

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT

RESOLUTION 2017-13

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT, KITSAP COUNTY, WASHINGTON, ADOPTING A REVISED AND UPDATED PUBLIC RECORDS REQUEST POLICY.

WHEREAS, the Public Records Act requires public agencies to adopt rules on how they process public disclosure requests in accordance with Washington State law, RCW Chapter 42.56; and

WHEREAS, a public records policy was adopted by the Board of Commissioners for the Bainbridge Island Metropolitan Park & Recreation District (District) by Resolution 2006-15 on June 22, 2006; and

WHEREAS, this adopted policy is now in need of being updated to reflect new public record disclosure laws that have gone into effect since then; and

WHEREAS, staff has been working to revise and update the policy with the attorney who drafted the Park District's initial Public Records Request Policy adopted by Resolution 2006-15, and who is known throughout Washington State for his expertise in public record disclosure law; and

WHEREAS, Section III.I of the revised policy "Index of Public Records" allows the District by this resolution to state reasons why maintaining an index of records is unduly burdensome and would interfere with District operations; and

WHEREAS, in accordance with the above, the reason the District lacks a current complete and centralized index of records is because at this time, it does not have the staff resources necessary to evaluate, assess and re-design the District's filing systems, especially given the large volume of records now created as a result of the electronic age and its ever evolving technology; and

WHEREAS, if and when such indexes of records are developed and maintained in the future by the District, then such indices will be made available for public disclosure purposes; and

WHEREAS, in accordance with WA State RCW 42.56.120(2)(b), the District finds it would also be unduly burdensome to calculate the actual cost of copying and producing public records in order to determine copy fees to charge requestors, for the following reasons:

1) This would require the District to do a study on a case-by-case basis per request to arrive at an actual copy cost. An appropriate study could not be done since the District receives a minimal number of record requests per year and does not produce enough records per request to arrive at a sample size large enough to ensure the copy costs will not be inflated;

2) The additional time for staff to conduct such a study while responding to record requests would interfere with the District's ability to respond to record requests in a timely manner; and

WHEREAS, for these above stated reasons, this revised and updated Public Records Request Policy reflects fees for copies that are consistent with and pursuant to the authority under RCW 42.56.120(2)(b), and are outlined in Section III.E.1-3 of this policy, and such fees will be effective immediately upon adoption of this policy and will apply to all pending Public Record Act requests,

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, that the revised and updated public records request policy titled the "Public Records Request Policy" and dated November 2, 2017, be adopted, and included in the District's Operational Policy Manual.

PASSED by the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, at a regular meeting thereof held this 2nd day of November, 2017, the undersigned commissioners being present.

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT

BY: _____

Kenneth R. DeWitt

BY: _____

Jay C. Kinney

BY: _____

Kirk B. Robinson

BY: _____

John Thomas Swolgaard

ATTEST: _____

Lee Cross, Secretary