



## City of Fort Bragg

### Administrative Regulation No. P-3

#### PUBLIC RECORDS REQUEST POLICY

##### I. OBJECTIVE

The objective of this Administrative Regulation is to establish a procedure and policy for handling public records requests under the California Public Records Act in order to ensure thorough, timely and coordinated response to public records requests and provide guidelines for providing information requested under the California Public Records Act.

##### II. PROCEDURES

It is the responsibility of the City Clerk to administer the public records request policy for all departments except the Police Department. All records requests shall be forwarded to the City Clerk for review and response; the Police Department shall handle records request pursuant to Police Department Policy Manual Section 810.

##### III. RESPONSIBILITY

By enacting Government Code Sections 6250-6270, the State Legislature, mindful of the rights of individuals to privacy, found and declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in the State. This Administrative Regulation establishes the City's standard practice and procedure for meeting the requirements of the California Public Records Act.

1. All public records requests shall be submitted in writing, preferably using the City's standard form. In cases where a request is clearly stated in writing in another form, the letter or e-mail should be attached to the City form completed by staff. In cases where the person making the request is unable to do so in writing, the request shall be documented in writing by the staff person receiving the request.
2. Immediately upon receipt, the request shall be forwarded to the City Clerk's office.
3. The City Clerk shall review the request to determine whether it is possible to comply within ten (10) days and shall immediately notify the person making the request of any reason the information shall not be provided within the ten (10) days.
4. The City Clerk shall then notify departments to pull and transmit any documents which are maintained in departmental files outside the City Clerk's office. Any documents which are too voluminous or cannot be copied for some reason shall be identified in writing to the City Clerk.
  - a) The City is not required to produce a document in response to a records request; i.e. print out information from the computer system or prepare a log or spreadsheet;
  - b) The City does not divulge confidential financial information such as gross income listed on business licenses.
5. The City Clerk shall provide any specific instructions and oversight for the assembly of requested documents.
6. The City Clerk shall transmit or arrange for review or transmittal of all requested documents.
7. In all cases where documents are provided for review but not copied, the review shall be scheduled by the City Clerk and shall occur on City premises under the supervision of City Staff.
8. In all cases where a fee is required for document copies, it shall be collected upon transmittal of the documents.
9. The person receiving the records requested shall sign the "Request to Review Files or Records" form. No documents shall be released without this signature.

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10. This Administrative Regulation is not intended to, and should in no way complicate or delay, the City's response to members of the public as required under the California Public Records Act.
11. This Administrative Regulation does not remove the responsibility of any department having custody of requested documents to complete the work necessary to produce them as completely and timely as possible under the City Clerk's direction.
12. A copy of the "Request to Review Files or Records" which includes the City's Policy and Conditions Regarding Public Access to Files and Records is attached to this Administrative Regulation.
13. The Police Department shall be responsible for handling all police related public records requests pursuant to Police Department Policy Manual Section 810.

IV. DEFINITIONS

1. "Person" includes any natural person, corporation, partnership, firm or association.
2. "Public records" include any writing containing information relating to the conduct of the City's business prepared, owned, used, or retained by the City regardless of physical form as defined in Government Code Section 6252.

Approved by City Manager

Linda Ruffing  
(Signature)

2-1-07  
(Date)

Made a part of the City's Administrative Regulations  
binder and distributed to all City staff

Feb 2007  
(Date)



**REQUEST TO REVIEW FILES OR RECORDS**

I hereby request to personally review the following files and/or records maintained at the office of the City of Fort Bragg \_\_\_\_\_ Department, specifically:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I request photocopies of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that I have read the City of Fort Bragg policy and conditions regarding public access to files and records and agree to abide by those policies and conditions.

NAME (please print) \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

I AM ACTING AS AN AGENT FOR:

\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE

To be completed by staff:

NOTIFICATION: \_\_\_\_\_

BY: \_\_\_\_\_

DOCUMENT PICKED UP: \_\_\_\_\_

BY: \_\_\_\_\_

RECORDED IN COMPUTER: \_\_\_\_\_

BY: \_\_\_\_\_

(OVER)

**CITY OF FORT BRAGG**  
**POLICY AND CONDITIONS**  
**REGARDING PUBLIC ACCESS TO FILES AND RECORDS**

In general, files and records are public records and may be reviewed by anyone upon request during normal office hours.

Certain files, records or documents may be exempt from public access under the provisions of Sections 6254 and 6254.7 of the Government Code. Material determined by this Department to be within the exempted status will be made available only upon specific approval of the City Attorney.

**CONDITIONS:**

1. All persons wishing to review files and/or records are requested to complete a written request, on a form provided by the Department, to review the specific material. The City will also accept e-mailed or telephoned requests.
2. Material will be made available only during normal office hours.
3. Reviews are to be made at a time and in a manner that will not interfere with normal office operation.
4. All reviews are to be made in the office and in the presence of a Department employee.
5. No material or document shall be allowed to leave the Department office.
6. No material or document is to be removed from any file; nor is any material or document to be destroyed, damaged, written upon, marked or changed in any way.
7. Photocopies of letter size material will be available at the rate of \$.15 for single-sided documents; duplexed copies are \$.30 each.
8. Copies of construction plans, specifications, design calculations, and similar documents will not be made available without authorization from the person responsible for their original preparation.
9. It shall be determined whether to comply with the request within ten (10) days from receipt of request for records and the City shall immediately notify the person making the request of such determination and the reasons.

Nothing contained herein is intended to restrict full cooperation with other City Departments or any law enforcement agency.

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04/26/96; Revised 9/03/99; Revised: 8/27/01, Revised 8/9/2004