

# 2022 PUBLIC DISCLOSURE REPORT

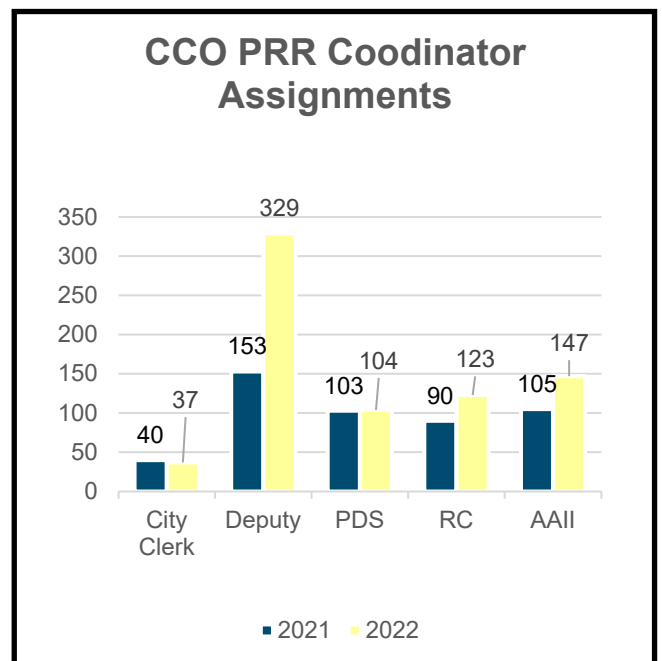
CITY CLERK'S OFFICE

## A Year in Review

The City's public records request process is managed centrally by the City Clerk's Office (CCO) to ensure compliance with the Public Records Act, and to provide efficient and uniform service. CCO strives to provide records as quickly as possible. Our goal is to respond to "Routine" requests within five business days, and "Complex" requests are delivered to requestors in installments, with the first installment typically delivered two to three weeks after a request is made.

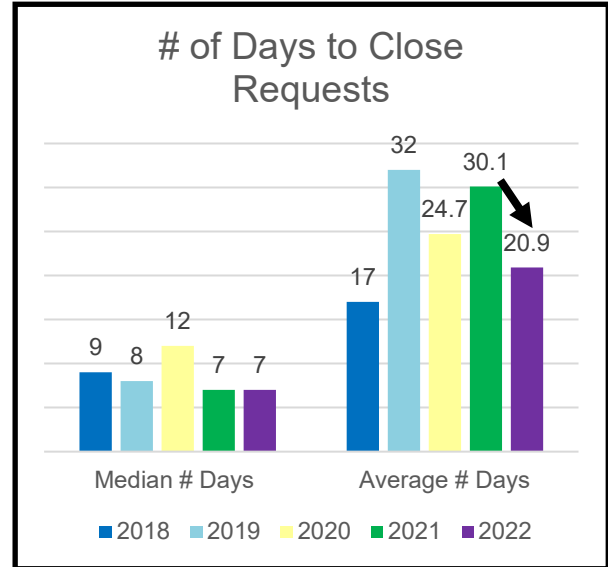
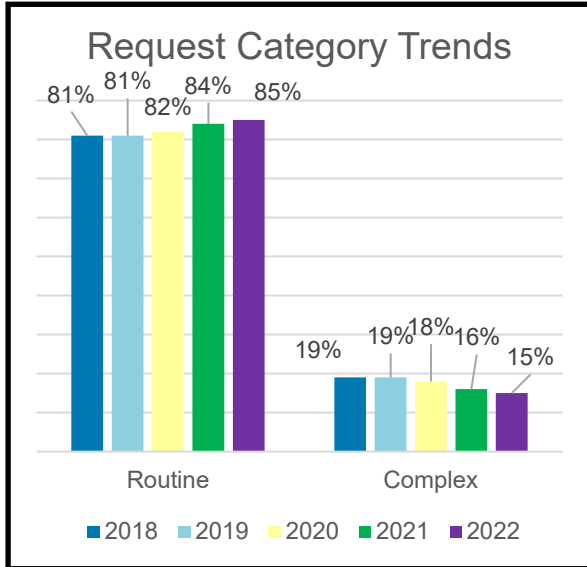
*Routine* requests were assigned by rotation to four CCO staff, and all *Complex* requests were assigned to the Public Disclosure Specialist (PDS). CCO staff work with Department Records Liaisons and other City staff to search for and produce non-email records, the PDS performs a central keyword search for archived emails and reviews them all for responsiveness and exemptions. The City estimates its total costs for fulfilling public records requests in 2022 was approximately \$260,727 representing a 5% increase from 2021.

In 2022, the City received **740 requests** for public records. This is the highest number of public records requests ever received by the City in one year, and represents a 51% increase over the previous year. The following charts shows the number of requests received annually over the last ten years and the breakdown of requests assigned to CCO staff. For the past two years now, the City has seen dramatic year-to-year increases.



## 2022 Request Metrics

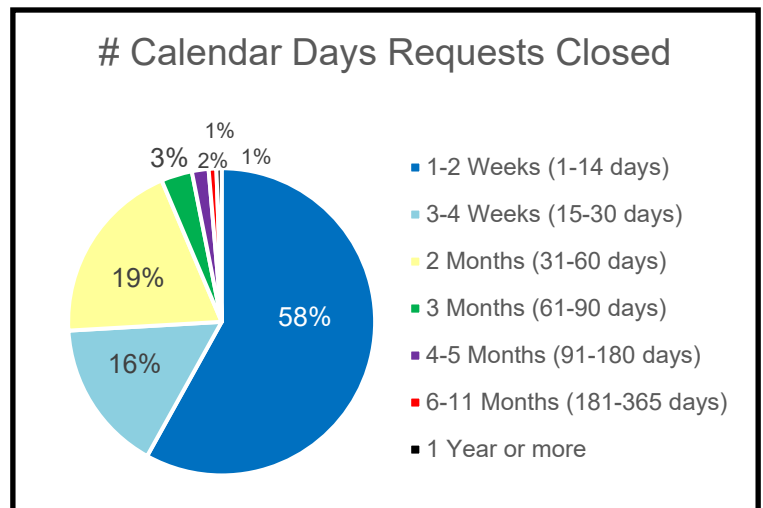
A total of 730 requests were closed in 2022 with 85% (630) categorized as Routine, and 15% (110) categorized as Complex. The median number of days to final disposition was 7 days, which is flat from last year; and the average number of days to final disposition was 20.9 days, down 9 days from 2021.



### Days to Close

49% (360) of *all* requests closed in the reporting period were closed within 5 business days. Note that CCO makes records available to even more requests within the first five days, but the # of Days to Close also includes the time it takes a requestor to pay an invoice and claim their records.

In 2022, 74% of the requests closed in 2022 were closed within one month; 24% were closed within two to five months; and 2% took six months or longer to close.



The City collected \$1,605 in copying fees in 2022; and 22% (159) of requests were fulfilled by the City but were never claimed by the requestor, either in full or in part (failing to claim an installment).

## PRR Liaisons

Departments reported spending an estimated 2,000 hours responding to public records requests in 2022. The following chart shows the number of Tasks assigned to each Department Liaison.

Planning & Community Development, Public Works, and Code Enforcement/Customer Response Team are required to respond to a majority of the requests the City receives.



## Property Records

Property records requests are for building permits, utility as-builts, and code enforcement case files and make up the City's most requested records. CCO works with Planning & Community Development, Public Works, and the Code Enforcement/Customer Response Team to search for and disclose property records. In 2022, property requests made up 72% (531) of the total number of all requests received (740) during the reporting period.

## Top 5 Requestors and Complex Requests Open for 6+ Months

In 2022, 19% of all requests received within the reporting period were from five individual requestors. In an effort to provide every requestor the "most timely possible action" to their request, CCO places multiple requests from one requestor into its own queue. We start processing their earlier requests first and their subsequent requests are started after the previous request is complete. If there are exempt records, the City will produce non-exempt records from subsequent requests before it finished the previous request. Requestors can prioritize their requests if desired.

Requestor	# Requests	# Closed in 2022	Sum of Days to Close	Topics
Jean-Sebastien Dery	47	45	907	Building Plans
Kathleen Russell	28	28	510	MFTE, tree removal permits, tree code, building permits, capital projects
Crissy Martinez	23	23	184	Tax Analyst
Tom McCormick	20	24	2,865	BNSF, Impact Fees, tree cutting, 27 <sup>th</sup> Avenue NE, emails and text messages, property acquisition, Point Wells, HE case records, and property records.
Peter Eglick	19	19	530	Permit and planning files and correspondence related to homes in Innis Arden community

Following is a list of the requests closed in 2022 that took over six months to fully respond to:

PRR No.	Requestor	Public Record Desired	Request Received	Request Closed	Days Open
R000142	Tom McCormick	Related to the railroad line	6/23/2021	11/29/2022	525
R000146	Tom McCormick	Related to the Richmond Beach Overcrossing Bridge Replacement Project	6/25/2021	10/19/2022	483
R000254	Tom McCormick	Related to Councilmember McConnell emails	10/28/2021	12/5/2022	404
R000202	Brandy Ellis	Related to pickleball courts	8/24/2021	7/29/2022	340
R000107	Tom McCormick	Related to Point Wells	5/6/2021	3/8/2022	306
R000029	Paul Michel	Related to the fences that line either side of the Interurban Trail between 192nd St. N and 200th St. N.in Shoreline	1/21/2022	9/21/2022	244
R000170	Tom McCormick	Related to Point Wells	7/21/2021	3/8/2022	231
R000162	Sally Hartmann <i>Legal Assistant</i>	Related to Aaron Olsvik who was shot and killed on July 16, 2020 in Shoreline, Washington at or near 17520 Linden Avenue North.	7/13/2021	2/9/2022	212
R000092	Anton Tseytlin <i>Legal Assistant</i>	Related to "Midblock Crossing and Citywide rectangular Rapid Flashing Beacons and Radar Speed Signs" project	3/16/2022	10/12/2022	211

### Continued Issues with Email Archive

Issues with CommVault, the City's email archive, go back to mid- 2020.

In 2021, the City selected Microsoft 365 eDiscovery (M365) as its new email archive and a consultant was hired to migrate emails from CommVault into M365. The work was expected to be completed in 2022, however migration was put on hold when CommVault software/hardware experienced a complete failure. Following is a timeline of events that affected the Clerk's Office ability to process certain requests for a six month period:

- February 11, 2022 – CommVault stopped journaling emails.
- August 18, 2022 – CommVault hardware failed and searches for emails 6/14/19 and prior were inaccessible.
- December 2022 - total network failure and nothing was available to search in CommVault.
- February 21, 2023 – CommVault search for all emails was restored.

### Public Records Act Violations

On June 1, 2022, Peter Vitaliano and the Richmond Beach Preservation Association served the City with a Complaint and Motion to Show Cause under the Public Records Act. The lawsuit claimed the City failed to provide a "reasonable estimate" of the time it would require to respond to requests R000175, R000187, and R000193. The Court ordered the City to pay Attorney's fees in the amount of \$5,437.08, but did not order the City to pay any penalties.

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## Customer Feedback

At the time a request is closed, CCO offers requestors the opportunity to complete a Customer Service Satisfaction Survey. Feedback from eight requestors was received in 2022. The complete survey responses from 2022 are as follows:

### How would you rate our process for handling your request?

Excellent =3      Very Good =2  
Satisfactory =1      Poor =1

### How courteous was your treatment by our staff?

Excellent =3      Very Good =3  
Satisfactory =2      Poor =0

### Survey Comments Received:

- *“Often I cannot open email files via Safari or Chrome.”*
- *“Unfortunately this only turned up records I already had. The 2003 renovation and addition of a bedroom are not what I am interested in and do not have anything to do with the records I was hoping to find. I have been searching for a further permit with regards to a space on the already existent structure on the other side, which I was told by the previous owners was a garage that had been converted. I will resubmit as I am concerned that the structure's second level is unpermitted, and these being the only records returned make my concerns more pressing. I do not feel like my request was listened to, as I was requesting any records regarding remodeling a garage type space, not an addition.”*
- *“I have an address for contact that somehow became the address to be investigated. As this was my office, the record request was useless and now I need to try again. I did this in the office with help and I explained everything — do the result was a fiasco I can't explain. The process slowed me down in my attempt to evict a very neighborhood troublesome “tenant” and I have lost time and money. This may have been my fault, but I did not have time to correct it when I saw the error.”*
- *“I withdrew my request because the comments to the interactive Konveio survey re the Climate Action Plan were published in the Staff Report for Council meeting 11/7/22.”*

## Summary

In 2022, the City received the largest number of requests it has ever received annually! We started 2022 off with 42 open public records requests, received 740 during the 12-month reporting period, and closed a total of 730. And the City decreased its average number of days to close requests from 30.1 days down to 20.9 days!

## Attachments

JLARC Public Records Requests Report for Shoreline for 2022, submitted June 16, 2023.

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# Confirmation

Your report has been submitted successfully on 6/16/2023 at 4:52 PM. Please print this page for your records. It is also recommended that you print a copy of your submitted data as well.

You may edit and resubmit your report until Saturday, July 1, 2023.

[Return to Summary Page](#)

# Public Records Requests Report for Shoreline for 2022

## Baseline data

The reporting period is for the calendar year (January 1st to December 31st). [Click here](#) for guidance related to Baseline data.

### Baseline data

**Total number of open public records requests at the beginning of the reporting period**

42

**Of the number of requests open at the beginning of the reporting period, how many were closed during the reporting period?**

37

**Total number of public records requests received during the reporting period**

740

**Of the requests received during the reporting period, how many were closed during the reporting period?**

693

## Metric 1

Total number of requests closed within five days. [Click here](#) for guidance related to Metric 1.

### Number of requests closed within five days

**Number of requests closed within five days**

360

**If your agency feels the data provided for this metric is unduly influenced by a small number of unusually large requests, you may provide additional explanation here**

## Metric 2

The number of requests where an estimated response time beyond five days was provided. [Click here](#) for guidance related to Metric 2.

### Number of requests where an estimated response time beyond 5 days was provided

**Number of requests where an estimated response time beyond five days was provided**

380

**You may provide additional explanation here for the data provided for this metric**

## Metric 3

Average and median number of days from receipt of request to the date of final disposition of request. [Click here](#) for guidance related to Metric 3.

### Average and median number of days from receipt to final disposition

**Number of requests with final disposition**

730

**Number of days to final disposition**

15251

**Median number of days to final disposition**

7

**Average number of days to final disposition (calculated)**

20.9

**If your agency feels the data provided for this metric are unduly influenced by a small number of unusually large requests, you may provide additional explanation here**

## Metric 4

Number of public records requests for which the agency formally sought additional clarification from the requester. [Click here](#) for guidance related to Metric 4.

**Number of requests for which additional clarification was sought**

**Number of requests with additional clarification sought**

59

**You may provide additional explanation here for the data provided for this metric**

## Metric 5

Number of requests denied and the most common reasons for denying requests. [Click here](#) for guidance related to Metric 5.

**Number of requests denied in part or in full.**

**Number of closed requests that were denied in full**

3

**Number of closed requests that were partially denied or redacted**

55

**Please provide the 5 to 10 most common reasons for denying requests during this reporting period**

**Reason 1**

Financial Info RCW 42.56.230(5)

**Reason 2**

Attorney-Client RCW 5.60.060(2)(a); RCW 42.56.070(1)

**Reason 3**

Security RCW 42.56.420(4)

**Reason 4**

Privacy RCW 42.56.230(3)

**Reason 5**



**Reason 6**

**Reason 7**

**Reason 8**

**Reason 9**

**Reason 10**

**You may provide additional explanation here for the data provided for this metric**

## Metric 6

Number of requests abandoned by requesters. [Click here](#) for guidance related to Metric 6.

### Number of requests abandoned by requesters

#### Number of requests abandoned by requesters

159

**You may provide additional explanation here for the data provided for this metric**

## Metric 7

Number of requests, by type of requester. [Click here](#) for guidance related to Metric 7.

### Number of requests, by type of requesters

<b>Requester type</b>	Individuals
<b>Other (please explain)</b>	
<b>Total requests</b>	470
<b>Requester type</b>	Law firms
<b>Other (please explain)</b>	
<b>Total requests</b>	71
<b>Requester type</b>	Organizations
<b>Other (please explain)</b>	
<b>Total requests</b>	127
<b>Requester type</b>	Insurers
<b>Other (please explain)</b>	
<b>Total requests</b>	3

<b>Requester type</b>	Governments
<b>Other (please explain)</b>	
<b>Total requests</b>	17
<b>Requester type</b>	Incarcerated persons
<b>Other (please explain)</b>	
<b>Total requests</b>	0
<b>Requester type</b>	Media
<b>Other (please explain)</b>	
<b>Total requests</b>	7
<b>Requester type</b>	Current or former employees
<b>Other (please explain)</b>	
<b>Total requests</b>	6
<b>Requester type</b>	Other
<b>Other (please explain)</b>	No info received or other
<b>Total requests</b>	39

You may provide additional explanation here for the data provided for this metric

## Metric 8

Percent of requests fulfilled electronically compared to the percent of requests fulfilled by physical records. [Click here](#) for guidance related to Metric 8.

Percent of requests fulfilled electronically compared to percent fulfilled by physical records	
<b>Number of requests fulfilled electronically</b>	451
<b>Number of requests fulfilled by physical records</b>	27
<b>Number of requests fulfilled by electronic and physical records</b>	47
<b>Number of requests closed with no responsive records</b>	205
<b>Percent of requests fulfilled electronically (calculated)</b>	62%
<b>Percent of requests fulfilled by physical records (calculated)</b>	4%

**Percent of requests fulfilled by electronic and physical records (calculated)**

6%

**Percent of requests closed with no responsive records (calculated)**

28%

**You may provide additional explanation here for the data provided for this metric**

## Metric 9

Number of requests where one or more physical records were scanned to create an electronic version to fulfill disclosure. [Click here](#) for guidance related to Metric 9.

**Number of requests where records were scanned**

**Requests scanned**

24

**You may provide additional explanation here for the data provided for this metric**

## Metric 10

Average estimated staff time spent on each public records request. [Click here](#) for guidance related to Metric 10.

**Average estimated staff time spent on each request**

**Estimated total staff time in hours**

4858

**Average estimated staff time in hours per request (calculated)**

6

**If your agency feels the data provided for this metric is unduly influenced by a small number of unusually large requests, you may provide additional explanation here**

## Metric 11

Estimated total costs incurred by the agency in fulfilling records requests, including staff compensation and legal review and average cost per request. [Click here](#) for guidance related to Metric 11.

**Estimated total costs incurred**

**Estimated total cost**

\$260,727

**Average estimated cost per request (calculated)**

\$333.41

**Our agency applied an overhead rate in our calculation of estimated costs.**

**You may provide additional explanation here for the data provided for this metric**

## Metric 12

Number of claims filed alleging a violation of Chapter 42.56 or other public records statutes during the reporting period, categorized by type and exemption at issue (if applicable). [Click here](#) for guidance related to Metric 12.

Number of claims filed alleging a violation of Chapter 42.56 RCW	
<b>Claim violation types</b>	Unreasonable estimate of time
<b>Other type</b>	
<b>Exemptions</b>	
<b>Other exemption</b>	
<b>Total claims</b>	1

You may provide additional explanation here for the data provided for this metric

## Metric 13

Costs incurred by the agency litigating claims alleging a violation of Chapter 42.56 RCW or other public records statutes during the reporting period, including any penalties imposed on the agency. [Click here](#) for guidance related to Metric 13.

Costs incurred litigating claims alleging a violation of Chapter 42.56 RCW
<b>Total litigation costs</b>
\$9,202
<b>You may provide additional explanation here for the data provided for this metric</b>
We didn't have to pay any penalties, only Attorneys fees in the amount of \$5,437.08. The reported amount of \$9202 includes internal staff time preparing for litigation.

## Metric 14

Estimated costs incurred by the agency with managing and retaining records, including staff compensation and purchases of equipment, hardware, software, and services to manage and retain public records. [Click here](#) for guidance related to Metric 14.

Estimated costs incurred managing and retaining records
<b>Cost of agency staff who manage/retain records</b>
\$258,603
<b>Cost of systems that manage/retain records</b>
\$48,031
<b>Cost of services purchased for managing/retaining records</b>
\$54,414
<b>Total estimated cost for managing and retaining records (calculated)</b>
\$361,048
<input type="checkbox"/> <b>Our agency applied an overhead rate in our calculation of estimated costs.</b>

You may provide additional explanation here for the data provided for this metric

## Metric 15

Expenses recovered by the agency from requesters for fulfilling public records requests, including any customized charges. [Click here](#) for guidance related to Metric 15.

### Expenses recovered from requesters

<b>Total Expenses Recovered</b>	\$1,605
<b>Customized Service Charges</b>	\$50
<b>Description of Service Charges</b>	Customized electronic access service
<b>Total Expenses Recovered</b>	\$1,605
<b>Customized Service Charges</b>	
<b>Description of Service Charges</b>	

You may provide additional explanation here for the data provided for this metric