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| ADMINISTRATIVE POLICIES WEST VALLEY WATER DISTRICT | | |
| APPROVAL DATE | POLICY TITLE | EFFECTIVE DATE |
| | PUBLIC RECORDS REQUEST POLICY | May 7, 2020 |

Purpose

To establish District policy and guidelines concerning accessibility of District records.

Background

In enacting the California Public Records Act, the State Legislature declared that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.

- A. The term “District” shall mean West Valley Water District.
- B. 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.
- C. The term “writing” means handwriting, typewriting, printing, photo-stating, photographing, photocopying, electronic mail, facsimile, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, 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 regardless of the manner in which the record has been stored.
- D. The term “person” includes any natural person, corporation, partnership, limited liability company, firm or association.
- E. The term “requester” shall mean a person, or representative of a person, who has submitted a request for records to the District by mail, fax, e-mail, telephone or in person. Policy Public records of the West Valley Water District (“District”) shall be open to inspection during normal office hours at the District’s headquarters located at 855 W. Base Line Road, Rialto, California. “Public Records” are all records of the District retained in the ordinary course of District business except those specifically exempted by law.

Procedure

- A. Any person requesting to inspect any public record shall identify the specific records

to be inspected. The District shall, in accordance with Government Code Section 6253.1, to the extent possible, upon request, the District will assist the member of the public in making a focused and effective request that describes an identifiable record or records to the extent reasonable.

- B. Any person may obtain a copy of any identifiable public record unless exempt from public disclosure. The District encourages members of the public to submit all records requests in writing to the District's office, preferably using the Public Record Request attached as Exhibit "A" to this policy. Records requests from the public shall be submitted to the District Clerk or Board Secretary. Records requests and inquiries from the media shall be submitted to the Public Affairs Manager. Written requests reduce any misunderstandings between the requester and the District's staff, which allows District's staff to respond to records requests in a timely manner and with greater efficiency. However, the District will not deny a request for records solely because it is not submitted in writing.
- C. The requester should specify the records to be inspected/copied with sufficient detail to enable the District to identify the particular records. If the request seems ambiguous or unfocused, District staff will make a reasonable effort to obtain additional clarifying information from the requester that will help identify the record or records. Upon request, an exact copy shall be provided unless impracticable to do so.
- D. Notice of Decision ("NOD"): Within ten (10) calendar days from receipt of such request, the District Clerk or designee shall determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons thereof. If the Board Secretary 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 Secretary shall consult with legal counsel for the District during this initial 10-day period. In unusual circumstances, the time limit for providing the determination on a records request may be extended by "Notice of Extension" to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be provided. Any extension of time will not last more than fourteen (14) calendar days. 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.
- E. Unusual circumstances means the following, but only to the extent reasonably necessary to the proper processing of the particular request:
 - a. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.

- b. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
 - c. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.
- 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 deletion of the portions which are exempt from disclosure by law.
- G. Inspections of public records shall be made only at the District office, and no document shall be removed from the District's premises. 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 ("Act") as it may be amended from time to time, and if there is any conflict between the Act and this policy, the Act shall prevail.
- I. In addition to maintaining public records for public inspection during office hours, the District may comply with a request by posting any public record on its Internet Website and direct a member of the public to the location on the Internet Website where the public record is posted. However, if the member of the public requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Website, the District shall promptly provide a copy of the public record.

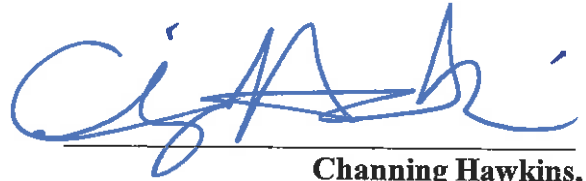
Production of Records Requests and Fees

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, and after payment of any fees, the District shall make the records available in a "reasonable" amount of time after the Notice of Decision is issued. The fees will cover the direct cost of duplication (see District Copy Cost Schedule). Upon request, an exact copy shall be provided unless impracticable to do so.

District Copy Cost Schedule

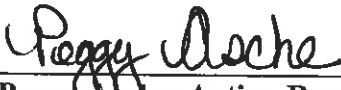
- A. Requested documents can be viewed at the West Valley Water District's office at no charge.
- B. A request for a copy of an identifiable written public record or information produced therefrom, or a certified copy of such record, shall be accompanied by payment of a fee in the amount of ten cents (\$0.25) per page.

- C. Reproduction of blueprints, maps and similar documents will be provided by the District as follows: Fees for blueprints, maps, oversized (2x3) documents and similar products that the District can reproduce will be charged three dollars and fifty cents (\$3.50) per page. A deposit may be required for copying a large volume of material.
- D. Requests for digital records and data, which already exists can usually be met with a minimal charge of \$3.75 per disk/flash drive and \$0.25 per page, if applicable.



**Channing Hawkins,
President of the Board of Directors
of West Valley Water District**

ATTEST:



Peggy Asene, Acting Board Secretary