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POLICY BOOK REF.  
CHAPTER:  
PAGE: 1 of 2

City of West Covina  
Administrative Policies

SUBJECT: **Policy for Use of Public Information Request Forms**      EFFECTIVE DATE: Immediately

PURPOSE: To facilitate the fulfilling of public documents request in accordance with the California Public Records Act, Government Code Section 6250.

**STATEMENT OF THE POLICY:**

It is the policy of the City to ensure the efficient and responsible completion of all public document requests. The Public Document Request form (attached) has been developed to facilitate those requests and ensure their timely completion.

In fulfilling public document requests, the City is required to provide an original or exact facsimile of the requested document for the requestors viewing. The City is not required to mail, fax or e-mail the document to the requestor and may not charge for those services should staff decide to use them to complete the request. It is the requestor's responsibility to arrange to view or obtain a copy of the requested document.

The City must respond to any public document request within 10 calendar days of receipt of the request. A response includes:

- a. Contacting the requestor to inform him/her that the City has the requested documents and they are ready for review or they will be ready for review within a reasonable timeframe.
- b. Contacting the requestor to inform him/her that the City requires 14 additional days to locate the records or consult with other agencies with an interest in the request.
- c. Contacting the requestor to inform him/her that all or a portion of the request has been denied.

Should a requestor ask for copies of a document, 25 cents per photocopied page will be charged or \$20.00 per videotape. A back and front photocopied page is considered two photocopies. Requestors will make payment for all photocopies to the finance department before receiving the copies. Requestors are required to pay for large amounts of photocopying in advance of the copies being made. Staff must see a Finance Department issued receipt, and verify the number of copies paid for before handing any copies to the requestor.

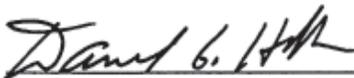
The following are instructions for completing the public document request form:

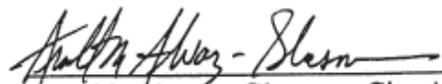
1. A public document request form should be completed for all public document requests, including those of a routine nature. The form however, must be completed for all information requests that are irregular, unusual or especially large.
2. The public document request is not to be processed without the Department Head's signature.

3. The City Attorney's signature is required for requests for information relating to personnel matters, current or pending litigation, closed session items, unusual or especially large requests, or requests that may be exempt from disclosure (see The Public Records Act information document attached).
4. All sections of the public document request form are to be completed. In the box identified with "City Staff Use Only" the following information is required.
  - a. **Response Date:** Indicate the date 10 calendar days from receipt of the request.
  - b. **Date forwarded to department:** Indicate the date the request is forwarded to another department to complete.
  - c. **Date information retrieved:** Indicate the date the requested information was located and readied for the requestor.
  - d. **Date requestor notified:** Indicate the date the requestor was notified about the request.
  - e. **Date extension ends:** If a 14-day extension was requested, indicate the date that extension will end.
  - f. **Date information received by requestor:** Indicate the date the requestor was able to view the document or obtain copies of the document.
  - g. **Number of pages and total cost:** If applicable, indicate the number of pages photocopied and the total cost of the copies.
  - h. **Name and title of responding personnel:** Indicate the name and title of the staff member coordinating the completion of the public document request.
5. Ensure that the requestor's name, address and telephone number is complete and that the requestor has indicated the date of the request.
6. Obtain as much descriptive information regarding the document as possible.
7. Ensure the requestor has identified the format they would like to receive the document.
8. Give a copy of the Public Record Act to the requestor.
9. A copy of each completed form must be kept on file in the responding department's general files.

The public document request form and the above instructions have been developed to ensure that the City meets its obligations in so far as the California Public Records Act describes, and also that individual staff members are protected from any violation of the law. Should staff members have questions regarding a public document request please refer them to the Department Head, Assistant City Manager or City Attorney.

Approval (invalid without signatures):

  
Daniel G. Hobbs, City Manager

  
Arnold Alvarez-Glasman, City Attorney

# The Public Records Act

City of West Covina, California



Frequently asked questions about Public Records:

## 1. What are public records?

Public records are any written document containing information relating to the conduct of the public's business, that is prepared, owned, used, or retained by any State or local agency, regardless of the physical form or characteristics of the writing. The public record may take any form of communication or representation, including letters, words, pictures, sounds, or symbols, maps, magnetic or paper tapes, photographic films and prints, and other documents. The fact that a record is in the hands of the State or local agency and contains information about the public's business makes the record available for public inspection. There are however, exceptions to the public's access to records, see item 3 below.

## 2. Who has access to public records?

Under the Public Records Act (PRA), every person has the right to inspect and to be provided a copy of any identifiable public record. All individuals in California have the right to public records, with only certain limitations.

## 3. What public records are exempt from disclosure under the PRA?

The Public Records Act specifically exempts a number of categories of records from the disclosure requirements. The following is a partial list of applicable municipal exemptions:

1. Referendum, recall, and initiative petitions.
2. Closed session items.
3. The identity of persons who have requested bilingual ballots or pamphlets.
4. Records pertaining to pending litigation.
5. Personnel, medical or similar records.
6. Arrest records, complaint reports, investigatory and security files.
7. Library circulation records.
8. Personal financial information required of licensees.
9. Records exempt from disclosure under other laws.
10. Unauthorized Internet posting of officials' addresses and telephone numbers.
11. Voter registration information.
12. General public interest exemptions. In cases where a specific statutory exemption does not apply, a record still might be exempt from disclosure of: "on the fact of the particular case, the public intent served in not making the record public clearly outweighs the public interest served by disclosure of the record." Gov. Code § 6255

The term public record does not include every piece of written information that happens to be in the local agency, items such as working drafts and personal records are not considered public records. Public records do not include computer software developed by an agency.

#### **4. Can I ask the City to compile information for me?**

A local agency is not required to create a document or compile a list in response to a request under the Public Records Act. Requestors will often ask that agencies compile all types of information in the form of a new document. Agencies need not create a new document: they need only make available those public records already in their possession.

#### **5. What procedures do I undertake to get a public record?**

The procedure differs with every agency. The City of West Covina asks that a Public Record Request Form be completed. The request must be specific and not over broad. There will be no charge for viewing documents, but the City of West Covina will impose a charge for duplicating the document. Those charges include \$0.25 per photocopied page (a back and front photocopy is considered two pages) and \$20.00 per videotape.

#### **6. When will I receive my information?**

The agency is obligated to respond to the request within 10 calendar days from receipt of the request. The agency is only required to inform you that it either has or doesn't have the documents requested and that the documents will be made available to you within a reasonable time frame. Sometimes an agency may ask for a 14- working day extension of time to make the determination based on a) the need to search for the requested data from field locations, b) the need to search for and collect voluminous amounts of separate and distant records demanded in a simple request, and c) to consult with other agencies that have an interest in the request.

#### **7. Can I request to view a videotape that was recorded at a public meeting?**

Yes, video and audio- tapes are considered public documents. Any tape or film record is subject to inspection under the Public Records Act. The agency must provide equipment for viewing with no charge except for copy fees. Tapes are kept within an agency for at least 30 days.

#### **8. Where can I find more information on Public Records?**

"A Primer on the California Public Records Act"

Peter M. Brown, 1996

<http://www.state.in.us/precords>

<http://www.pro.gov.uk/recordsmanagement/dp>

# Public Document Request



## City of West Covina, California

In compliance with the California Public Records Act, Government Code Section 6250, the City of West Covina is required to provide members of the public, upon request any information relating to the conduct of the public's business that is prepared, used or retained by the City, regardless of physical form or characteristics. Records that are exempt under the Public Records Act will not be available to the public.

### INSTRUCTIONS

Type or print all information completely. Your request will be processed within ten working days. If, because of the nature of the request, it is not possible to furnish the information that you have requested within ten working days, you will be notified within the ten-day processing period.  
(Note: a copying fee of 25 cents per page, or \$20.00 per video will be charged.)

Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_ Daytime  
\_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_ Evening

Document Description. Clearly identify the documents or materials you are seeking to avoid rejection of your request due to vagueness.

| <u>Document</u> | <u>Dates</u> | <u>Other Descriptive Comments</u> |
|-----------------|--------------|-----------------------------------|
| _____           | _____        | _____                             |
| _____           | _____        | _____                             |
| _____           | _____        | _____                             |

- I would like to view the document(s) requested.       I would like copies of the document(s) requested.  
 I have received a copy of Public Records Act.

Department Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Department Head signature is required before completing the request.)

Requires City Attorney Signature?  No  Yes

City Attorney Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### City Staff Use Only

Response date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date forwarded to department: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Date information retrieved: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date requestor notified: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Date extension ends (if applicable): \_\_\_\_/\_\_\_\_/\_\_\_\_ Date information received by requestor: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Number of pages and costs: \_\_\_\_\_ pages \$ \_\_\_\_\_ (total cost)  
Name and title of responding personnel: \_\_\_\_\_