RESOLUTION NO. FL2014-22

A Resolution of the Washington Multi-City Business License and Tax Portal Agency Executive Board amending the Portal Agency Operating Policies to add policies related to public records and travel expense reimbursement for Board members and employees.

Whereas, each of the members of the Washington Multi-City Business License and Tax Portal Agency ("Portal Agency") is a general purpose municipal corporation authorized by state law and subject to Chapter 42.23 RCW;

Whereas, Chapter 42.56 RCW, commonly known as the Public Records Act, requires public agencies to make identifiable, non-exempt public records available for inspection and copying upon request and to publish rules of procedure to inform the public about how access to public records will be accomplished, and

Whereas, travel expense reimbursement policies are necessary to ensure adequate cost controls are in place and that travel expenditures are appropriate and provide a uniform and consistent approach for timely reimbursement of authorized expenditures;

Now Therefore,

BE IT RESOLVED by the Executive Board of the Washington Multi-City Business License and Tax Portal Agency:

SECTION 1. The Executive Board hereby adopts public records policies as set forth as Exhibit A to this resolution and travel expense reimbursement policies as set forth in Exhibit B to this Resolution.

ADOPTED this 15 day of December, 2014.

ATTEST:

Washington Multi-City Business License and Tax Portal Agency Executive Board
Seattle, Washington

Board Secretary

Board Chair

ADOPTED this _____ day of _____, 2014.

ATTEST:

Washington Multi-City Business License and Tax Portal Agency Executive Board
Seattle, Washington

_____
Board Secretary

_____
Board Chair

FILELOCAL

Operating Policies

SUBJECT: Public Records Policy

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1. Introduction & Purpose

a. The Revised Code of Washington (RCW) 42.56, commonly known as the Public Records Act, requires public agencies to make identifiable, non-exempt public records available for inspection and copying upon request and to publish rules of procedure to inform the public how access to public records will be accomplished.

b. The purpose of this policy is to define public records and provide a procedure for the proper reporting and response to records requests.

c. In carrying out its responsibilities under the Act, FileLocal will be guided by the provisions of the Public Records Act describing its purposes and interpretation.

2. Responsibility

a. FileLocal's Program Manager and designated Public Records Officer

3. Procedure

a. FileLocal public records are available for public inspection and duplication, except as otherwise provided by RCW 42.56.001-42.56.904 or other statutes. The Municipal Research and Services Center maintains an up-to-date list of current exemptions and prohibitions on their website at www.mrsc.org/publications/prdpub04.pdf .

b. The Public Records Act defines a public record as any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained" by the agency.

c. "Writing," broadly defined, means "handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and

all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated." This includes emails, text messages, blogs, tweets and any emerging technologies used to conduct agency business.

d. FileLocal makes many public records available on its website: FileLocal.org
e. Original FileLocal records will not be permitted out of the FileLocal premises. Inspection of any public records shall be conducted in the presence of a Public Records Officer or designee. No public record may be marked, defaced, torn, damaged, destroyed, unreasonably disorganized, or removed from its proper location by order of a member of the public.

4. FileLocal Procedures

a. FileLocal's business office is located at 700 5th Avenue, Suite 4350. Seattle WA 98124.
b. The FileLocal Public Records Officer is the Program Manager.
c. All requests for public records must be directed in writing to the Public Records Officer and should specify that they are a request for public records under the state public records act. A public records request form will be provided on the FileLocal website.
d. A set per-page charge of $0.15 will be assessed for 10 or more pages of black and white copies of letter or legal-sized pages (each side of a sheet is one page). If FileLocal has to pay an outside firm for duplicating records in non-routine formats such as photographs, blueprints or tape recordings, the actual costs will be passed along to the requestor.
e. Before beginning to copy records, the Public Records Officer or designee may require a deposit of up to ten percent of the estimated costs of copying the records selected by a requestor. The Public Records Officer may also require the payment of the remainder of the copying costs before providing all of the records, or the payment of the costs of copying an installment before providing that

installment. Payment may be made by check or money order to FileLocal.

f. The Public Records Officer has the discretion to waive copying charges for small requests or for individuals or government agencies doing business with FileLocal if the Public Records Officer determines that this action is in the best interest of the agency.

g. If possible, electronic records should be provided in their existing format, if requested in that format. However, if it necessary to burn files to a device the requestor may be charged $1.00 per CD or $10 per 16 GB thumb drive. When standard 8 ½ x 11 records are scanned from paper to .pdf, the requestor may be charged .10 cents per page.

5. Records Exempt from Disclosure

a. After FileLocal has gathered responsive records, FileLocal will determine whether an exemption applies to all or part of the record.

b. FileLocal is not required to permit public inspection and copying of records for which public disclosure of the record is prohibited or limited by state or federal statue or regulation. If any item is withheld, a written statement of the specific reasons will be provided by the Public Records Officer.

6. Deletion/Redaction of Exempt Materials

a. FileLocal is not relieved of its obligation to respond to requests for public records because a portion of the record contains information covered by an exemption. FileLocal has a duty to delete or redact specific information covered by an exemption and disclose the remainder of the record.

b. If any item is withheld, a written statement of the specific reasons will be provided by the Public Records Officer.

7. Making a Public Records Request

a. Contact information for FileLocal's Public Records Officer and procedures for making a public disclosure request are to be clearly identified on the FileLocal website – including the provision of an online form and/or PDF.

b. Requestors are encouraged to view the many documents available on the FileLocal website (www.FileLocal.org) prior to submitting a public records request.

c. Any person wishing to request access to public records or seeking assistance making a request should contact FileLocal's public records officer. The Public Records Officer oversees compliance with the Public Records Act, but may designate other staff who may process requests of public records.
d. The Public Records Officer may be reached at 700 5th Avenue, Suite 4350; P.O. Box 94669; Seattle WA 98124-4669; Jamie Carnell (Jamie.Carnell-FLO@seattle.gov) or phone 206-615-0493.
e. Persons making a public records request should include the following information, in writing:
    i. Date and time of the request
    ii. Name of requestor
    iii. Contact information for the requestor
    iv. Date range for the records requested
    v. A detailed description of the requested records including the document name, if applicable.

8. Processing of Public Records Requests

a. Within five (5) business days from the receipt of the request, FileLocal must respond by:
    i. Making the records available for inspection or copying; OR
    ii. If copies are requested and payment has been received, sending the copies to the requestor; OR
    iii. Acknowledgement of the receipt of the request and an estimate of additional time needed to produce the information requested; Additional time required to respond to a request may be based on the need to clarify the intent of the request, to locate and assemble information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is except and that a denial should be made to all or part of the request; OR
    iv. Denial of the request and providing a written statement of specific reasons.
b. If FileLocal does not respond in writing within five 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.

c. When a records request is for a large volume of records, FileLocal may elect to provide the records on an installment basis.

9. Records Inspection

a. Public records are available for inspection and copying during normal business hours (Monday through Friday 10 a.m. to 2 p.m., excluding legal holidays). The agency and requestor can make mutually agreeable arrangements for times of inspection and copying. Records must be inspected at the FileLocal offices.

b. FileLocal will maintain its records in a reasonably organized manner and will take reasonable actions to protect records from damage and disorganization. A requestor shall not take FileLocal records from the agency offices without the permission of the Public Records Officer or designee.

10. Records index

a. Compliance with RCW 42.17.260(3) is unnecessary, would be unduly burdensome and would interfere with FileLocal's implementation of an efficient, cost-effective business license and tax portal. 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 the project, and the contract management approach to project development and operations.

11. Retention of Records

a. FileLocal is not required to retain all records it creates or uses. Retention schedules vary based on the content of the record. FileLocal will retain records in accordance with retention schedules approved by the City of Seattle. Public records may not be destroyed per a retention schedule if a public records request or actual or anticipated litigation is pending.

12. Public Disclosure Log

a. The FileLocal Public Disclosure Officer will maintain a log of all public disclosure requests including: tracking staff

time and expenditures related to the responses to records requests and the request date, response date, closing date, requestor name, responsible parties, referrals to other departments, general subject of request, general information on redactions, and information on appeals and determinations.

13. **Public Disclosure Training**
    a. Training has been and will continue to be provided to all FileLocal Executive Board members and staff to create a culture of compliance within the organization.

14. Disclaimer of Liability
    a. This policy is not intended to expand or restrict the rights of disclosure of privacy as they exist under state and deferral law. Despite the use of any mandatory terms such as "shall" nothing in this policy is intended to impose mandatory duties on FileLocal beyond those imposed by the state and federal law.

15. Annual Review of Policies by Executive Board
    a. The FileLocal Program Manager will review these policies on an annual basis.

FL2014-22 EXHIBIT B

6.5 Travel Expense Policy

FILELOCAL

FISCAL MANUAL

SUBJECT: Travel Expense

PURPOSE: To outline the policy for travel expense reimbursement and ensure adequate cost controls are in place, travel expenditures are appropriate and provide a uniform and consistent approach for timely reimbursement of authorized expenses. For the purpose of this policy, Board members are considered staff.

POLICY: It is the policy of FileLocal to reimburse staff for reasonable and necessary expenses incurred in connection with approved travel on behalf of FileLocal. FileLocal strongly encourages use of travel discounts when making travel arrangements.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety. Reimbursement is only allowed when not available or provided by other sources. If a circumstance arises that is not specifically covered in this travel policy, then the most conservative course of action should be taken.

RESPONSIBILITY: Staff travel must be authorized prior to expenditures being incurred. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Within 30 days of completion of a trip, the traveler must submit a check request form and supporting documentation to obtain reimbursement of expenses. The check request form must be signed by the program manager. In the event that travel and reimbursement is being submitted by or on behalf ~~of the~~of the program manager, then the check request form must be approved by the treasurer, or any FileLocal Executive Board member in the absence of the treasurer.

PROCEDURE:

1. Authorized business travel for staff must be pre-approved.
2. Conference registration fees can be pre-paid with a check prepared by ~~Francis & Company~~the Agency's accounting firm with a completed and approved check request form.
3. Requests for reimbursements of travel-related expenses are submitted via a check request form. This form must be accompanied by supporting documentation and is required to be approved by the program manager. Reimbursement requests for the program manager must be approved by the treasurer, or any FileLocal Executive Board member in the absence of the treasurer.
4. The check request form must be submitted to ~~Francis & Company~~the Agency's accounting firm within 30 days after the trip is completed. Exception approval from the program manager or treasurer is required if this form is not submitted within this timeframe.

5. Reimbursement of travel expenses is based on documentation of reasonable and actual expenses supported by the original itemized receipts. Reimbursements that may be paid by FileLocal are shown below:

Airfare: An original itemized airline receipt, an e-ticket receipt/statement or an Internet receipt/statement is required. The receipt must show the method of payment and indicate that payment was made. Travelers are expected to obtain the lowest available airfare that reasonably meets business travel needs. Travelers are encouraged to book flights at least 20 days in advance to avoid premium pricing. Coach class or economy tickets must be purchased for domestic or international flights. A higher-priced coach ticket cannot be purchased for a subsequent upgrade in seating. First-class tickets are not reimbursable.

Rail Transportation: FileLocal will pay for rail transportation provided the cost does not exceed the cost of the least expensive airfare. An original itemized receipt, original e-ticket receipt/statement or Internet receipt/statement is required. The receipt must show the method of payment and indicate that payment was made.

Automobile (personally owned): A valid driver's license issued within the United States and personal automobile insurance are required for expenses to be reimbursed. Drivers should be ~~award~~ aware of the extent of coverage (if any) provided by his or her automobile insurance company for travel that is business or not personal in nature. Reimbursement for use of a personal automobile is based on the mileage rate issued by the Internal Revenue Service. Travelers may opt to request reimbursement for gasoline in lieu of the mileage. In these instances original, itemized receipts are required. A check request form is require for reimbursement for all vehicle-related expenses.

Automobile (rental): Reimbursement for a commercial rental vehicle as a primary mode of transportation is authorized only if the rental vehicle is more economical than any other type of public transportation, or if the destination is not otherwise accessible. Vehicle rental at a destination city is reimbursable. Original receipts are required. When vehicle rentals are necessary, FileLocal encourages travelers to purchase collision damage waiver (CDW) and loss damage waiver (LDW) coverage. FileLocal will reimburse the cost of CDW and LDW coverage; all other insurance reimbursements will be denied. Travelers are required to fill the gas tank before returning the vehicle to the rental agency to avoid service fees and more expensive fuel rates.

Conference Registration Fees: If the conference fee was not prepaid, FileLocal will reimburse these fees, including business-related banquets or meals that are part of the conference registration. Original receipts to support the payment are required. If the conference does not provide a receipt, then a cancelled check, credit card slips/statement or documentation that the amount was paid is required for reimbursement.

Lodging (commercial): The cost of overnight lodging will be reimbursed to the traveler if the authorized travel is 45 miles or more from the traveler's home or primary worksite. The Runzheimer Cost Index will be used for determining the maximum allowable expense for all lodging at the travel destination, with the following exceptions:

- When the hotel or motel is the conference or convention site, the conference rate is allowable.
- When the event sponsor arranges the lodging for the event participant, the participant rate is allowable.
- If the hotel where the event is scheduled in unavailable to the employee, the employee's supervisor may approve lodging expenses at the rate charged at the nearest hotel.

Allowable lodging expenses include the cost of lodging and any applicable sales taxes and/or hotel/motel taxes. The original, detailed lodging receipt must be submitted with the expense claim.

If reserved rooms are not needed, it is the traveling employee's responsibility to make sure the room is canceled.

Meal: FileLocal will pay a per diem amount for meals based on the Runzheimer Cost Index for meals by location. These meal per diem amounts include tips.

The amount of authorized meal allowance is determined on a per meal basis dependent upon the departure time from Seattle and the arrival time on return to Seattle. Snacks and/or meals served on the airlines will not reduce the meal allowance.

If meals are included in a lodging, conference or training registration fee, the employee's daily per diem will be adjusted accordingly. A "continental" breakfast provided at a meeting, conference or training session will not reduce the employee's meal allowance.

Reimbursement of meal expenses will be based on actual expenses per meal, limited to the allowable maximum established by the Runzheimer Cost Index. Employees are required to collect original meal receipts for all allowable expenses incurred and to submit those receipts with their expense report.

Parking: Original receipts are required for parking fees, including airport parking. The lodging bill can be used as a receipt when charges are included as part of the overnight stay.

Other Travel Expenses: Other travel expenses, including faxes, photocopies, internet charges, data ports and business telephone calls incurred while traveling, can be reimbursed. Original itemized receipts are required.

The following items that may be associated with business travel will not be reimbursed by FileLocal:

- Airline club membership
- Airline upgrades
- Business class for domestic flights or first class for all flights
- Child care, babysitting, house-sitting, or pet-sitting/kennel charges
- Commuting between home and the primary work location
- Costs incurred by traveler's failure to cancel travel or hotel reservations in a timely fashion
- Evening or formal wear expenses

- Haircuts and personal grooming
- Laundry and dry cleaning
- Personal entertainment expenses, including in-flight movies, headsets, health club facilities, hotel pay-per-view movies, in-theater movies, social activities and related incidental costs
- Travel accident insurance premiums or purchase of additional travel insurance
- Other expenses nor directly related to the business travel