

**OCEANO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2013-06  
(AMENDS RESOLUTION 2005-23)**

**A RESOLUTION OF THE OCEANO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS ADOPTING A PUBLIC RECORDS REQUEST  
POLICY AND PROCEDURE AND A "REQUEST FOR PUBLIC RECORDS"  
FORM**

**WHEREAS**, the Oceano Community Services District Board of Directors recognizes the public's right to access information concerning the conduct of the people's business; and

**WHEREAS**, The California Public Records Act permits local agencies to adopt regulations containing the procedures to be followed when making records available to the public; and

**WHEREAS**, the Oceano Community Services District Board of Directors is mindful of the constitutional right to privacy for individuals and it is the intent of the Board to promulgate a policy that strikes an appropriate balance between open government and the individual's right of privacy;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Directors of the Oceano Community Services District, as follows:

1. The Oceano Community Services District Policies and Procedures Regarding Requests for Public Records attached hereto as Exhibit "A" is hereby approved and adopted. Any and all prior versions of an Oceano Community Services District policy or procedure for requesting public records, including those specifying any amounts for copying expenses or any other matters set forth in Exhibit A, are hereby repealed.
2. The Oceano Community Services District "Request for Public Records" form attached hereto as Exhibit "B" is hereby approved for immediate use. Any other versions of a Public Record Request form are hereby repealed.

## **Exhibit A**

**OCEANO COMMUNITY SERVICES DISTRICT POLICIES AND  
PROCEDURES REGARDING REQUESTS FOR PUBLIC RECORDS**

<b>OCEANO COMMUNITY SERVICES DISTRICT POLICIES AND PROCEDURES REGARDING REQUESTS FOR PUBLIC RECORDS</b>		
<b>EFFECTIVE DATE:</b>	<b>GENERAL MANAGER:</b>	<b>BOARD MEMBER:</b>

**I. INTENT**

Oceano Community Services District (OCSD) recognizes that the public's right to access information concerning the conduct of the people's business is a fundamental and necessary right. A record shall not be withheld from disclosure unless it is exempt under applicable laws, OCSD does not possess the record, or the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

The California Public Records Act permits local agencies to adopt regulations stating the procedures to be followed when making their records available to the public. To that end, OCSD's Board of Directors desires to establish a formal written policy affirming the public's right to access accessible records and to set forth the procedures by which such records will be made available to the public.

OCSD is mindful of the constitutional right of privacy accorded to individuals and it is the intent of the Board of Directors to promulgate a policy that strikes an appropriate balance between the objectives of open government and the individual's right of privacy.

**II. ACCESSING OCSD RECORDS**

**Records Available for Inspection and Copying**

"Records available for inspection and copying" include certain writings containing information relating to the conduct of OCSD business that are *prepared, owned, used, or retained* by OCSD. The records may also include electronic records, video, or audio recordings.

**Locating and Identifying Records**

OCSD has certain documents that are available for inspection during regular business hours. However, certain other documents are not readily available and may require OCSD's staff to conduct a search for the documents sought which will add to the anticipated time for production. Moreover, said records will also be analyzed to redact any private information or to determine whether the records are exempt from disclosure under the terms of the California Public Record Act.

Requesting records in writing on the "Oceano Community Services District Public Records Request Form" will streamline the response process and help ensure that the correct records are provided. Accordingly, OCSD asks that each person seeking records that are not readily available during regular business hours, please utilize that form which is available at the OCSD front office and on the website.

Persons requesting documents should also take care to *be specific* when making said requests. The public is encouraged to include details such as dates, times, subject matter, resolution numbers, names or persons, etc. *Non-specific requests that, in the view of OCSD, will take an undue amount of time to research or compile will be rejected.*

### **Form of Records Provided**

Records shall be made available in their original form or by a true and correct copy. In general, if a person wishes to examine an original record, such examination must be done in the presence of an OCSD staff member. As such, if a member of the public wishes to examine original documents, as opposed to receiving copies of the same, an appointment will need to be scheduled with the OCSD front office staff. If copies of the documents are sought, each page costs .20 cents for copying expenses.

### **Time for Response**

Upon receipt of a request for records, the OCSD shall make the records promptly available to the requestor if such records are among those that are regularly available during normal business hours. In cases where the records are not readily accessible or additional time is needed to determine whether the request in whole or in part seeks copies of disclosable records, OCSD will have ten (10) calendar days to provide a *response* and possible production of records to the person making the request. The ten (10) day time period shall be calculated from the date the request is received.

In some circumstances, OCSD may extend its time to produce the subject records by either fourteen (14) days or longer depending on the breadth of the request and the staff available to fulfill the request. Should this occur, OCSD will inform the requestor in writing of the extension within the initial ten (10) day period, setting forth the reasons for the extension, along with the estimated date of the City's further response.

If a written request for information is denied in whole or in part, OCSD will make such denial in writing.

### **Fees and Charges**

OCSD will charge .20 cents per page for any copying expenses. OCSD will also charge for duplication costs in any direct costs incurred in other mediums requested. To the extent OCSD can make copies of CD's or DVD's, those costs shall be the direct costs of reproducing the record as well as the cost of the disk. Likewise, if copies of records sought must be mailed to the person making the request, OCSD will charge that person or

entity for the postage fees incurred in fulfilling the request. If the item cannot be copied by OCSD staff for any reason, arrangements will be made with the person requesting the information to examine the subject record at the OCSD office.

Requestors of emails shall pay .20 cents per reproduction. However, OCSD will not charge for access to those records that are regularly available during normal business hours.



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730

FAX (805) 481-6836

## OCEANO COMMUNITY SERVICES DISTRICT

### REQUEST FOR PUBLIC RECORDS

The California Public Records Act (Government Code 6250, et seq.) was enacted to ensure public access to public records. This form will enable us to accurately and efficiently fill your request.

Copies are \$.20 (Twenty cents) per page in either electronic format or paper.

Please take care to be specific with your request below (include dates, resolution numbers, subject matter, etc.) Non-specific requests may be rejected if they require an undue amount of research or compilation time.

**Name of Person Making Request (print):** \_\_\_\_\_

**Address and telephone number:** \_\_\_\_\_

**Date of Request:** \_\_\_\_\_

**Description of Requested Material:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature \_\_\_\_\_

#### FOR STAFF USE ONLY

**Name of Staff Completing Request:** \_\_\_\_\_

**Time Spent:** \_\_\_\_\_ **# of pages produced:** \_\_\_\_\_

**Charge(if any):** \_\_\_\_\_

**Distribution:** \_\_\_\_\_ **Pick-up**

\_\_\_\_\_ **US Mail at** \_\_\_\_\_ **Address above or** \_\_\_\_\_