

RESOLUTION NO. 704

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNDEN,
WASHINGTON, DECLARING THAT MAINTENANCE OF AN INDEX
IDENTIFYING ALL PUBLIC INFORMATION AND RECORDS HELD BY THE
CITY WOULD BE UNDULY BURDENSOME, AND PROVIDING THAT SUCH
INDEX WILL NOT BE MAINTAINED**

WHEREAS, RCW 42.17.260 requires every public agency to maintain and make available for public inspection and copying a current index providing identifying information as to certain public records, except where maintaining such an index would be unduly burdensome or would interfere with agency operations; and,

WHEREAS, the City Council of the City of Lynden ("City") hereby makes the following findings with respect to the public record index requirement established in RCW 42.17.260:

- A. The City and its employees generate or obtain thousands of documents each year which would fit within the categories required to be indexed by RCW 42.17.260; and
- B. Compliance with the indexing requirement described in RCW 42.17.260(3) would require an enormous amount of staff time and resources; and
- C. The City is a relatively small city with limited staff resources; and
- D. Compliance with the indexing requirement described in RCW 42.17.260(3) would create an unreasonable and undue burden on the City and would substantially interfere with City operations due to the amount of staff time and cost associated with such a task; and
- E. The City is not required to comply with RCW 42.17.260(3) because it meets the criteria for a limited exemption therefrom established in RCW 42.17.260(4);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lynden, Whatcom County, Washington as follows:

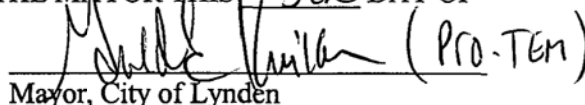
Section 1: No Central Index to be Maintained. Pursuant to RCW 42.17.260(4), the City Council of the City of Lynden hereby declares that the indexing and maintaining an index of all public records as described in RCW 42.17.260(3) obtained by the City would be unduly burdensome and would interfere with the operations of the City. A complete current index as described in RCW 42.17.260(3) will therefore not be maintained by the City.

Section 2: Duties of City Clerk. The City Clerk shall continue to make available for public inspection and copying all existing indexes maintained by the City of Lynden.

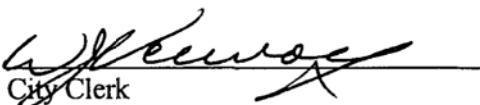
Section 3: Publication. This Resolution shall be published in the official newspaper of the City of Lynden.

Section 4: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and, if for any reason this Resolution should be declared invalid or unconstitutional, then the original Resolution or resolutions shall be in full force and effect.

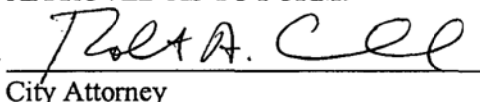
PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE OF 6 IN FAVOR
AND 0 IN OPPOSITION, AND SIGNED BY THE MAYOR THIS 5th DAY OF
November, 2004.


Mayor, City of Lynden

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney