

## SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

<b>Policy Name:</b>	<b>1050 – COPYING PUBLIC DOCUMENTS</b>		
<b>Approval Authority:</b>	SPMUD BOARD OF DIRECTORS	<b>Adopted:</b>	02/06/1997
<b>Resolution No</b>	97-03, 15-23	<b>Last Revised:</b>	09/03/2015

### **PURPOSE**

The purpose of this policy is to establish a process for responding to public records requests for District records in accordance with the California Public Records Act (California Government Code §6250 through §6276.480) and to establish fees and/or deposits for copies of such records.

### **POLICY STATEMENT**

#### **Section 1. General**

The California Public Records Act (PRA) allows inspection and requires disclosure of governmental records to the public upon request, unless exempted by law. This policy does not limit the authority of District officers to furnish documents, with or without charge, which are regularly and customarily provided in the normal course of conducting District business.

#### **Section 2. Public Records Defined**

Public records include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the District regardless of the manner in which the record has been stored.

"Writing" means handwriting, typewriting, electronic communication, printing, photocopying, transmission by electronic mail or facsimile, photography, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols or any combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

"Member of the public" means any person except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.

Items that are not public records:

1. Employees' private papers, unless they "relate to the conduct of the public's business [and are] prepared, owned, used, or retained by the agency." (§6252(e))
2. Computer software "developed by a state or local agency, including computer mapping systems, computer programs, and computer graphic systems." (§6254.9(a), (b))
3. Records not yet in existence: The PRA covers only records that already exist, and an agency cannot be required to create a record, list, or compilation. "Rolling requests" for future-generated records are not permitted.

### **Section 3.** Public Records Request Process

Public records are open to inspection at all times during the office hours of the District and every person has a right to inspect any public record that is not exempt from disclosure.

All requests received by District staff to obtain copies of District records shall be referred to the Secretary as the Custodian of Records. Whenever feasible, all requests for public records should be in writing using the "Request to Review Public Record(s)" form of the District (Attachment A).

Upon receipt of a written request which reasonably describes an identifiable record or information produced therefrom, the requester is entitled to inspect records and/or obtain copies of records upon the payment of the direct cost of duplication, except those records which are exempt under state law.

The Secretary or General Manager of the District, upon receipt of a written request, provides a copy to and confers with District General Counsel, as necessary.

The Secretary coordinates with the appropriate District staff to obtain the necessary documents without delay. Requested records are brought to the Secretary or General Manager by the District staff or outside storage facility having possession of such records by the date specified by the Secretary. If retrieval will be delayed, the Secretary or General Manager must be immediately notified. When the documents have been assembled, the Secretary and/or General Manager of the District, legal counsel, and other appropriate staff, review the documents to determine whether the records, or any portions thereof, are exempt from disclosure.

The Secretary or General Manager notifies the requestor in writing within ten (10) business days of receipt of the request whether the District will comply with the request. Any notification of denial shall set forth the reasons therefore and the names and titles or positions of each person responsible for the denial. In unusual circumstances, prescribed by law, notifications may be extended no more than fourteen (14) business days.

Copying of records is handled by the Secretary. The Secretary or General Manager notifies the requestor when the documents are ready to be picked up and the fee covering the direct cost of duplicating the documents.

If the number of copies is voluminous, then the requestor can arrange to have a third party licensed and bonded copy service copy those records on the District premises. Under no circumstances are District records or files to be taken off of the District premises for copying unless authorized in writing by the Board of Directors.

A "Material Sale" form is completed by the Secretary for the direct cost of duplicating records and appropriate sales tax.

Once payment is received, the copies are released to the requesting party. All funds collected are deposited in the District account.

Requests may be made via fax to 916-786-8553 or mail to: SPMUD, ATTN: Public Records Request, 5807 Springview Drive, Rocklin CA 95677. Requests may also be dropped off in person at the SPMUD Headquarters Building, located at 5807 Springview Drive, Rocklin CA 95677.

### **Section 4.** Records Exempt from Disclosure

Certain records are exempt from disclosure in whole or in part. This does not mean they are not public records or that disclosure is prohibited. The District may withhold the records but can allow greater access.

Many categories of records are exempt. These include:

1. Confidential Attorney-Client discussions and other records concerning agency litigation.
2. Appointment calendars and phone records.
3. Preliminary drafts, notes and memos may be withheld only if they are "not retained in the ordinary course of business" and "the public interest in withholding clearly outweighs the public interest in disclosure. Where a draft contains both facts and recommendations, only the latter may be withheld. The facts must be disclosed.
4. Home Addresses of employees.
5. Personnel, medical, and similar files.
6. Customer Financial data.

**Section 5.** Fee Schedule

Fees for copies are established and may be updated periodically by resolution.

**ATTACHMENT A**

South Placer Municipal Utility District  
5807 Springview Drive  
Rocklin, CA 95677  
T: 916-786-8555  
F: 916-786-8553



## Records Request Form

Request Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Requestor Identification:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Requestor Contact Information:

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_ E-Mail \_\_\_\_\_

Records Requested – List document titles, or fully describe the records requested, specifying dates or other information that identifies the records:

Document (1) Name: \_\_\_\_\_

Document (2) Name: \_\_\_\_\_

Document (3) Name: \_\_\_\_\_

Document (4) Name: \_\_\_\_\_

Requestor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Request Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Fees Received: \_\_\_\_\_