



San Ramon Valley Fire Protection District

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POLICY FOR HANDLING PUBLIC RECORDS ACT REQUESTS

Adopted April 26, 2017

POLICY:

Public records of the San Ramon Valley Fire Protection District (the "District") shall be open to inspection during regular office hours of the District to the extent required by law, and except as otherwise provided herein. "Public records" are all records of the District retained in the ordinary course of District business and in accordance with the District's Record Retention Schedule, as may be amended from time to time, and which is incorporated herein by reference, except as otherwise provided herein. "Public records" are all records of the District except those which are exempt from disclosure by the California Public Records Act (Gov. Code § 6250 et seq.).

DEFINITIONS:

- A. The term "public records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the District regardless of physical form or characteristics.
- B. The term "writing" means handwriting, typewriting, printing, photographing, photocopying, electronic mail, facsimile, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punch cards, discs, drums, and other documents.

PROCEDURE:

- A. Any District employee receiving a Public Records Act request must notify the District Clerk of the request. The employee is required to update the District Clerk on the status of the response.
- B. Any person desiring to inspect any public record shall identify the specific records desired to be inspected. The District shall, in accordance with Government Code Section

6253.1, assist the member of the public to make a focused and effective request that reasonably describes an identifiable record or records to the extent reasonable.

C. Any person may obtain a copy of any identifiable public record unless exempt from public disclosure. Upon request, an exact copy shall be provided unless impracticable to do so.

D. Within ten (10) calendar days after receipt of such request, the Board Clerk or designee shall determine whether to comply with such request and shall immediately notify the person making the request of such determination and the reasons therefor. If the Board Clerk is uncertain whether the record is exempt from disclosure under the California Public Records Act or whether, given the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record, the Board Clerk shall consult with legal counsel for the District during this initial 10-day period. Where necessary, because either the records or the personnel that need to be consulted regarding the records are not readily available, the initial 10-day period to make a determination may be extended for up to fourteen (14) days. Such unusual circumstances mean the need to search for and collect requested records from field facilities or other locations separate from the office processing the request; or the need to search for, collect, and examine a voluminous amount of records to comply with the request; or the need for consultation with another agency having a substantial interest in the determination of the request; or the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data. If possible, records deemed subject to disclosure should be provided at the time the determination is made. If immediate disclosure is not possible, the District shall provide the records within a reasonable period of time, along with an estimate of the date that the records will be available.

D. 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 any person and may charge fees covering the direct costs of duplication. A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing.

F. 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.

G. Inspection of public records shall be made only in a District office, and no document shall be removed therefrom. A representative of the District will be present during the inspection of any records.

H. The public records policy of the District shall at all times be subject to the California Public Records Act as it may be amended from time to time, and if there is any conflict between that Act and this policy, the Act shall prevail.

Copies Requested Pursuant to the Political Reform Act of 1974

A. Notwithstanding the other provisions of the District's Public Records Policy, public records requested pursuant to the Political Reform Act of 1974 (Gov. Code § 81000 et seq.), shall be open for public inspection and reproduction during regular business hours, and not later than the second business day following the day on which such document was received from a public officeholder or other person subject to the Political Reform Act.

B. No conditions whatsoever shall be placed on those persons desiring to inspect or reproduce reports or statements filed pursuant to the Political Reform Act, nor shall any information or identification be required from such persons.

C. Copies may be provided at a cost of ten cents (\$0.10) per page, and the filing officer of the District may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements which are five (5) or more years old.

District Copy Cost Schedule

A. A request for a copy of an identifiable written public record or information produced therefrom, or a certified copy of such record, may be accompanied by payment of a fee in the amount of 10 cents (\$0.10) per page if the copy is no larger than 8 ½" x 11". If the size of the copy of the record is in excess of 8 ½" x 11", a request for such copy may be accompanied by payment of a fee in the amount fixed by the Fire Chief, provided that the amount so fixed shall not be more than 10 cents (\$0.10) times the number of 8 ½" x 11" pages into which each copied sheet could be divided if so desired.

B. Requests for a mailed copy of the Board of Directors' monthly agenda are required annually. These requests will be directed to the Board Clerk. Copies of the agenda will be provided. The District may charge 10 cents (\$0.10) per page, for each agenda requested (i.e., Board; Fire & Life Safety Committee; Personnel/HR Committee; and Finance Committee; Facilities Committee; EMS Committee; CERT/PAC Committee) according to the Copy Cost Schedule.

C. To facilitate an equal and unbiased approach to disseminating information made available at Committee and Board meetings, agendas and a Board packet containing any and all data placed before the Board of Directors for consideration or action will be located at the rear of the Board Room for access by the public. Any person desiring a copy of any portion of said information may request the same from the Board Clerk who will provide such copies in accordance with the District Copy Cost Schedule.