

Access to Port Public Records Procedure

Procedure Number: 7005

Associated Policy: IT03



1. DEFINITIONS

Terms & Acronyms

Term	Definition
Public record	A writing, regardless of physical form, containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by the Port of Tacoma. These include commission records.
Writing	Broadly defined, a writing means handwriting, typewriting, printing, photostating, photographing, and any other means of recording any form of communication, including, but not limited to, letters, words, pictures, sounds or symbols or their combinations; papers, maps, magnetic or paper tapes, photographic film and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including data compilations from which information may be obtained or translated. An email is a writing.
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.

2. PURPOSE

Background The Port of Tacoma/Northwest Seaport Alliance is committed to public accountability and operates in compliance with the Washington State Public Records Act, [RCW 42.56](#) which requires public agencies to make identifiable, non-exempt public records available upon request, and to publish procedures to inform the public how access to public records will be accomplished.

Associated Process Port of Tacoma/Northwest Seaport Alliance policy IT03, Access to Port Public Records Policy.

3. SCOPE

Audience This procedure is intended for the public that are interested in making public records requests of the Port of Tacoma and the Northwest Seaport Alliance. The procedure also pertains to the Port of Tacoma/NWSA staff responsible for responding to public records requests.

Activities This procedure outlines the activities and timelines related to public records request responses.

4. PREREQUISITES/RESOURCES/FORMS/LINKS

Required Documents, Worksheets, Reports, Etc

- publicrecordsrequest@portoftacoma.com
- publicdisclosure@nwseaportalliance.com
- djordan@portoftacoma.com
- <https://portoftacoma.nextrequest.com/>
- <https://nwseaportalliance.nextrequest.com/>

The Port of Tacoma and Northwest Seaport Alliance provide multiple access points for the public to make records requests. Links to the request portals are available on the Port of Tacoma and Northwest Seaport Alliance websites. Requests can be emailed to the email addresses above. The public can mail hardcopy requests or make a request at the reception desk at the Port of Tacoma Admin Building during normal business hours.

The request must be for identifiable records owned or possessed by the Port of Tacoma/Northwest Seaport Alliance.

5. RESPONSIBILITIES

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

Mailing Addresses:

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

Northwest Seaport Alliance Public Records Office can be contacted at:

Email: publicdisclosure@nwseaportalliane.com

Phone: 253-428-8639

Fax: 253-593-4588

Mailing Address:

Public Records Office
Northwest Seaport Alliance
PO Box 2985
Tacoma, WA 98401-2985

6. PROCEDURE

Making a Records Request

Requests for public records can be made by completing the online request form on the Port of Tacoma website <https://portoftacoma.nextrequest.com/>. Requests can also be mailed, emailed, or faxed. In-person record requests can be made at the receptionist desk in our office, 1 Sitcum Way, Tacoma, WA 98421.

Requests for public records can be made by completing the online request form on the Northwest Seaport Alliance website <https://nwseaportalliance.nextrequest.com/>. 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 public records request portal, FTP (File Transfer) site, or via email. Records can also be inspected and copies requested at the Port of Tacoma Administration Building.

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;

- Verify Port’s interpretation of the request.
- If the request is unclear or does not sufficiently identify the requested records, request clarification in writing from the requestor.
- Deny the request.

Verification of records requested

In the initial response to the requester, the Port will verify our understanding of the request including the interpretation of the subject(s) of the records request and inclusive dates.

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 notice of closing the response via public request portal to the requestor.

Providing copies of records

Responsive records will be delivered by posting to the online records request portal unless another delivery method is specifically requested.

No cost delivery options for reviewing and receiving records include posting to the records request portal, posting 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 review the records.
- The requestor must review the assembled records within 30 days of the PRO’s notification that the records are available for inspection or copying. If the requestor fails to review in 30 days the request be considered abandoned.
- The requestor must claim the copied records within 30 days of the PRO’s notification that the records are available for pick up.

- 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/Northwest Seaport Alliance'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 records in installments if it is reasonably determined that it would be practical to provide the records in installments. If the requestor fails to inspect or download 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/Northwest Seaport Alliance 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/Northwest Seaport Alliance 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.

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.

Copy Charges

If the Port of Tacoma/Northwest Seaport Alliance charges for copies, the charges will be based on the minimum fee schedule in [RCW 42.56.120](#).

7. REFERENCES

Policies, RCWs & Standards

[RCW 42.56.230](#)
[Municipal Research Service Center's](#)
[Access to Port Public Records Policy](#)

8. CONTACTS

Subject	Contact	Phone	Email
Approval	Debbie Givens	253-593-4507	dgivens@portoftacoma.com
Interpretation and Guidance	Diane Jordan	253-428-8639	djordan@portoftacoma.com
Form	Diane Jordan	253-428-8639	djordan@portoftacoma.com

9. HISTORY

Issued: 7/1/2008

Revised: 1/9/2018

Reviewed:

Deborah Givens

 Department Director

January 9, 2018

 Date