

SOUND TRANSIT - CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY

RESOLUTION NO. R98-24

**Public Records Disclosure Policy
BACKGROUND AND COMMENTS**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Executive Committee	5/1/98	Recommend Board Approval	Desmond Brown Jennifer Belk	206-684-6758 206-689-7609
Board of Directors	5/14/98	Approval		

ACTION:

Approve Board Resolution No. R98-24 establishing a public records disclosure policy for *Sound Transit*.

BACKGROUND:

Sound Transit now receives requests from the public to review records relating to *Sound Move* projects on a regular basis. Chapter 42.17 RCW requires public agencies to adopt and enforce reasonable rules and regulations to provide public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency. The proposed policy was developed after consultation with the Washington State Attorney General's Office and with local jurisdictions that have successfully implemented public disclosure policies.

RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:

Adoption of Sound Move (May 31, 1996)

KEY FEATURES:

- Establishes a policy to provide full public access to public records to ensure public accountability and confidence in *Sound Transit*.
- The proposed public records disclosure policy will ensure that *Sound Transit* is in compliance with the public records disclosure requirements imposed by Chapter 42.17 RCW.
- Permits each *Sound Transit* department to organize and maintain public records in functional files or in document control management systems. In accordance with RCW 42.17.260(4), the proposed policy relieves *Sound Transit* from the obligation to maintain a detailed index of each individual document because such an index cannot be maintained with *Sound Transit*'s limited staff resources in light of the millions of documents that will be created as *Sound Move* is implemented. The proposed policy is consistent with the policies adopted by other public agencies and complies with state law.
- *Sound Transit* records will be maintained and made available for public inspection upon request in accordance Chapter 42.17 RCW and in accordance with the records retention schedule approved by the Washington State Division of Archives and Records Management.

FUNDING:

This Resolution has no impact on *Sound Transit* funding.

ALTERNATIVES:

The one provision in the proposed policy that is not mandated by state law relates to the manner in which agency records are indexed. The alternative to the proposed policy is to require the preparation of a detailed index entry for each and every document created or received by *Sound Transit* as *Sound Move* is implemented. However, to do so would require the permanent employment of additional staff in order to develop and maintain this index due to the voluminous amount of records related to *Sound Move*. Maintaining such an index would also likely delay the implementation of *Sound Move* projects because existing staff would be required to devote a portion of their time to the clerical tasks associated with indexing documents. The public agencies that were consulted in preparing the proposed policy did not require that a detailed records index be maintained.

REGIONAL TRANSIT AUTHORITY

RESOLUTION NO. R98-24

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority for the Pierce, King and Snohomish Counties region establishing a Public Disclosure Request Policy as required by RCW 42.17.

WHEREAS, the Central Puget Sound Regional Transit Authority (“*Sound Transit*”) is a governmental entity vested with all powers necessary to implement a high capacity transportation system pursuant to Chapters 81.104 and 81.112 RCW; and

WHEREAS, affording citizens full access to *Sound Transit* records ensures continuing public accountability and confidence in the conduct of the *Sound Transit* as it implements Sound Move, The Ten-Year Regional Transit System Plan; and

WHEREAS, Chapter 42.17 RCW requires public agencies to adopt and enforce reasonable rules to provide public access to records of the conduct of the public’s business;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that:

Section 1. Records to be Made Public. *Sound Transit* shall make available for public inspection and copying all public records, unless the record falls within the exemptions of Chapter 42.17 RCW, or any other statute or law which exempts or prohibits disclosure of specific information or records. It shall be *Sound Transit’s* policy to process all requests for public records in accordance with RCW 42.17.251.

Section 2. Requests and Responses. Requests to inspect and/or copy public records shall be made in writing. *Sound Transit* shall respond promptly to such requests pursuant to RCW 42.17.251, RCW 42.17.270 and RCW 42.17.320.

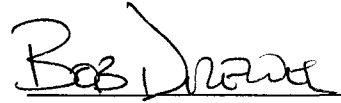
Section 3. Copying. *Sound Transit* shall make its facilities available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of *Sound Transit*. *Sound Transit* shall impose a reasonable charge for providing copies of public records or for the use of agency equipment by any person to copy public records pursuant to RCW 42.17.300.

Section 4. Index of Records Not Maintained. Compliance with RCW 42.17.260(3) is unnecessary, would be unduly burdensome and would interfere with *Sound Transit*'s implementation of the high capacity transportation systems adopted in *Sound Move*. The maintenance of detailed indexes is not practical or feasible and cannot be accomplished within the project schedule and budget because of limited staff resources, the voluminous amount of documents associated with *Sound Move* projects, and the contract management approach to project development and operations. In accordance with RCW 42.17.260(4), *Sound Transit* shall not maintain the current index of records specified in RCW 42.17.260(3). *Sound Transit* shall make available for public inspection and copying all indexes maintained for agency use, including the State Division of Archives and Records Management Local Government Records Retention Schedule.

Section 5. Chapter 42.17 RCW. Nothing in this resolution shall be construed to conflict with the public records disclosure provisions of Chapter 42.17 RCW.

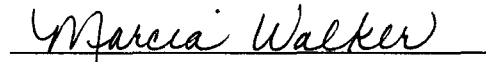
Section 6. Executive Director to Adopt Administrative Procedures. The Executive Director shall establish and develop procedures to implement the policies adopted herein as provided in RCW 42.17.290 to ensure public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 14TH day of May 1998.



Bob Drewel
Board Chair

ATTEST:



Marcia Walker
Board Administrator