RESOLUTION 2020-11

A RESOLUTION OF THE READING PARKING AUTHORITY, COUNTY OF BERKS, PENNSYLVANIA

Adopted: May 19, 2020

ADOPTING A RIGHT-TO-KNOW POLICY FOR THE READING PARKING AUTHORITY.

WHEREAS, the Reading Parking Authority ("Authority") is a body corporate and politic organized and existing under the Parking Authority Law, 53 P.S. §§ 5501 *et seq.* ("Act"); and

WHEREAS, the Pennsylvania Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 *et seq.*, is designed to ensure that citizens have access to the records of their government; and

WHEREAS, the Authority wishes to and does by this Resolution adopt the Right-to-Know Policy attached hereto to ensure the Authority acts in compliance with the RTKL.

NOW, THEREFORE, BE IT RESOLVED, by the Board of this Authority, in lawful session duly assembled, that the Authority shall follow the procedures for record requests set forth in the attached policy and shall at all times remain in compliance with the RTKL.

DULY ADOPTED, this 19th day of May, 2020, by the Board of Directors of the Reading Parking Authority.

ATTEST: READING PARKING AUTHORITY

Nate Rivera, Secretary (SEAL)

By: Frank Denbowski

Frank Denbowski, Chairperson

SECRETARY'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by a majority vote of the Board of Directors of the Reading Parking Authority at a meeting of said Board duly held on May 19, 2020, a quorum being present; that public notice of said meeting was given in the manner provided by law; that said resolution has been duly recorded upon the minutes of the Board, has not been amended or rescinded and is in full force and effect this 19th day of May, 2020.

READING PARKING AUTHORITY

By: _____
Nate Rivera, Secretary (SEAL)

ATTACHMENT "A"

READING PARKING AUTHORITY

RIGHT-TO-KNOW POLICY FOR PUBLIC RECORDS

I. Introduction

The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101 *et seq.* ("RTKL") is meant to ensure that citizens have access to the records of their government. It is designed to maximize access to public records. The Reading Parking Authority ("Authority") is considered a local agency that is required to comply with the procedures and requirements set forth in the RTKL. The Authority has adopted this Right-to-Know Policy to ensure compliance with the RTKL and to guarantee the rights of all citizens to have access to public records subject to disclosure.

II. Request Procedure

Requests for records submitted to the Authority shall be in writing if the requestor wishes to pursue the relief and remedies provided in the RTKL. The most current request form is available on the Authority's website, www.readingparking.com or may be obtained at the Authority's main office located at 613 Franklin Street, Reading, PA. A written request for records shall be submitted to the Authority's Open Records Officer in person at the Authority's main office or by regular mail, email or facsimile:

VIA U.S. MAIL:

Open-Records Officer
c/o Reading Parking Authority
613 Franklin Street
Reading, PA 19602

VIA EMAIL: righttoknow@readingparking.com

VIA FACSIMILE: (610) 655-6446

A written request for records should identify or describe the records sought with sufficient specificity to enable the Authority to ascertain which records are being requested and shall include the name and address to which the Authority should address its response. A written request does not have to include any explanation of the requester's reason for requesting the records nor the intended use of the records unless otherwise required by law.

III. Authority Response

Upon receipt of a written request for access to a record, the Authority shall make a good faith effort to respond to the request. The time for response shall not exceed five (5) business days from the date the written request is received by the Authority's Open-Records Officer unless one of the following factors applies:

(a) The request for access requires redaction of a record in accordance with Section 706 of the RTKL;

(b) The request for access requires the retrieval of a record stored in a remote location;

(c) A timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;

(d) A legal review is necessary to determine whether the record is a record subject to access under the RTKL;

(e) The requestor has not complied with the Authority's policies regarding access to records;

(f) The requester refuses to pay applicable fees authorized by the RTKL; or

(g) The extent or nature of the request precludes a response within the required time period.

If one of these factors applies, the Authority's Open-Records Officer shall send written notice to the requester within five (5) business days of receipt of the request. The notice shall include a statement notifying the requester that the request for access is being reviewed, the reason

for the review, a reasonable date that a response is expected to be provided and an estimate of applicable fees owed when the record becomes available. If a response is not possible within thirty (30) days following the initial five (5) business days for response, the request will be deemed denied unless the requester agrees in writing to an extension.

A record being provided to a requester shall be provided in a medium requested if it exists in that medium. Otherwise, the record will be provided in the medium in which it exists. The Authority shall not be required to create a record that does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record.

IV. Fees

Fees for providing records in response to a request shall be charged at the prevailing rates established by the Office of Open Records. All applicable fees shall be paid before a requester receives access to any records requested. Prior to granting a request for access, the Authority may require the requester to prepay the applicable fees if they are expected to exceed One-Hundred Dollars ($100.00). The Authority shall have discretion to waive any applicable fees.

If the Authority advises the requester that copies of the requested records are available for delivery at the Authority and the requester fails to retrieve the records within sixty (60) days of the Authority's response, the Authority may dispose of any copies which have not been retrieved and retain any fees paid.

V. Denial

Any denial of a submitted records request, in whole or part, shall be issued in writing and shall include:

(a) A description of the record requested;

(b) The specific reasons for the denial, including a citation of supporting legal authority;

(c) The typed or printed name, title, business address, business telephone number and signature of the Open-Records Officer on whose authority the denial is issued;

(d) The date of the response; and

(e) The procedure to appeal the denial of access under the RTKL.

VI. Appeals

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the Office of Open Records within fifteen (15) business days of the mailing date of the Authority's response or within fifteen (15) business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts that the record is a public record, legislative record or financial record and shall address any grounds stated by the agency for delaying or denying the request. The Pennsylvania Office of Open Records has a mailing address of: 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234. Further information regarding the Office of Open Records may be found at its website: www.openrecords.pa.gov.