

**RESOLUTION NO. CC- 0102-013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF REDONDO BEACH, CALIFORNIA, ADOPTING A  
POLICY REGARDING THE INSPECTION AND COPYING  
OF PUBLIC RECORDS.**

WHEREAS, Commissions, Boards, Councils, advisory bodies and other agencies of the City exist to conduct the people's business and the records created as a result belong to the people; and

WHEREAS, all of the information gathered and distributed by the employees of the City of Redondo Beach has been obtained with public funds paid in part by the taxpayers of the City of Redondo Beach and is therefore theirs by right of ownership; and

WHEREAS, an informed public and citizen electorate is the key to the orderly functioning of the democratic process in the City of Redondo Beach; and

WHEREAS, it is the policy of the City of Redondo Beach to see that City employees provide as much information as is available and is practical for the use of the Redondo Beach citizens for the purpose of being fully informed; and

WHEREAS; it is the policy of the City of Redondo Beach to provide the general public with access to public records above and beyond the provisions of the California Public Records Act, Government Code Section 6250, et. seq.; and

WHEREAS, the City Council has determined that a written policy is appropriate for the public's access to their records and wishes to adopt procedures for the implementation of such policy.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The intent of this Resolution is to provide a Public Records Policy above and beyond the requirements of the California Public Records Act, Government Code Section 6250, et. seq.; and the setting of this policy is specifically authorized by Section 6253(e). It is also the intent of this Resolution that all provisions of state statutes governing confidentiality of documents will be complied with.

SECTION 2. Every person having custody of any public record (custodian) should, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, permit the public record, or any segregable portion of a record, after properly identifying the records sought, to be inspected and examined by any person and should furnish one copy thereof upon payment of a reasonable copying charge, set forth by the Master Fee Resolution of the City Council. This section is not meant to require that the response interfere with the daily operation of the department. If complying with the request immediately would result in interference with the daily operation of the department, a short, reasonable delay in response may be required.

SECTION 3. Notwithstanding the ten-day period for response to a Public Records Request permitted in Government Code Section 6253, a written request for public records in any category of nonexempt public records should be satisfied, whenever possible, no later than the close of business on the second day following the date of request, unless the requestor is notified in writing that the request will be answered by a specific future date. Examples of justification for needing longer than the end of the second business day include, but are not limited to: records being obtained from another department or off-site facility; a voluminous amount of public records requests being made in a single day; the request must be reviewed by the City Attorney's office for determination of whether the records requested are public records; the particular records requested are currently being used by staff in the ordinary course of their work; the request is for certified copies; the request is for a voluminous amount of records; the request requires that a voluminous amount of records or files be reviewed for location of the record; or an evaluation of the request must be made regarding potential criminal investigation or city liability.

The statutory deadlines are appropriate for more extensive or demanding requests, but should not be used to delay fulfilling a simple, routine or otherwise readily answerable request. Examples of simple, routine or otherwise readily answerable requests include, but are not limited to: Charter and Municipal Code Sections; current Agendas, Minutes, Staff Reports; Resolutions, Ordinances, Building Permits, Memorandums Of Understanding, Conditional Use Permits, videos, business licenses, settlement agreements, warrant lists, contracts, etc.

City employees should show particular regard to requests for inspection and copying of the public records as part of their regular duties and should comply with such requests as promptly as possible, bearing in mind that said employees must attend to their regular duties; and, if unable to meet the request, such response for said public records may of necessity be delayed for a reasonable period of time.

SECTION 4. No record should be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or some other statute. Information that is exempt from disclosure should be redacted, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released. This redacting is required only when the information sought is reasonably segregable.

SECTION 5. A written request specifying the public records desired to be inspected or copied should be submitted to the City Clerk's office, except that requests concerning Public Safety records should be submitted to the appropriate Public Safety Department. Such request may be made by personal delivery, fax, postal delivery, or e-mail. The requestor may be asked, but not required to, complete a Request for Public Records Form. Said form provides that the requestor sign indicating responsibility for any copying fees incurred. The person requesting the records need not state his or her reason for making the request or the use to which the records will be put.

SECTION 6. Inspection and copying of public records stored in electronic form should be made available in any form requested which is available to the City, including disk, tape, printout, or monitor at a charge no greater than the cost of the media on which it is duplicated. This section does not require a department to program or reprogram a computer to respond to a request or to release records where the release would violate a licensing agreement or copyright law. This section also does not require City staff to do extensive reformatting, editing or modifying of existing documents to satisfy a request for a different form of the record.

SECTION 7. In considering future upgrades of computer hardware and software the City should consider those products which facilitate the ready segregation of exempt and nonexempt information, to permit public access to the nonexempt information in printed or online form while preserving the exempt information from duplication or distribution.

SECTION 8. In regard to settlement of any claim or lawsuit against the City, the City should neither solicit nor agree to any term in a settlement which would preclude the immediate release, upon request by the public, of the text of the settlement itself or any related documentation communicated to or received from the adverse party or parties. Where the disclosure of documents in a litigation matter that has been settled could affect litigation is a closely related case, the settlement information need not be disclosed until the closely related case is settled or otherwise fully concluded.

SECTION 9. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

PASSED, APPROVED AND ADOPTED this 20<sup>th</sup> day of March, 2001.

  
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Gregory C. Hill, Mayor

ATTEST:

STATE OF CALIFORNIA                     )  
COUNTY OF LOS ANGELES            )  
CITY OF REDONDO BEACH)       SS

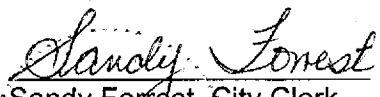
I, Sandy Forrest, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. CC-0102-013 was duly passed, approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 20<sup>th</sup> day of March, 2001, by the following roll call vote:

AYES:       Bisignano, Gin, Pinzler, Parsons

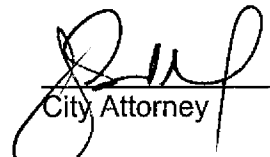
NOES:       Sullivan

ABSENT:    None

ABSTAIN:   None

  
\_\_\_\_\_  
Sandy Forrest, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney