Public Records Act Document Requests

347.1 PURPOSE AND SCOPE
The City is required to make public records available in accordance with the California Public Records Act (Government Code section 6250, et seq.): "Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person of this state." Documents must be produced for inspection UNLESS the department can demonstrate that they are exempt from disclosure.

347.1.1 EXEMPTIONS
Frequently used exemptions are listed in the attached publication from the League of California Cities. In addition, there are general exemptions for:

(a) Records the disclosure of which are exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege and the provisions of California Government Code section 6254, et seq.; and

(b) Based on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. Any questions concerning exemptions should be directed to the City Attorney's Office.

347.2 RECORDS ADMINISTRATOR RESPONSIBILITIES
(a) The Records Administrator coordinates responses to Public Records Act requests. When a request is received, it should immediately be forwarded to the Records Administrator. When the Records Administrator receives a request, the request will immediately be distributed to the department(s) which have documents that may be responsive to the request and to the City Attorney's office for tracking. Upon receipt of a Public Record Act request the Records Administrator will do the following:

1. Give courteous, prompt and efficient service at all times during the department's office hours, including explaining any delays or denied requests to the requestor.

2. Written requests for public documents are preferred (but cannot be required).

3. Determine the nature of the document or record requested. In doing so, the department shall, to the extent reasonable under the circumstances:

   (a) If necessary, assist the requestor to identify records and information that are responsive to the request or to the purpose of the request, if stated.

   (b) Describe the information technology and physical location in which the records exist.

   (c) Provide suggestions for overcoming any practical basis for denying access to the records or information sought.
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4. If there is a question about whether a particular document is exempt, the department head or designee shall make the determination in consultation with the City Attorney as appropriate.

5. Produce the document for inspection by the requestor (unless it is exempt). No original document shall be removed from a City office. Originals must be retained at all times with no exceptions. The requestor may obtain a copy by paying a copying fee set by the City Council (currently 15 cents per page).

6. Where a record contains both exempt and non-exempt information, the department must redact exempt information by copying the record and lining out the information which is exempt. The document then must be provided in its redacted form.

347.3 TIME CONSTRAINTS

(a) The department must provide records for inspection no later than ten (10) calendar days after the City receives the public records request. If there are grounds to justify an extension of time to respond to the request, the department must notify the requestor and the City Attorney’s office as soon as possible.

(b) The City may extend the ten-day response period for up to 14 additional calendar days only on the following grounds:

1. To search for and collect the requested records from field facilities or other establishments separate from the office processing the request;

2. To search for, collect, and appropriately examine a voluminous amount records demanded in a single request;

3. To consult with another agency having substantial interest in the request (such as a state agency), or among two or more components of the local agency (such as two city departments) with substantial interest in the request; and/or

4. In the case of electronic records, to compile data, write programming language or a computer program, or to construct a computer report to extract data.

347.4 REFERENCE
See the attached publication from the League of California Cities.