

# Public Records Act Request Response Protocol

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This protocol aids compliance with the Public Records Act and other laws regarding disclosure of public records or information.

## **Records to be released:**

Any written or electronic document created, maintained or owned by the City that is not subject to an exception is a public record subject to disclosure upon request.

## **Access to Public Information:**

The California Public Records Act was created to guarantee public access to records concerning the conduct of the people's business. Such access is a fundamental right of every Californian. The public has the right to inspect and/or obtain a copy of a public record. Public records are open for inspection by appointment during regular business hours of City Hall. Many records, including most documents presented to the City Council and its commissions and committees also are available to the public online on the City's website.

Obvious and individual records requests are ordinarily available for inspection on demand or within a short period of time, unless documents are archived or stored in another department. The City shall produce copies of such documents as soon as possible, ideally within a day of the request.

If the City Clerk or other custodian of records sought is uncertain with respect to the location, existence, or disclosability of requested records, within 10 days of the request, she or he will notify the requester of whether the City has identified documents responsive to the requests and what steps are being taken to respond to the request. If available, the City Clerk or other custodian of records will provide the requester with an estimate of the number of documents thought to be responsive and the amount of time it will take to fully produce all known responsive records. If there are unusual circumstances surrounding the production of a request, the City Clerk or other custodian of records sought may extend by an additional 14 days the time the City has to evaluate the response to the request.

Our organization strives for excellent customer service and responds to requests as quickly as practical. Although no form or written request is required by law, to assist the City staff in responding to Public Records Act requests, the City requests that a written request be submitted describing the records sought.

## **Management of response:**

Please note that all public records requests are subject to the rule of reason. If an individual request or series of requests becomes so burdensome, persistent, or sweeping that the demands placed on the City to respond to it within the required time frame would unreasonably impinge on the City's ability to perform its public duties, then the City may limit the amount of resources and time devoted to responding. A request that staff believes is too burdensome to satisfy without serious compromise of regular conduct of City business should refer that request to the

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City Manager along with a suggestion for how the requested information may be provided (either over time or in other forms) to the requester. The City Manager or his/her designee will consult the requester with the goal of developing a reasonable scope or timeframe to produce requested documents. Dependent on the nature of the request, the City may choose to dedicate a certain number of staff hours per day or per week to respond to the request so that the City's ability to perform its public duties is not compromised. In the event of multiple requests by the same person, the City may appoint a specific City employee to receive, coordinate and respond to the multiple requests and may designate that the specified City employee only dedicate a certain number of hours per day or per week to respond.

In the event the City invokes this rule of reason to dedicate a certain number of hours per day or per week to respond, City staff should endeavor to work cooperatively with the requester to determine if the request can be narrowed to minimize barriers to a prompt response, or to at least prioritize records the requester would like to receive first.

### ADMINISTRATIVE POLICY

ADOPTED DECEMBER 28, 2016 TO TAKE EFFECT IMMEDIATELY



Anton Dahlerbruch  
City Manager