creation into another format is easier, less time-consuming for staff and less expensive for the requester and the NCRFA, such as scanning and emailing a document. Inspection may be delayed for a reasonable time to permit review of the document by NCRFA staff or NCRFA legal counsel to determine if the document contains any information exempted by law from disclosure. The requesting person will be notified when the review will be completed.

Section 5. COPYING COSTS.

The costs to be charged the requester for public records that are photocopied or faxed is hereby established at the rate of \$0.15 per page for standard black and white photocopies.

The costs to be charged the requester for public records that are copied to a CD is hereby established at the rate of \$0.60 per CD.

The public will be charged out-of-pocket costs for nonstandard copies (color copies, blueprints, or photographs), out-of-pocket costs for outside services, and out-of-pocket costs for postage and shipping.

The public will be charged the actual out-of-pocket costs for reproduction of documents if the public has requested documents and staff workload issues necessitate sending the documents out to a reliable copy source for copying.

Section 6. APPEAL OF DENIAL TO DISCLOSE.

The requester may appeal a decision by the NCRFA to withhold a document to the NCRFA's Public Records Committee. The appeal must be filed within fourteen (14) working days of notification to withhold information. The Public Records Committee, consisting of the Fire Chief, a Commissioner, and a NCRFA attorney, will either affirm or reverse the denial within two (2) business days following the NCRFA's receipt of the appeal or within such other time as the NCRFA and the requester mutually agree to.

Section 7. FORM OF REQUEST.

All requests for access to NCRFA documents will be recorded using the "Public Records Request Form" attached hereto as Exhibit "B." No documents will be released until the costs of the copies are paid to the NCRFA.

A master file of all Public Records Request Forms will be maintained in the administrative office. If a particular document is repeatedly requested, NCRFA staff will make that document readily accessible for inspection and copying.

Section 8. COPIES FOR NCRFA BUSINESS.

The NCRFA may provide copies of documents free of charge for NCRFA related business. Those persons requesting copies of documents pursuant to the Washington Superior Court Civil Rules shall be treated the same as the public in general and will pay for copies at the rates quoted herein or as may be directed by the state legislature.

Section 9. MEDICAL INCIDENT REPORTS.

The NCRFA, in accordance with Chapter 70.02 RCW, shall charge a clerical fee for searching and handling requests for medical incident reports of \$25.00 for each report. In addition, the NCRFA shall charge one dollar and twelve cents (\$1.12) per page for the first thirty (30) pages and eighty four cents (\$0.84) per page for all additional pages of each report.

Section 10. SENSITIVE BUSINESS INFORMATION.

The NCRFA, on occasion, receives proprietary or sensitive business information. Proprietary or sensitive business information is information that, the disclosure of which, could adversely impact one's business interests. The NCRFA will, consistent with the spirit and intent of the Public Records Act, allow the provider of the information to seek court protection pursuant to RCW 42.56.540 prior to NCRFA disclosure of such information.

Section 11. INDEX OF RECORDS.

The Commission finds that maintaining an index in accordance with RCW 42.56.070 would be unduly burdensome and interfere with the operations of the NCRFA inasmuch as such index would require additional staff and implementation of additional procedures. In accordance with RCW 42.56.070, the NCRFA will make available for public inspection and copying all indexes which are maintained by the NCRFA.


ADOPTED by the Board of Commissioners of the North County Regional Fire Authority at a regularly scheduled meeting held Wednesday, October 28, 2015.


Larry Longley, Commissioner


Greg Oakes, Commissioner

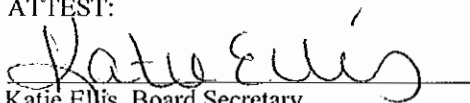

Jan Iverson, Commissioner


Jeff Linker, Commissioner


Dave Fennell, Commissioner


Al Ashley, Commissioner

ATTEST:


Katie Ellis, Board Secretary

CERTIFICATION

I, the undersigned, Secretary of North County Regional Fire Authority, hereby certify as follows:

1. The attached copy of Resolution No. 10282015-02 (the "Resolution") is a full, true, and correct copy of the Resolution duly adopted at a regularly scheduled meeting of the Board of Fire Commissioners held on October 28, 2015, as the Resolution appears on the minute books of North County Regional Fire Authority and the Resolution is now in full force and effect

2. A quorum of the members of the Board of Fire Commissioners was present throughout the meeting and a majority of those members present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 2015.

