

RESOLUTION NO. 2015-__

A RESOLUTION OF THE NORTHWEST SEAPORT ALLIANCE APPOINTING A PUBLIC RECORDS OFFICER AND MAKING CERTAIN FINDINGS PURSUANT TO RCW 42.56.580 and RCW 42.56.070.

WHEREAS, The Northwest Seaport Alliance is a port development authority established under the laws of the State of Washington, including RCW 53.08.240 which allows ports, by mutual agreement, to exercise jointly all powers granted to each individual district, Chapter 39.34 RCW, the Interlocal Cooperation Act, which allows ports to act jointly through the formation of a separate legal entity for such joint cooperative action, and including ESHB 1170, WA Session Laws of 2015-6, (Chapter 53.XX), the Port Development Authority Act, which grants the port development authority to perform any lawful public purpose or public function related to maritime activities of the port district or districts, including exercise any powers of the port district or districts that created the port development authority, subject to some limitations, and pursuant to Federal law 46 USC Section 40301(b)(1-2), by which the Federal Maritime Commission approved the FMC Agreement No. 201228, to allow the creation of the Alliance;

WHEREAS, RCW 42.56.580 requires that “ (1) Each state and local agency shall appoint and publicly identify a public records officer whose responsibility is to serve as a point of contact for members of the public in requesting disclosure of public records and to oversee the agency's compliance with the public records disclosure requirements of this chapter”;

WHEREAS, RCW 42.56.070(3) requires that each local agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after January 1, 1973:

- (a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
- (b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;
- (c) Administrative staff manuals and instructions to staff that affect a member of the public;
- (d) Planning policies and goals, and interim and final planning decisions;
- (e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or

others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party;

WHEREAS, RCW 42.56.070 also provides that a local agency need not maintain such an index, if to do so would be unduly burdensome; and

WHEREAS, the Managing Members of The Northwest Seaport Alliance find that maintaining such an index would unduly burden or interfere with agency operations, based on the number of records subject to the Indexing requirement in proportion to the size and number of Alliance staff members;

NOW, THEREFORE, BE IT RESOLVED by the Managing Members of The Northwest Seaport Alliance that Debbie Givens, Director, Systems and Business Processes, Information Technology, Port of Tacoma, and her designees, is hereby designated as The Northwest Seaport Alliance's Public Records Officer;

And, BE IT FURTHER RESOLVED by the Managing Members of The Northwest Seaport Alliance, that The Northwest Seaport Alliance will not be required to maintain an index of records.

Adopted by the Managing Members of The Northwest Seaport Alliance, Washington at a regular meeting held this 4th day of August, 2015.

Stephanie Bowman/Courtney Gregoire
Co-Chair
The Northwest Seaport Alliance

Donald C. Johnson, Co- Chair
The Northwest Seaport Alliance

ATTEST:

Richard Marzano, Co-Secretary
The Northwest Seaport Alliance

Tom Albro, Co-Secretary
The Northwest Seaport Alliance