This brief is being provided to inform the Board, staff and public of the details of an agenda item that requires action from the Board. The President of the Board will provide board members, staff, and the public the opportunity to ask questions about this topic when this agenda item is announced.

**Date:**July 13, 2021

**Originator:** Cary Curtis and Kim Seney

**Purpose**: Propose New Policy #2425 Public Records Policy

**Supporting Documents Included: Yes / No** Yes – Proposed Policy

**Desired Action by the Board:**

First reading by the board of new Policy #2425 Public Records Policy. The board may choose to waive the second reading and adopt recommendation as presented. Current policy requires a 3/5th majority affirmative vote of the entire membership of the board to adopt this policy.

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1. **Description:** This new policy is intended to affirm that the District is committed to transparent operations and to providing information and documents to the Public when requested. This policy includes specifics, including a request form, that will be utilized for making and responding to requests for public information.
2. **Reason for Recommended Board Action -** (*Consider compliance, cost savings, fixing a problem*): There is currently no GM CSD Policy on this topic and the Policy Committee recommends that one is adopted to ensure our commitment to providing access to Public Records.
3. **Anticipated Impacts to the District (negative and/or positive) -** (*Consider financial impact, change in procedures, customer and staff communication and effect if recommendations are not adopted*):

No significant impact.

1. **Anticipated Impacts to the Customer –** *Standby, Residential, Commercial***:** Access to standardized form for requesting Public Records is a benefit to all customers.
2. **Recommendation (s):** Adopt the new GM CSD Policy #2425 Public Records Policy, including the proposed Request Form, as presented.

Gold Mountain Community Services District

POLICY HANDBOOK

**D-R-A-F-T**

**POLICY TITLE: Public Records Act Policy**

**POLICY NUMBER: 2425**

2425,1 Purpose. The California Public Records Act (Government Code, section 6250 et seq.) grants California residents important rights to obtain access to records held by public agencies. The District adopts this policy to clarify how it will respond to requests for records under the Public Records Act.

2425.2 All requests for public records shall be in writing on a form approved by the Board of Directors (attached), submitted to the GMCSD District Office and received by the General Manager or in his/her absence, their designee. Board agendas and board packages including meeting minutes for the current and most recent Fiscal Year are available on the District’s website at www.GMCSD.org or in the District office. The request for records form is available on the District’s website and from the District’s business office.

2425.3 Staff will respond to all requests as soon as possible after they are received, but not later than 10 days after receipt to either state whether the District has responsive records or to request an extension of up to 14 additional days to make that determination pursuant to Government Code section 6253(c). It is the expectation of the Board that Staff will cooperate fully with the request and act in a considerate and accommodating manner.

1. Staff shall review each request and determine whether it seeks identifiable records. If not, staff shall offer to help the requestor identify records responsive to the request.
2. Staff shall request all Directors and staff who may have the records requested to search their files. Directors and staff must report whether they have responsive records and, if so, when the records can be made available to the requestor.
3. Staff shall respond to the requestor, advising him or her in writing of the availability of the documents, a description of the medium (paper, electronic format, etc.) and location of the records, and whether any are exempt from disclosure under the Public Records Act. To the extent feasible, staff will provide suggestions to overcome any practical basis for denying access to the records sought.
4. If a request is made for copies of records, staff shall also advise the requestor of the estimated copying cost. The District shall make any disclosable records it holds in electronic format available in such format when requested.
5. The person requesting the copies shall pay the charges for the requested copies established by the Board. At present those are: $1.00 for the first page, $.05 each additional page, $.10 per page for Political Reform Act materials. Staff shall not release the copies until the actual copying cost is paid.
6. Staff shall provide copy of original form to Requestor upon completion. Original request form will be filed and maintained in the District for a period of no less than 3 years.

2425.4 In accordance with the Public Records Act, staff will provide specific, identifiable records but will not research records for particular types of information or analyze information which may be contained in public records. Staff has no obligation to create records in response to a Public Records Act request.

2425.5 Staff will respond to requests for public records in accordance with the Public Records Act as the Act now exists or may hereafter be amended, and nothing in this Policy is intended nor shall it be construed to conflict with the terms of the Public Records Act.

REQUEST FOR PUBLIC RECORDS

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Date requested: | | | |  | Date required: |  | |
| Please list each document, file, or record separately | | | | | | | |
| I wish to |  | Review | | | |
|  |  | Obtain copies of the following public records: | | | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| I/We, the undersigned, request documents as indicated and agree to pay the [District] for copies at the rate of $1.00 for the first page and $0.05 for each additional page ($0.10 per page for documents requested pursuant to the Political Reform Act) when I receive or my representative receives them. | | | | | | | |
| Name/Organization: | |  | | | |
| Mailing Address: | |  | | | |
|  | |  | | | |
| Phone Number: | ( ) | | Signature: | |  |
| FAX Number: | ( ) | | Email: |  | |

|  |  |  |  |
| --- | --- | --- | --- |
| FOR INTERNAL USE ONLY | | | |
| Date Request Received: | |  | |
| Approved  Denied | | Approver’s Signature: | |
| Reason, if denied: | |
| Disposition of Request: Documents/response provided on (date) | | | |
| By:  Mail  Pick-up  FAX  Email  Delivered  Verbal  Phone | | | |
| Comments: | | | |
| Date  Completed: | Staff  Member(s): | | Staff  Time: |