



## **PUBLIC RECORDS INSPECTION AND FEES POLICY**

Adopted: September 21, 2004

### **PURPOSE**

The purpose of this Policy is to establish a policy in accordance with the Public Records Act, commencing at Government Code Section §6250, and other applicable statutes, by setting forth the procedures to be followed when making records available to the public. Public records are open to inspection at all times during the office hours of the West County Wastewater District.

### **DEFINITIONS**

- A. "District" means the West County Wastewater District or any employee authorized to act on its behalf.
- B. "Public Record" 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.
- C. "Writing" means handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile and every other means of recording upon any tangible thing, or form of communication of representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.
- D. "Person" includes any natural person, corporation, partnership, limited liability company, firm, or association.
- E. "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.

## **POLICY**

A. **Disclosure.** Public records are open to inspection during the office hours of 8:00 a.m. - 12:00p.m. and 1:00 p.m. - 5:00 p.m., Monday through Friday, except for state holidays. Every person has a right to inspect any public records except those records exempted from disclosure by Section 6254 of the Government Code or other applicable provisions of law. The District Manager or his/her appointed representative shall make the determination as to whether a requested record is a public record and open to inspection. Refusals to disclose a public record shall be reviewed by the Counsel for the District.

B. **Records Exempt from Disclosure include the following:**

1. Preliminary drafts, notes, or inter-agency or intra-agency memoranda which are not retained by the public Agency in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest in disclosure;
2. Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810), until the pending litigation or claim has been finally adjudicated or otherwise settled;
3. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy;
4. Geological and geophysical data, plant production data and similar information relating to utility systems development, or market or crop reports, which are obtained in confidence from any person;
5. Records of complaints to or investigations conducted by, or records of intelligence information or security procedures of the Department of Justice, and any state or local policy agency or any such investigatory or security files compiled by any other state or local agency for correctional, law enforcement or licensing purposes;
6. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination;
7. The contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the state or local agency 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. However, the law of eminent domain shall not be affected by this provision;
8. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the

information to other persons would result in unfair competitive disadvantage to the person supplying the information;

9. Records the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to provisions of the Evidence Code relating to privilege.
- C. **Request for Copies of Public Record.** A request for a copy of an identifiable public record or a certification shall be in writing or by the "Request for Public Records" form attached to this policy, and shall be accompanied by a fee or deposit shown on the attached schedule. Requested copies shall be provided upon payment of appropriate fee.
- D. **Response Time.** The District, upon a request for a copy of records, shall within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the District and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, additional time up to 14 days may be warranted.
- E. **Request for Summary of Information or Copy.** The Public Records Act does not require the District to make summaries or to extract information from documents. Requests for summaries shall be directed to the Board of Directors who shall set the fee upon receiving advice from staff as to the estimated time of staff work required to compile such summaries.

**WEST COUNTY WASTEWATER DISTRICT**  
2910 Hilltop Drive  
Richmond, CA 94806  
Telephone (510) 222-6700 Fax (510) 222-3277

**REQUEST FOR PUBLIC RECORDS**

Date \_\_\_\_\_

In accordance with Government Code Section §6253 of the California Public Records Act, I am requesting copy (ies) of the following documents

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the District has ten (10) working days to respond to this request, unless an unusual circumstance arises, whereby additional time up to 14 days may be warranted.

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

Organization: \_\_\_\_\_

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

Daytime Phone Number: \_\_\_\_\_

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

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**STAFF USE ONLY:**

Date Request Completed: \_\_\_\_\_

Copy(ies) Provided: (circle one)                      Yes    No    Partial

List any requested document that is exempt from public disclosure and was not copied (i.e., personnel files, attorney/client communications, preliminary drafts, pending litigation or claims, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated Cost: \_\_\_\_\_

Amount of Payment: \_\_\_\_\_

Refund/Additional Payment: \_\_\_\_\_

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**SCHEDULE OF FEES OR DEPOSITS TO BE COLLECTED  
WHEN COPY OF PUBLIC RECORD OR INFORMATION IS REQUESTED**

<b>GENERAL DOCUMENTS</b>	<b>Unit</b>	<b>Fee or Deposit Per Unit</b>
1. Copy of identifiable public record or information (set by Administrative action, currently at 15¢ per page) (8½" x 11")	Each Page	\$ .15
2. Copy of Maps:		
200 Scale Map (14" x 19")	Per sheet	\$ 2.00
100 Scale Map (18" x 38")	Per sheet	\$ 3.00
3. Xerox (24" x 36")	Per sheet	\$ 3.00
4. Standard Details	Per set	\$ 3.00
5. Board Agendas*	Annual Fee	\$25.00

\* Board Agendas are available on the District's website: [www.wc wd.org](http://www.wc wd.org)