

**PORT OF BENTON
EXECUTIVE ORDER**

TITLE: **PUBLIC RECORDS INDEX**
EFFECTIVE DATE: July 1, 2016
REVISION EFFECTIVE DATE: N/A

WHEREAS, RCW 42.56.070 requires all local public agencies to maintain and make available a current index of all public records; and

WHEREAS, RCW 42.56.070(4) provides that if maintaining such an index would be unduly burdensome, or would interfere with agency operation, a Port need not maintain such an index but it must issue and publish a formal order specifying the reasons why and the extent to which compliance would be unduly burdensome; and

WHEREAS, when such an order is made, all indexes maintained by that Port must be made available to provide identifying information on those records, which are available for inspection and/or copying; and

WHEREAS, the Port of Benton is composed of numerous departments, which maintain separate databases and/or record-keeping systems for the indexing of records and information; and

WHEREAS, the development and maintenance of a Port index would be extremely costly; and would provide little benefit to the public compared to the expense in maintaining the index; and

WHEREAS, the Port's operations do not allow for the addition, revision, or reassignment of duties of existing personnel so that an index may be developed and maintained; and anticipated Port revenues do not allow for additional staff for the purpose of creating and maintaining such an index; and

WHEREAS, because the Port has records which are diverse, complex and stored in multiple locations and in multiple computer systems and databases, it is unduly burdensome, if not physically impossible, to maintain a central index of records; and

WHEREAS, the requirement to maintain a public records index would interfere with the Port's operations in the following ways:

- the sheer volume of records produced by the various departments and agencies of the Port precludes any attempt to maintain a comprehensive and current index of records;
- the need to constantly update the index to keep it current would be nearly impossible; and

- the Port does not have a central repository for all of its public records and would therefore have to have multiple indices and multiple employees charged with constant updates of those indices; and

NOW, THEREFORE, I, SCOTT KELLER, Executive Director, based on the findings set forth above and pursuant to RCW 42.56.070(4), do hereby order and direct: that

1. the Port of Benton is not required to maintain a current index of public records due to the above findings that the requirement is unduly burdensome and such a list is nearly impossible to create and/or maintain; and
2. pursuant to chapter 42.56 RCW, the Port of Benton shall make available for public inspection and/or copying all public records and any indexes of public records maintained by the Port to the extent not exempt from inspection and/or copying pursuant to chapter 42.56 RCW or other applicable laws.


Executive Director

7-1-2016
Date