



University District Public Development Authority Public Records Policy

Effective Date: May 1, 2024

Authority and Purpose

It is the policy of the University District Public Development Authority (UDPDA) to release records in compliance with the Public Records Act (“Act”), Chapter 42.56 RCW, and any other applicable provisions of federal or state law. Records will be released to provide full access to information concerning the conduct of UDPDA while being mindful of individuals’ privacy rights, the desirability of the efficient administration of government, protecting public records from damage or disorganization, and preventing excessive interference with other essential functions of the UDPDA (RCW 52.56.100).

The purpose of this policy is to establish the procedures that the UDPDA will follow to respond to requests made for records under the Act. This policy provides information to persons wishing to request access to public records of the UDPDA and establishes processes for both requestors and UDPDA staff.

Agency Information, Contact Information, Public Records Officer

The UDPDA is a quasi-municipal organization established via [RCW 35.21.730-.757](#) and [City of Spokane Ordinance C34933](#) to undertake, assist with, and otherwise facilitate benefit projects within the University District Revitalization Area (UDRA) boundaries.

The UDPDA is located at 120 N Pine St, Ste 252, Spokane, WA 99202, and maintains the hours of 8:00 AM – 5:00 PM Monday through Friday except for observed holidays. Information is also available at the website www.spokaneudistrict.org. The public records officer can be reached at (509) 255-8038, info@spokaneudistrict.org. The public records officer or a designee will oversee compliance with the Act and will aid requestors.

Public records are available for inspection and copying by appointment between 9:00 AM – 3:00 PM Monday through Friday except for observed holidays. Records must be inspected at the UDPDA office. The UDPDA will maintain its records in a reasonably organized manner consistent with available resources. The public records officer or a designee may take any steps deemed necessary to protect and preserve records from damage, alteration, or disorganization.

A requestor shall not alter, disorganize, damage, take, or remove records from the UDPDA office. In the event of such unauthorized action, the UDPDA reserves the right to recover from all persons responsible, all costs of record recovery, including direct costs as well as all claims for consequential loss or damage, in addition to prosecution under the law.

Making a Request for Public Records

Any person wishing to inspect or copy UDPDA public records, amend such a request, or withdraw a request can utilize the [Public Records Request Form available on the UDPDA website](#). A requestor may

also mail the request and or physically bring the request to the address previously mentioned. However, since the UDPDA's office is in a secure building and since the UDPDA maintains a small staff, please contact the public records officer to ensure that the office is open and can accommodate the request.

A question or request for information is not a request for a record. The UDPDA will have no responsibility to respond to or process any public records request not made using the online [Public Records Request Form](#) or its written equivalent.

If the requestor wishes to have copies of the records made instead of simply inspecting them (for which there is no fee), he or she should so indicate and make arrangements to pay for copies of the records via check or exact cash to the listed charges as stated in RCW 42.56.120 and are as follows:

- Fifteen cents 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;
- Ten cents per page for public records scanned into an electronic format or for the use of agency equipment to scan the records;
- Five cents per each of four electronic files or attachments uploaded to email, cloud-based data storage service, or other means of electronic delivery;
- Ten cents per gigabyte for the transmission of public records in an electronic format; and
- The actual cost of any digital storage media or device provided by the agency, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.

The UDPDA will not be responsible for processing requests that do not otherwise conform with the requirements of this Section.

Procedure

The UDPDA is charged by statute with adopting rules that provide for how it 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 "most timely possible action" on public records requests.

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

- Make the records available for inspection or copying in whole or in part; or
- If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor; or
- Provide a reasonable estimate of when records will be available; if not furnished in whole; or
- If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer may revise the estimate of when the records will be available; or
- Deny the request, in whole or part.

If the UDPDA does not respond in writing within five (5) business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond.

If the requested records contain information that may affect the rights of others and may be exempt from disclosure, the public records officer may, before providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given to make it possible for those **affected persons to contact the requestor and ask him or her to revise the request, or, if necessary, for the affected persons to seek an order from the Court to prevent or limit the disclosure.** The notice to the affected persons will include an accurate statement of the scope and terms of the request or a copy of the request.

Some records may be exempt from disclosure, in whole or in part. In general, the burden of proving that the documents fall within the scope of the claimed exemption is on the affected party seeking to prevent the disclosure. The affected party has ten (10) business days to obtain a Court order preventing the UDPDA from disclosing the record, but the records officer may determine that the circumstances warrant a different notice/opportunity period.

If the Court determines that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record, or a portion of the record, is being withheld. If only a *portion* of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the non-exempt portions, and indicate to the requestor why portions of the record are being redacted. If no part of the record is determined by the Court to be exempt, or if no Court order is received at all within the allowed notice period, the UDPDA will release the records to the requestor as received, unredacted.

Consistent with other demands, the UDPDA shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the agency to copy.

The requestor must claim or review the assembled records within thirty (30) days of notification to him/her that the records are available for inspection or copying. The UDPDA will notify the requestor in writing of this requirement and inform the requestor that he/she should contact the UDPDA to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty (30) day period or make other arrangements, the UDPDA may close the request and re-file the assembled records.

When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty (30) days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

After the inspection is complete, the public records officer shall make the requested copies available or arrange for copying if necessary. Additionally, when the inspection of the requested records is complete and all requested copies are provided, the public records officer will indicate that the UDPDA has completed a diligent search for the requested records and made any located non-exempt records available for inspection.

When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the request is closed. Additionally, if the requestor

does not respond within thirty days to a request for clarification, the public records officer will close the request and indicate to the requestor that the request is closed.

If, after the UDPDA has informed the requestor that it has provided all available records, the UDPDA becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

Exemptions

The Public Records Act provides that several types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any “other statute” exempts or prohibits disclosure. Requestors should be aware of those exemptions, outside the Public Records Act, that restrict the availability of some documents held by the UDPDA for inspection and copying. There may be other statutes that restrict or limit disclosure to the public. These exemptions are listed, reviewed, and approved separately.

The UDPDA is prohibited by statute from disclosing lists of individuals for commercial purposes.

If a public record contains personal information that identifies an individual or organization other than the subject of the requested public record, the UDPDA may notify that individual or organization to allow the party to seek relief pursuant to RCW 42.56.540. Such relief may include a court injunction prohibiting the release of the record because such an examination would not be in the public interest and would substantially and irreparably damage any person or vital governmental function. The UDPDA may take the above into account when providing an estimate for when the records will be available. Nothing in this policy is intended to create any right to such notice.

Review of Denials of Public Records

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

The public records officer shall promptly provide the petition and any other relevant information to the Director of UDPDA. That person will immediately consider the petition and either affirm or reverse the denial within two (2) business days following UDPDA’s receipt of the petition, or within such other time as UDPDA and the requestor mutually agree to.

A person may obtain a court review of the denial of the public records request pursuant to RCW 42.56.550 two (2) business days after the initial denial regardless of any internal administrative appeal.

The staff of UDPDA maintains the right to execute small, unremarkable changes to this policy. In the case of an omission or error within this public records policy, the [City of Spokane policy](#) takes precedence.