

RESOLUTION NO. 2250-17

A RESOLUTION OF THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, ESTABLISHING POLICY FOR PUBLIC INSPECTION AND COPYING OF ALL THE DISTRICT'S PUBLIC RECORDS.

WHEREAS, Public Utility District No. 1 of Skagit County (the "District") is a municipal corporation, organized under the laws of the State of Washington. The governing board consists of three elected commissioners. Each commissioner serves for a six-year term and a commissioner position is on the election ballot every two years, and

WHEREAS, The Board of Commissioners establishes policy and appoints a General Manager who is charged with the responsibility of operating the District within the guidelines established. The Board of Commissioners meets regularly on the second and fourth Tuesday of each month and rules of procedure are established by resolutions of the Board at those meetings, and

WHEREAS, Public Utility District No. 1 of Skagit County is engaged in the transmission of municipal and industrial water throughout certain areas of Skagit County in the State of Washington, and

WHEREAS, the main office of the District is located at 1415 Freeway Drive, Mount Vernon, Washington. The operation of the District is directed from the main office. The established place where information may be made available to the public is at the aforesaid location, and the person from whom authority to obtain such information is the General Manager. Information will be made available to those parties who make such request for specific information in writing either in person or by mail, and

WHEREAS, given District staffing levels and the District's efforts to maintain competitive utility rates, the Board of Commissioners finds that maintaining an index of District documents would be unduly burdensome, nonetheless, the Minute Book has been designated as the Official Record of the District wherein the following items may be found: Final opinions of the Board; statements of policy; interpretations of policy; administrative staff instructions, as well as the planning policy and goals, and

WHEREAS, adequate District facilities are available at the District's office for the purpose of copying public records requested by the public. While no fee shall be charged for the inspection of public records, there will be a charge established for copying, and

WHEREAS, from time to time requests are made to inspect and copy public records of the District, and

WHEREAS, the Commission recognizes the need for specific guidelines and requirements for public inspection and copying of public records, unless the record falls within the specific exemptions of Chapter 42.56.070(8), 42.56.210 and 42.56.230-480 RCW, or other statutes which exempt or prohibit public disclosure of specific information or records, and

WHEREAS, it is understood that legal counsel may be sought in certain circumstances to determine whether or not requests fall within statutory exemptions or prohibitions.

NOW, THEREFORE, BE IT RESOLVED that the Commission finds to be fair, reasonable, necessary, and in the public interest and hereby adopts the following guidelines for the District:

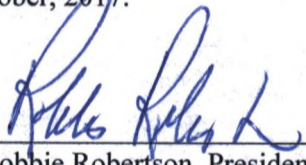
1. The District will provide forms for the requestor's use.
2. The requestor will be required to fill out the form, or submit a request in person, by mail, email, fax, or over the telephone.
3. The District's clerk(s) will assign a number to the request.
4. Within five business days of the District's receipt of a request for a public record, the District will either (1) provide the record, (2) acknowledge receipt of the request and provide an estimate of the time to respond, including but not limited to the time necessary to determine whether all or portion of the public records requested are exempt from disclosure under applicable statutes, or (3) deny the disclosure request, stating the exemption on which the District based its decision.
5. The request form will be routed for approval or denial.

6. Upon approval/denial, (by mail if necessary) a copy of the request will be returned to the requestor. An estimate of the cost may be provided if requested by the requestor.
7. The routing copy will be used to initiate work. When the work is completed, the routing copy will be used to notify Accounting of the fee.
8. Fees will be assessed pursuant to Chapter 42.56.070(7) and 42.56.120 (1-4) RCW, and include the following:
 - a. A charge of fifteen cents (\$0.15) per page for photocopies of public records, printed copies of electronic public records when requested by the person requesting records, or for the use of agency equipment to photocopy public records.
 - b. A charge of ten cents (\$0.10) for public records scanned into an electronic format or for the use; five cents (\$0.05) per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery, and ten cents (\$0.10) per gigabyte for the transmission of public records in an electronic format to send the records electronically. The charges identified in this subsection may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.
 - c. The District may charge a flat fee up to two dollars (\$2.00) for any request as an alternative to fees authorized under RCW 42.56.120 (1) or (b) when it reasonably estimated and documents that the costs allowed are clearly equal to or more than two dollars.
 - d. The actual cost of any digital storage media or device provided by the District, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.
 - e. In addition to the charge imposed for providing copies of public records, the District may include a customized service charge. A customized service charge may only be imposed if the District estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access service are not used by the District for other District purposes. The customized service charge may reimburse the District up to the actual cost of providing the services under this subsection.
 - f. Whenever charges are required, such charges must be paid in full by the requestor prior to receiving copies of the public records.
9. Public records will be made available for inspection and copying during the customary office hours of the District which are Monday through Friday, excluding holidays, 8:00 AM through 5:00 PM.

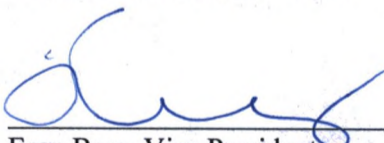
BE IT FURTHER RESOLVED, that this resolution shall supersede Resolution No. 1712-96.

ADOPTED by the Commission of Public Utility District No. 1 of Skagit County, Washington, at a regular meeting held this 24th day of October, 2017.

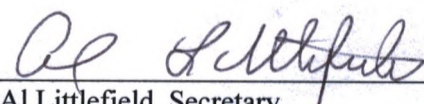




Robbie Robertson, President



Eron Berg, Vice President

ATTEST 

Al Littlefield, Secretary