



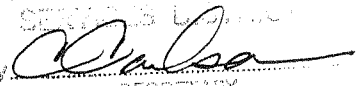
G.C.S.D. Services - 209/962-7161
Fire Department - 209/962-7891

water . fire protection . ambulance . parks . wastewater collection & treatment

18966 Ferretti Road P.O. Box 350 Groveland, CA 95321-0350

RESOLUTION 13-97
GROVELAND COMMUNITY SERVICES DISTRICT

REQUESTS FOR PUBLIC RECORDS

DATE: 11-16-97
IN THE OFFICE OF
GROVELAND COMMUNITY
SERVICES DISTRICT
By: 
SECRETARY

Government Code Section 6250 et seq. Public Records Act - concerning a request to inspect or copy public records the following guidelines are established by GCSD:

1. POLICY

Pursuant to the Public Records Act, it is the District's policy that every person has a right to inspect any public record of the District during regular office hours, and to obtain copies thereof, in order that the public may be fully informed concerning the conduct of the District's business. However, such access is limited by the exemptions set forth in the Public Records Act itself and by an individual's constitutional right to be free from unwarranted invasions of his or her privacy. As used herein, "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; "writing" means handwriting, typewriting, printing, photocopying, photographing, 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 types, photographic films and prints, discs, and other documents.

2. EXEMPTIONS FROM DISCLOSURE:

Pursuant to the Public Records Act including Government Code 6254, 6255 and 6257; exempt records include, but are not limited to, the following:

- a. Preliminary drafts, notes or interagency memorandum. If these are not retained by the agency in the ordinary course of business and if the public interest in non-disclosure outweighs the interest in disclosure they are exempt from disclosure. This is not an absolute unqualified exemption.
- b. Litigation Records. Records pertaining to pending litigation, until the litigation is finally adjudicated or settled are exempt from disclosure. A claim filed under Govt. Code Section 810 et. seq. is not exempt from disclosure. Once the litigation is concluded the documents are subject to disclosure.

- c. Personnel, Medical or Similar Records. Disclosure of these kinds of records constitutes an unwarranted invasion of privacy. Govt. Code Section 6254. this section does not exempt employees salary ranges or agreements.
- d. The contents of real estate appraisals or engineering or feasibility estimates and evaluations made by or for the District relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained. (This section shall not affect the law governing eminent domain proceedings.) 6254 (h)
- e. Records which are exempted or prohibited from disclosure pursuant to provisions of federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege 6254 (k)

This would include confidential communications between the District and its counsel (Evidence Code 950 et. seq.), and official information which is received in confidence by the District, and the public interest in preserving the confidentiality of the communication outweighs the necessity for disclosure in the interest of justice. (Evidence Code 1040 et seq.)

- f. Other Personal Information Questions authorized on whether an agency must disclose personal information obtained from citizens in the course of regulatory activities. Govt. Code Section 6255. Examples include addresses and telephone numbers of permit parkers and tenants in rent controlled units. The public agency bears the burden of proving their release of this information constitutes an unwarranted invasion of privacy and disclosure serves no valid purpose.
- g. Personnel and Citizens Complaints
- h. Personal Financial Data Required for District Services

3. Consideration of Request

Upon receipt of a written request, the District Manager shall determine whether or not a particular public record is exempt from disclosure, and said District Manager shall be entitled to a reasonable time to consult with counsel on the matter before making a decision. If a record is deemed exempt from disclosure, the requesting party shall be entitled to notification regarding the same, and to a statement identifying the name and title of the person responsible for the denial.

While it is the District's policy to make all non-exempt records promptly available for public examination, practical considerations may require that such examination be briefly delayed, as when the request involves substantial time to locate the records, or when such records are then necessarily being used by District personnel to conduct District business. In such instances, the District Manager shall then arrange with the requesting party a time when such records may be inspected. If the documents are difficult to retrieve or reproduce, the District may exercise the right to an additional ten days for producing the copies.

4. REPRODUCTION POLICY AND COSTS

Upon receipt of a written request and the payment of applicable fees, the District shall promptly provide copies of identifiable non-exempt public records to a requesting party, unless impracticable to do so at that time. It shall be the requesting party's responsibility to describe with reasonable particularity the record(s) to be inspected and/or copied, so that staff can locate the same. If copies are requested and it is impracticable to copy said record(s) at the time of request, the District Manager shall determine either immediately, or within ten (10) days thereof, whether to comply with a request for copying, and shall notify the requesting party of the decision and the reasons therefor. In unusual cases involving records which are unusually difficult to locate or not available to the District, the District Manager may notify the requesting party that he needs an additional ten (10) days to make such determination. (Govt Codes 6250 through 6257)

Costs shall be charged for copying according to the following fee schedule:

| | |
|--|-------------------------------------|
| Document copies (when documents are readily available) | \$.25 per page |
| Blueprints | \$2.00 each sheet |
| Sepia Maps | \$3.00 each sheet |
| Plotted Maps | \$4.00 each sheet (if available) |

The above costs do not include employee time spent retrieving, inspecting or handling the file from which the copy is extracted. The above amounts are costs only.

5. Written Requests

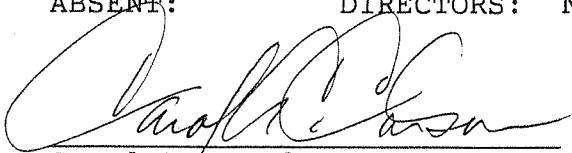
All request to inspect or copy records shall be submitted in writing to the District Office at 18966 Ferretti Road, P.O. Box 350, Groveland, CA 95321

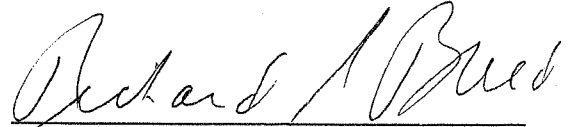
PASSED AND ADOPTED this 10th day of November, 1997 by the following vote:

AYES: DIRECTORS: Breed, Moisenko, Houser, Gill, Smith

NOES: DIRECTORS: None

ABSENT: DIRECTORS: None


Carol A. Carlson, Secretary


Richard S. Breed, Chairman