

Delta Mosquito and Vector Control District

— MANUAL of POLICIES —

POLICY TITLE

Public Records Act Request Guidelines

POLICY NUMBER

1051

1051.1 Public records in the physical custody of the district, and that are not exempt from disclosure, will be made available for inspection or copying as set forth herein.

1051.2 Subject to these guidelines any person may review public records of the District during the days and hours that the District office is regularly open for business. Public records will be available for inspection only at the office or location where they are regularly and routinely maintained.

1051.3 To ensure the proper identification, tracking, and processing of Public Records Act Requests, all and any requests for inspection or copying of public records:

1051.3.1 Shall be made in writing by the requestor on the form appended hereto and incorporated herein by this reference (or as it may be amended by District Administration) entitled "Public Records Act Request Form". Such form shall be provided free of charge to the requestor by the District; and

1051.3.2 The completed form shall be delivered, addressed, or directed to, the General Manager or his/ her designee.

1051.4 The District will provide the following assistance to members of the public so that they may make a focused and effective request that reasonably describes an identifiable record or records to the extent that such assistance is reasonable under the circumstances.

1051.4.1 Help the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated by the member of the public.

1051.4.2 Describe the information technology and physical location in which the records exist.

1051.4.3 Provide suggestions for overcoming any practical basis for denying access to the records or information sought.

1051.4.4 Assist the member of the public in the completion of the Public Records Act Request Form.

1051.5 The District, in accordance with Government Code Section 6253(c) or its successor, has ten (10) days to respond to a request for any public documents by indicating whether or not the District has in its possession disclosable documents and, if so, when where and how long they will be made available. Actual production of the documents may take somewhat longer depending upon their ease of availability and staff workload. Where unusual circumstances exist as specified in Government Code Section 6253 (c), the District may, by written notice to the requestor, extend the time for response not to exceed fourteen (14) additional days.

1051.6 All responses from the District shall be in writing for tracking, documentation, and other such purposes, and shall be posted prepaid utilizing the USPS or equivalent service.

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1051.7 If a request is made for a record that is stored in electronic format, the District will comply to the extent required under Government Code Section 6253.9. Unless otherwise approved by the General Manager, the District may refuse to disclose any records that are exempt from disclosure under the Public Records Act, case law, Attorney General opinions, constitutional provisions, or applicable privileges held by the district.

1051.8 The District may refuse to disclose, or even respond, to duplicative requests as determined by the District.

1051.9 Public Records Act requests may be subject to District Legal Counsel review prior to responding to the requestor. The response may come from District Legal Counsel.

1051.10 Functions of the District will not be suspended to permit, and public records will not be made available for, inspection during periods in which District personnel in the performance of their duties reasonably require such records.

1051.11 Special arrangements shall be made in advance for the inspection or copying of voluminous records.

1051.12 Public records in the possession of the District may be inspected only in the presence of District personnel as designated by the General Manager, except in those cases where the General Manager (or his/ her designee) determines otherwise. Physical inspection of such records will be permitted at places within the District offices as determined by the General Manager (or his/ her designee).

1051.13 The District will provide copies of any requested, reasonably identifiable public records not exempt from disclosure upon payment of the following fees, whichever is greater (unless a lesser salutatory fee is applicable):

1051.13.1 Twenty-five (25) cents per page; or,

1051.13.2 If the District has conducted a cost study to determine the actual cost of copying, such cost per page as so determined; or,

1051.13.3 The direct costs of duplication as charged by an outside service.

1051.14 A person who inspects records of the District shall not destroy, mutilate, deface, alter, or remove any such record or records from the location designated for inspection, but shall physically return these in the same condition as when received, upon either the completion of the inspection or upon verbal request of District personnel.

1051.15 In the event that any portion of these guidelines may be deemed at any time to conflict with any law or regulations, the law or regulation shall prevail.

1051.16 A copy of these guidelines and the Public Records Act Request Form shall be made available free of charge to any person requesting them.

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1051.17 The District General Manager, by written addendum to these guidelines may specify additional procedures concerning the manner in which requests for public records can be made to the District, the procedures for the processing of the requests, and/ or the manner by which a record of each such request and response shall be maintained by the District.