

**RESOLUTION No. 2023-19**

**A RESOLUTION OF THE OKANOGAN COUNTY TRANSIT AUTHORITY AMENDING ITS PUBLIC RECORDS REQUEST POLICY, AND CONTINUING TO OPT OUT OF THE INDEXING REQUIREMENTS UNDER WAC 44-14-03003 AND ISSUING A FORMAL ORDER SPECIFYING THE REASONS WHY THE INDEXING REQUIREMENTS WOULD UNDULY BURDEN OR INTERFERE WITH OKANOGAN COUNTY TRANSIT AUTHORITY OPERATIONS.**

WHEREAS, RCW 42.56.070(1) requires the Okanogan County Transit Authority ("OCTA") to make available for public inspection and copying all public records, unless the record falls within the specific exemptions of RCW 42.56.070 or other statute which exempts or prohibits disclosure of specific information or records; and

WHEREAS, the OCTA Board of Directors ("Board") has previously adopted a Public Records Request Policy which complies with RCW 42.56.070; and

WHEREAS, WAC 44-14-02001 requires OCTA to publish its Public Records Request Policy, organizational information and methods for requestors to obtain public records; and

WHEREAS, the Board desires to amend the Public Records Request Policy to update certain information contained therein; and

WHEREAS, WAC 44-14-03003 allows OCTA to opt out of indexing certain categories of records if it issues a formal order specifying the reasons why such indexing would unduly burden or interfere with OCTA operations, and specifying the reasons why it cannot maintain an index; and

WHEREAS, the Board has previously adopted such formal order; and

WHEREAS, the Board desires to adopt another formal order specifying the reasons why requiring indexing for certain categories of records would unduly burden or interfere with OCTA operations, and thus opting out of the indexing requirements of WAC 44-14-03003.

**NOW, THEREFORE, BE IT RESOLVED** by the Board as follows:

**Section 1. Adoption of Amended Public Records Request Policy.** The Board does hereby approve and adopt the amended Public Records Request Policy attached hereto, and incorporated herein as though fully set forth, as the Public Records Request Policy for OCTA.

**Section 2. Opt Out of Indexing Requirements.** The Board does hereby continue to opt out of the indexing requirements contained in WAC 44-14-03003 for the following reasons:

- A. The indexing requirements of RCW 42.17 (now RCW 42.56) were enacted in 1972, when local agencies had far fewer records and an index was easier to maintain.
- B. OCTA cannot afford to utilize the technology necessary to map out, archive and electronically search for electronic documents to allow for electronic indexing and retrieval in locating public records.
- C. Due to the staff constraints and size of OCTA, OCTA is not able to maintain indexing, as it would require additional staffing and additional daily duties by OCTA personnel.

Because of the foregoing reasons, the Board does hereby determine and declare that it would unduly burden or interfere with the agency operations to require indexing requirements contained in WAC 44-14-03003.

**Section 3. Effective Date.** The amended Public Records Request Policy attached hereto shall become effective on the date of passage of this Resolution by the Board.

Passed by the Board at its regular meeting on the 20<sup>th</sup> day of September, 2023.

  
Cindy Gagne, Chairperson

By: Crystal M Hawley  
\_\_\_\_\_, Clerk of the Board

APPROVED AS TO FORM

W. Scott DeTro  
W. Scott DeTro, OCTA Attorney