



## ***Memo***

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To: Board of Directors  
From: Jordan Dietz, General Manager  
Date: July 20, 2021  
Subject: Records Request Policy

Attorney Ron VanBlarcom and myself have been working to create a records request policy for the District. This is a new document, and one being produced for the sake of District transparency. This document is designed to be a guide on the correct management of all requests for copies of documents and files, and complies with all State and federal guidelines.

The policy presented here is designed to be inserted into the existing Administrative Code, though it can act as a stand-alone document.

It is the recommendation of staff that the Board modify and approve the policy herein, though no adoption will be necessary at this time. The policy will be officially adopted when all policy language updates are complete, and the Board moves to adopt those updates into the Administrative Code.

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## **6.2 Public Records Policy**

Public records of Crestline Village Water District shall be open to inspection during regular office hours of the District to the extent required by law, and except as otherwise provided herein.

“Public records” are all records of the District retained in the ordinary course of District business and in accordance with the District’s Record Retention Schedule, as may be amended from time to time, and which is incorporated herein by reference, except as otherwise provided herein.

“Public records” are all records of the District except those which are exempt from disclosure by the California Public Records Act (Gov. Code Section 6250).

### **6.2.1 Procedure**

Any person desiring to inspect any public record shall identify himself or herself and shall identify the specific records desired to be inspected. The District shall, in accordance with Government Code Section 6253.1, assist the member of the public to make a focused and effective request that reasonably describes an identifiable record or records to the extent reasonable.

Any person may obtain a copy of an identifiable public record unless exempt from disclosure. Upon request, an exact copy shall be provided unless impracticable to do so.

With ten (10) calendar days after the receipt of such request, the Secretary of the District or designee shall determine whether to comply with such request and shall immediately notify the person making the request of such determination and the reasons therefor. If the Secretary of the District is uncertain whether the record is exempt from disclosure under the California Public Records Act or whether, given the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record, the Secretary shall consult with legal counsel for the District during this initial 10-day period. In unusual circumstances, the General Manager of the District may, by written notice to the person making the request, extend the response time by a period not to exceed an additional fourteen (14) calendar days to comply with such request. Unusual circumstances mean the need to search for and collect requested records from field facilities or other locations separate from the office processing the request; or the need to search for, collect and examine a voluminous amount of records to comply with the request; or the need for consultation with another agency having a substantial interest in the determination of the request; or the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

Upon any request for a copy of public records which reasonably describes an identifiable record or information produced therefrom and which is not otherwise exempt from disclosure, the District shall make the records promptly available to any person upon payment of fees covering the direct costs of duplication. A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing.

Should any request for public records contain exempt information including, but not limited to that listed under Government Code Sections 6253.5 and 6254, any reasonable segregable portion of such record shall be provided to any person requesting such record after deletion of the portions which are exempt from disclosure by law.

Inspection of public records shall be made only in a District office, and no document shall be removed therefrom. A representative of the District will be present during the inspection of any records.

The public records policy of the District shall at all times be subject to the California Public Records Act as it may be amended from time to time, and if there is any conflict between that Act and this policy, the Act shall prevail.

#### **6.2.2 Copies Pursuant to the Political Reform Act of 1974**

Notwithstanding the other provisions of the District's Public Records Policy, public records requested pursuant to the Political Reform Act of 1974 (Gov. Code Section 81000), shall be open for public inspection and reproduction during regular business hours, and not later than the second business day following the day on which such document was received from a public officeholder or other person subject to the Political Reform Act.

No conditions whatsoever shall be placed on those persons desiring to inspect or reproduce reports or statements filed pursuant to the Political Reform Act, nor shall any information or identification be required from such persons.

Copies shall be provided at a cost of ten cents (\$0.10) per page, and the filing officer of the District may charge a retrieval fee not to exceed five dollars (\$5.00) per request for copies of reports and statements which are five (5) or more years old. A request for more than one (1) report or statement or report and statement at the same time will be considered as a single request.

#### **6.2.3 District Copy Cost Schedule**

A request for a copy of an identifiable written public record or information produced therefrom, or a certified copy of such record, shall be accompanied by payment of a fee in the amount of ten cents (\$0.10) per page if no copy is larger than 8-1/2" x 11". If the size of the copy of the record is in excess of 8-1/2" x 11", a request for such copy shall be accompanied by payment of a fee in the amount fixed by the General Manager, provided the amount so fixed shall not be more than ten cents (\$0.10) time the number of 8-1/2" x 11" pages into which each copied sheet could be divided if so desired. The cost for records made available in an electronic format shall be determined under the Electronic Records section above.

Requests for a mailed copy of the Board of Directors' monthly agenda will be directed to the District Secretary. Copies of the agenda will be provided upon compliance and payment of the fee in the amount of eight dollars and sixty cents (\$8.60) for each

agenda requested according to the Copy Cost Schedule, to cover the direct cost of duplication, postage and labor.

**Black and White Copies**

8-1/2" x 11" \$0.10

8-1/2" x 14" \$0.10

11" x 17" \$0.10

**Color Copies**

8-1/2" x 11" \$1.60

8-1/2" x 14" \$1.60

11" x 17" \$2.80

Electronic Records \$0.10 per copy plus current burdened  
Cost of staff as listed above

**Mailing Service Fees**

Postage per Ounce Current First-Class rate per USPS

Staff Labor Current burdened cost rate of staff

**Board Meeting Agendas**

Mailed Board Agenda \$8.60, includes postage, paper and staff costs

Board Package \$0.10 per copy