

**Rules for Public Inspection and Copying Public Records
Resolution 07-2008**

Resolution No. 07 - 2008

WHEREAS, Chapter 42.56 RCW requires the NBPDA to establish rules of procedure for the public inspection and copying of public records; now, therefore

BE IT RESOLVED that on this date Monday, April 21, 2008 at a regular monthly board meeting of the North Beach Public Development Authority (NBPDA) which operates North Beach Water, the Board of Directors adopts the following "Rules for Public Inspection and Copying of Public Records", as follows:

Section 1. Availability of public records.

All public records of the NBPDA, as defined in Chapter 42.56 RCW, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.56.210 through 42.56.300, Section 6 of this Resolution, and other applicable Washington law.

Section 2. NBPDA General Manager designated as public records officer.

The NBPDA's General Manager is designated as the public records officer, serving as the point of contact for members of the public in requesting disclosure of public records. Unless provided otherwise in this Resolution, the NBPDA's General Manager shall supervise, monitor and accomplish the retention, protection and disclosure of the NBPDA's public records consistent with these rules and Chapter 42.56 RCW, and may delegate duties and responsibilities to any NBPDA staff person.

Section 3. Hours for records inspection and copying.

Public records shall be available for inspection and copying during the customary office hours of the NBPDA, Monday through Friday, excluding legal holidays.

Section 4. Request for public records.

In accordance with the requirements of Chapter 42.56 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied, or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

A. A request shall be made in writing upon a form prescribed by the NBPDA and available at the NBPDA office. The form shall be presented in person at the NBPDA office during customary office hours, or by first class mail to the NBPDA office. The request shall include the following information:

- (1) The name of the person requesting the records;
- (2) The time of day and calendar day on which the request was made;
- (3) The nature of the request; and
- (4) An appropriate description of the public records requested, including title, subject matter, date and other means of enabling the NBPDA to identify the requested records and make them available.

B. If the requester is a member of the public, the NBPDA shall assist such member to identify appropriately the public records requested, but if the records cannot be identified, the NBPDA shall so advise such member, and in the case of a formal request, shall return the formal request for resubmission with additional description of the requested public records.

C. Public records that are requested may not be readily available for immediate inspection. If the requested public records are not readily available, the NBPDA shall notify the requester as to when and where such records will be available. The NBPDA shall provide the public records on a partial or installment basis as they are assembled or are available for inspection or disclosure.

D. Within five business days of receiving a public records request, the NBPDA shall respond by either (1) providing the public records; (2) acknowledging that the NBPDA has received the request and providing a reasonable estimate of the time the NBPDA will require to respond to the request; or (3) denying the request. The NBPDA shall not deny a public records request for identifiable public records solely on the basis that the request is overbroad.

Section 5. Copying of public records.

No fee shall be charged for the inspection of public records. The NBPDA shall charge a fee of fifteen cents (\$.15) per page for providing copies of public records and for use of the NBPDA's copy equipment. This charge is the amount necessary to reimburse the NBPDA for its actual costs incident to such copying. In response to a request for copies of public records, the NBPDA may require a deposit in the amount of ten percent of the estimated cost of providing the copies. If the NBPDA makes public records available on a partial or installment basis, the NBPDA may charge for each part of the partial disclosure or installment. If an installment of a records request is not claimed or reviewed, the NBPDA need not fulfill the balance of the request.

Section 6. Records exempt from public inspection.

A. The NBPDA reserves the right to determine that a public record requested in accordance with the procedure outlined in Section 4 is exempt from public inspection and copying under the provisions of RCW 42.56.210 through 42.56.480 and other applicable Washington law.

B. In addition, pursuant to RCW 42.56.070, the NBPDA reserves the right to delete identifying details when it makes available or publishes any public record, in any case when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by Chapter 42.56 RCW. The NBPDA will fully justify such deletion in writing.

C. All denials of requests for public records shall be accompanied by a written statement specifying the reason for the denial, stating the specific exemption for withholding the public records and explaining the applicability of the exemption to the public records withheld.

Section 7. Review of denials of public records requests.

Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review to the President of the Board of Directors of the NBPDA. The written request shall specifically refer to the written statement by the NBPDA that constituted or accompanied the denial, and shall set forth the legal and factual basis for the objection to the denial. The President shall immediately consider the request for review and either reaffirm or reverse the denial. In any case, the review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final action for the purpose of judicial action.

Section 8. Records index.

A. The NBPDA has available to all persons a current index which provides identifying information for resolutions adopted by the Board of Directors. The NBPDA has not indexed all of the public records described in RCW 42.56.070(3), because to do so would be unduly burdensome and would not necessarily assist members of the public in locating requested information.

B. The current index of resolutions prepared by the NBPDA shall be available to all persons under the same rules and conditions as are applied to public records available for inspection.

Section 9. Record request form.

The NBPDA adopts for use by all persons requesting inspection and/or copies of records the form entitled, "Request for Public Records."

Section 10. Protection of public records.

To adequately protect the public records of the NBPDA, any person inspecting public records shall adhere to the following guidelines:

- a. No public records shall be removed from the NBPDA's possession.

b. Inspection of public records shall be conducted in the presence of a designated NBPDA representative.

c. No public records may be marked or defaced in any manner during inspection.

d. Public records, which are maintained in a file or jacket, or chronological order, may not be dismantled except for purposes of copying and then only by a NBPDA representative.

e. Access to file cabinets, shelves, vaults and other NBPDA storage areas is restricted to NBPDA representatives unless other arrangements are made with the NBPDA.

f. The NBPDA may limit inspection and copying to any extent necessary to prevent such activity from unreasonably disrupting the NBPDA operations.

Passed and approved this 21st day of April, 2008



R D Williams, President

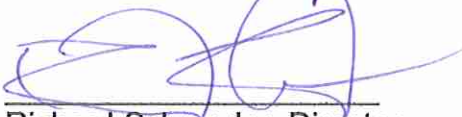
Tom Downer, Treasurer



Brad Weatherby, Vice President



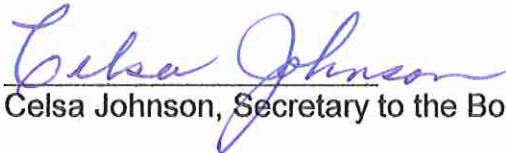
Jim Hagen, Director



Richard Schroeder, Director

I, Celsa Johnson, duly appointed Secretary to the Board of the North Beach Public Development Authority (NBPDA) do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Directors of the NBPDA on this 21st day of April, 2008

Date: April 21, 2008



Celsa Johnson, Secretary to the Board