



Access to Port Public Records Procedure

Procedure Number: 7005

Associated Policy: IT03 (Access to Port Public Records Policy)

1. PROCEDURE

Public Records Officer (PRO)

The PRO will oversee compliance with the Public Records Act, but may designate other staff members to process requests for public records. Any person wishing to request access to public records or seek assistance in making a request should contact the PRO.

The Port of Tacoma Public Records Office can be contacted at:

Email: PublicRecordsRequest@portoftacoma.com

Phone: 253-428-8639

Fax: 253-593-4588

Public Records Office
Port of Tacoma
P.O. Box 1837
Tacoma, WA 98401

Making a Records Request

Requests for public records can be made by completing the request form on the Port of Tacoma website <http://portoftacoma.com/public-records-request>. Requests can also be mailed, emailed or faxed to the contact information above. An initial response will be sent to the requester within five (5) business days.

Availability of Public Records

Port of Tacoma provides access to public records related to [Commission Meeting Records, Procurement](#) and [Awarded Contracts](#) summaries on our website www.portoftacoma.com. Other requested records will be made available for viewing or download on our FTP (File Transfer) site, in email, in our Administration Building for inspection, photo copies or copied to DVD.

Note: Contract details are posted to the Port of Tacoma website after the contract is awarded and signed.

Electronic Records

Electronic records are provided in the common native format, .pdf, .jpg or .tiff.

Providing “fullest assistance”

These procedures identify how the Port will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide fullest assistance to requestors and provide the timeliest response to public records requests.

Initial Request Response

Within five (5) business days of receipt of the request, the PRO will do one or more of the following:

- Make the record available for inspection or copying;
 - Acknowledge that the request has been received and provide a reasonable estimate of when records will be available;
 - If the request is unclear or does not sufficiently identify the requested records, request clarification in writing from the requestor.
 - Deny the request.
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Reasonable estimate of time to fully respond

If not able to respond within the five- business-day period, the PRO must provide a reasonable estimate of the time it will take to fully respond to the request. Additional time may be needed to clarify the scope of the request, locate and assemble the records, redact confidential information, prepare a privilege log, notify third party persons or agencies affected by the request and/or consult with the Port’s attorneys about whether the records are exempt from disclosure.

Should an extension of time be necessary to fulfill the request, the PRO will provide a revised estimate and explain the changed circumstances that make it necessary.

Consequences of failure to clarify a request

If the requestor does not respond to the Port’s request for clarification within 30 business days of the Port’s request, the PRO may consider the request abandoned, send a letter closing the response to the requestor, and refile the records.

Providing copies of records

When making the records request, the requestor shall indicate the desired delivery option for receiving records. No cost delivery options for reviewing and receiving records include posting electronic files to the FTP (File Transfer) site or sending them as email attachments. A requestor can also inspect the records at the Port Administration building at no cost.

For photocopied records or records provided on DVD, cost details are outlined in the “Cost of providing records” section.

Inspection of records

To the extent possible due to other demands, the PRO shall promptly provide space to inspect public records.

- The PRO will notify the requestor in writing of this requirement and suggest that he or she contact the Port to make arrangements to claim or review the records.
- The requestor must claim or review the assembled records within 30 days of the PRO’s notification that the records are available for inspection or copying. If the requester fails to review in 30 days the request be considered abandoned.
- If a subsequent request by the same person for the same or almost identical records is received, it will be processed as a new request.

NOTE: The Act does not allow a requestor to search through the Port of Tacoma’s files for records which cannot be identified or described. Members of the public may not remove documents from the viewing area or disassemble or alter any document.

Providing records in installments

When the request is for a large number of records, the PRO will provide access for inspection and copying in installments if it is reasonably determined that it would be practical to provide the records in installments. If the requestor fails to inspect the entire set of records or one or more of the installments within 30 days, the PRO will notify the requestor in writing that the Port will deem the request abandoned.

Note: 30 days begins at the release of the last installment.

**Closing
withdrawn or
abandoned
requests**

If the requestor withdraws the request, fails to fulfill his or her obligations to inspect the records, or fails to pay the deposit or final payment for the requested copies, the PRO will close the request and indicate to the requestor that the Port of Tacoma has closed the request. The PRO will document closure of the request and the conditions that led to closure.

**Later discovered
documents**

If, after the PRO has informed the requestor that the Port of Tacoma has provided all available records, the Port of Tacoma becomes aware of additional responsive documents that existed on the date of the request, the PRO will promptly inform the requestor of the additional documents. The documents will be provided on an expedited basis.

**No duty to
create records**

The Port of Tacoma is not obligated to create a new record to satisfy a records request. It may at its discretion, create a new record to fulfill a request where it may be easier for the Port of Tacoma to create a record responsive to the request than to collect and provide voluminous records that contain small pieces of information responsive to the request. The requestor must agree in writing that the new record will satisfy the request.

For example: Consolidating information from several spreadsheets into one spreadsheet for ease of understanding.

**No duty to
supplement
responses**

The Port of Tacoma is not obligated to hold current records requests open to respond to requests for records that may be created in the future. If a public record is created or comes into the possession of the Port of Tacoma after a request is received by the Port of Tacoma, it is not responsive to the request and will not be provided. A new request must be made to obtain later-created public records.

**Exempt and
Prohibited
Disclosure of
Public Records**

The Port of Tacoma is not required to release records or permit public inspection of records for which public disclosure is prohibited, restricted or limited by state or federal statute or regulation. The Port of Tacoma is prohibited by statute from disclosing lists of individuals for commercial purposes. Also, per [RCW 42.56.230](#) certain types of personal information are exempt.

Exempt and Prohibited Disclosure of Public Records,
continued

If the Port believes that a record is exempt from disclosure and should be withheld, the PRO will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. Additional information regarding statutes may be found on the [Municipal Research Service Center's](#) (MRSC) website. Locate publication: "Public Records Act for Washington Cities, Counties and Special Purpose Districts", Appendix C.

Allowed Costs

Per state law, the Port of Tacoma is not allowed to charge for locating a public record or for making records available for review or inspection. The Port of Tacoma may charge for the actual costs of copying public records by internal resources or external resources like a commercial vendor. This provision includes responses to public records requests for electronic records.

Fee Schedule

Item	Cost Each	Internal/External Provider
FTP site (File Transfer)	No Charge	Internal
Electronic via email	No Charge	Internal
Black & White Paper Copy	\$.15/page or actual cost	Internal or External
Color Paper Copy	Current commercial rate	Internal or External
CD/DVD and case	\$5.00	Internal
Non-Routine formats Ex: photographs, blueprints, tape recordings	Current commercial rate	External Provider
Mailing / Shipping Cost	Actual Cost of Shipping plus mailing container	External Provider

2. RESOURCES/FORMS/LINKS

PublicRecordsRequest@portoftacoma.com

<http://portoftacoma.com/public-records-request>

[Commission Meeting Records](#)

[Procurement](#)

[Awarded Contracts](#)

[RCW 42.56.230](#)

[Municipal Research Service Center's](#)

[Access to Port Public Records Policy](#)

3. CONTACTS/RESPONSIBILITIES

Subject	Contact	Phone	Email
Approval	Debbie Givens	593-4507	dgivens@portoftacoma.com
Interpretation and Guidance	Diane Jordan	428-8639	djordan@portoftacoma.com
Form	Diane Jordan	428-8639	djordan@portoftacoma.com

4. HISTORY

Issued: 7/1/2008
Revised: 06/20/2014
Reviewed: 06/20/2014

This is the most current version of this policy/procedure and replaces all previous versions. The signed original is maintained by Human Resources.

Debbie Givens
Director, Systems and Business
Processes

6/30/2014

Date