

Policy Type: Florin Resource Conservation District Board of Directors  
Policy Title: California Public Records Act Request Policy  
Date Adopted: April 21, 2020  
Resolution No: 04.21.20.02  
Date Amended:

## **I. PURPOSE**

The purpose of this policy is to affirm the public's right to access Florin Resource Conservation District (District) records and to set forth the District procedure to ensure accessibility of information to members of the public in accordance with the California Public Records Act (CPRA). Under the CPRA, Government Code sections 6250-6276.48, the public has the right to view or obtain non-exempt District records.

## **II. POLICY**

This policy prescribes that the District review and follow the CPRA guidelines, as it may be amended from time to time. If there are any conflict between this policy and the CPRA, the CPRA shall prevail.

## **III. RECORDS REQUEST**

- A. Responsibility - It is the responsibility of the General Manager to respond to CPRA requests for District documents. Decisions as to what documents may or may not be subject to disclosure shall be made in accordance with the CPRA, and under the guidance of District counsel.
- B. Response to Request - The District will acknowledge receipt of a CPRA request and give the requesting party an estimated date and time when the records will be made available using the following guidelines:
  - 1. The records will be made available, during normal business hours, either by photocopying, scanning or inspection of original records at the District office with a District staff member present.
  - 2. The District will deliver the requested documents within 10 business days from the receipt of the request.
  - 3. The time may be extended in unusual circumstances by no more than 14 business days through written notice from the General Manager to the requesting party. Unusual circumstances include, but are not limited to, requests that require an extended search, when the records requests are voluminous, or when the request requires consultation with another agency.
- C. Production of Documents - The District will make available the requested documents in accordance with Section III, B above.
  - 1. The District is not required to prepare new records in response to a request, or to compile, synthesize, summarize, or index information or records in a form that does not exist at the time of the request.
  - 2. 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 the requestor.
  - 3. 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 portion that

can reasonably be segregated of such record shall be provided to any person requesting such record after redacting portions which are exempt from disclosure by law.

- a. The District will justify withholding a record by demonstrating the record is exempt under the express provisions of Government Code sections 6254 and 6254.16 and any other applicable statute or by demonstrating that the public interest served by not making the record available clearly outweighs the public interest served by disclosing the record. Written notice of intent to withhold records stating the reasons for withholding the records and an estimated time for when releasable documents will be furnished will be provided to the person requesting the record within 10 days of receipt of the request, or later if unusual circumstances apply, as required by Government Code sections 6253, subsection (c) and 6255, subsection (b). Any written notice stating the reasons for withholding records shall include the names and titles or positions of each person responsible for the denial, as required by Government Code section 6253, subdivision (d).

D. Cost to Produce Documents - The District may charge for the reproduction of documents pursuant to the Political Reform Act of 1974 and the District's Schedule of Charges, Rates, Fees, and Deposits. The charge for each page of standard black and white letter or legal size photocopies will be 10 cents and each page of color photocopies will be 15 cents. Large format documents, maps, and similar specialized documents will be charged at cost. The estimated total cost will be relayed to the requestor prior to reproduction.

1. The District may charge the requestor for the direct costs of reproduction for any document photocopied and delivered.
2. The District shall not charge for documents reproduced and transmitted solely by electronic means if the recipient is willing to accept the documents by email, or is willing to provide an electronic device upon which to copy the documents.
3. The District will not charge for staff time to produce the documents.
4. The General Manager has the authority to waive production costs in the interest of making the documents transparent and accessible.