

## Attachment 8



**ADMINISTRATIVE CODE**

**CMD NUMBER 13**

**CITY MANAGER'S DIRECTIVE-PROCEDURE**

**DATE: July 23, 2003**

**CANCELS: None**

**SUBJECT :** PUBLIC RECORD REQUESTS

**POLICY :** The California Public Records Act ("Act") requires the City to assist members of the public make a "focused and effective" request that reasonably describes an identifiable record or records. The City must assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request. The Act also provides that the City shall describe the information technology and physical location in which the records exist and provide suggestions for overcoming any practical basis for denying access to the records or information sought.

**RESPONSIBILITY :** ACTION

All Departments

1. Date stamp all Public Records Requests (Request).
2. Ascertain if there are any legal questions or issues involved with the Request. Contact the City Attorney's Office for advice, if necessary.
3. Identify if the Request can be processed within 10 days. If the Request cannot be processed within 10 days, contact the requester and inform him/her when the information/documentation will be available and request a response time extension. Document time extensions agreed upon.
4. Obtain clarification from the requester, if necessary, to answer the Request. Make a reasonable effort to elicit additional clarifying information from the requester if the Request is either vague and difficult to understand, or is so broad that it would produce volumes of records. Additional information may be necessary to focus the Request in order to help the requester and the City identify the appropriate records. Describe the information technology, mediums and formats and physical location in which the records exist. This requirement is most applicable when the records sought exist in mediums and formats other than a paper record. Providing the requester with this information will assist the requester in identifying which records would be most responsive to the inquiry. Provide suggestions for overcoming any practical basis for denying access to the records or information sought. If unsure whether the information is retrievable or available, it may also be helpful to explain the City's record keeping policies. This will help avoid practical reasons for denying a Request. The City is not obligated to create

a new records index if one exists.

5. If requested by the City Attorney's Office, transmit a copy of the information/documentation for review before mailing to the requester.
6. Prepare a transmittal memo identifying which information or documentation is being transmitted or keep a copy of all of the information or documentation that has been transmitted including the date that it was transmitted. Maintain the information for the time specified in the City's Files Management Manual.

Requests Involving Multiple Departments:

7. Identify if there are other departments that may be involved in answering the Request. Deliver a copy of the Request to the other department involved and bring the Request to the attention of the department head (or someone designated by the department head that will follow through with the Request). Indicate on the bottom of the Request the name of the staff member and date that the Request was delivered.
8. Decide what department will be the lead department (Lead Department)
9. The Lead Department will follow all the steps above.

Cross Reference:

City's Files Management Manual