



CITY OF EUREKA City Attorney

531 K Street Eureka, California 95501-1165
(707) 441-4147 • FAX (707) 441-4148

May 13, 2016

VIA EMAIL

Hank Sims
Lost Coast Outpost
hanksims@gmail.com

Re: Public Records Request Dated May 10, 2016

Dear Mr. Sims:

The City is in receipt of your Public Records Act (PRA) request dated May 10, 2016, and received same day. Your request seeks:


“All requests for documents made under the California Public Records Act and received by the city or its officers since April 1, 2016, regardless of the format of such requests (letter, fax, email, etc.), and regardless of the topic of such requests.

All correspondence written by the city or its officers in response to the requests for documents indicated above. Specifically, I am looking for cover letters or replies written by city staff which grant or deny the above-mentioned PRA requests; I do not need the documents requested by the original requestor.”

The City has reviewed the records related to your request and found a total of 52 pages to be disclosable. Redactions have been made pursuant to Government Code Section 6254(c) in order to protect individual's privacy. The cost of duplicating these documents is \$5.20 at \$0.10 cents per page. Please make a check payable to “The City of Eureka.” Once payment and an address at which you may be reached has been received, a copy of the records will be mailed to you. Due to the electronic size of the document file, the City is unable to email them. I have enclosed the City's policy regarding PRA requests and the City's PRA form for your future use.

Alternatively, you may coordinate a review of the documents with my legal assistant or an electronic upload through Dropbox instead of paying for the copies.

If you have any questions or concerns, please contact my legal assistant, Danielle Vickman at 707-441-4147.

Sincerely,

Cyndy Day-Wilson
City Attorney, City of Eureka

CDW/dlv

cc: City Clerk

Enc.

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: Handling of Public Records Act Requests

Date Adopted: July 7, 2015

File 1.13
Number

POLICY OBJECTIVE

Provide access to public records consistent with the requirements of the California Public Records Act (Government Code Section 6250, et seq.) and the following guidelines:

ASSIGNED RESPONSIBILITY

All City employees.

INSPECTION OF RECORDS

In general, all public records are open to inspection by any person on any state business day from 9:00 a.m. to 5:00 p.m. Some records may be exempt from disclosure pursuant to specific provision of law.

The City's procedure for the inspection of public records are as follows:

1. The City Attorney's Office is responsible for coordination of Public Records Act requests. Requests that are directed to the City Attorney's Office are easier for the office to track and process, often resulting in a more prompt response. The City Attorney's Office may be reached by telephone at 441-4147. The office encourages, but does not require, requests for records to be made in writing. When requests are made orally, the office may confirm the request in writing to ensure that the desired materials are accurately identified and produced.
2. The City Attorney's Office or staff will contact the appropriate departments and make arrangements for the records to be made available. If there are any questions as to whether the requested records are "public records" as defined in Government Code Section 6252, or whether records are otherwise exempt from disclosure, the City Attorney will review the records and make a determination.
3. If the request requires review of numerous records, a mutually agreeable time shall be established for the inspection of the records.
4. All Departments will cooperate in making requested records available for inspection.

COPIES OF RECORDS

Any person may receive a copy of any identifiable public record or reasonably segregable portion thereof unless that record is exempt from disclosure. Fees will be charged for the copies pursuant to the City's Schedule of Fees and Service Charges for the current fiscal year.

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The City's procedure for copying records are as follows:

1. The City Attorney's Office is responsible for coordination of Public Records Act requests. Requests that are directed to the City Attorney's Office are easier for the office to track and process, often resulting in a more prompt response. The City Attorney's Office may be reached by telephone at 441-4147. The office encourages, but does not require, requests for records to be made in writing. When requests are made orally, the office may confirm the request in writing to ensure that the desired materials are accurately identified and produced.
2. The City Attorney's Office will determine within 10 days after the receipt of each request whether a legal reason exists for the denial of the request. Unusual circumstances may necessitate an extension of this time limit.
 - a. If the request is denied, the written notification of denial will set forth the reason for the denial and the name and title or position of each person responsible for the denial.
 - b. If the request is granted, the requester will be so notified. If requested, an exact copy will be provided unless it is impractical to do so. Electronic records may be provided in any format maintained by the office, unless the production would compromise the security or integrity of the record.
3. With notification that a request will be met, the office will provide information about the applicable duplicating costs or statutory fees:
 - a. The fee for photocopying 8-1/2" x 11" or 8-1/2" x 14" documents is \$0.10 per page. The charge for copying oversize or odd-sized documents will be determined on a case-by-case basis, and will be based on the actual cost of the office. In some instances, the office will encourage the requester to arrange and pay for a licensed and bonded copy service to make copies at a time mutually agreeable to the office and the requester.
 - b. The fee for computer data will be calculated on a case-by-case basis. It will be based on staff and processing time, as well as a per page charge for printouts.
 - c. The office will provide the requester and estimate of these costs prior to making copies or providing the materials to a licensed and bonded copy service for duplication.
 - d. Any applicable statutory fees will be assessed.

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- e. If the records are mailed to the requester, the requester must pay the cost of the postage.
4. The office will make the records promptly available upon payment of the applicable fees.

Questions about the policy on access to public records, or about the accessibility of any particular record should be directed to the City Attorney's Office at 441-4147.

ACKNOWLEDGEMENT

I have read, understand, and agree to comply with the City's policies for the inspection and copying of Public Records Act requests as specified above in the Public Records Act Request Handling Policy.

Assigned User: _____ Date: _____

Dept. Director: _____ Date: _____

SIGNED ACKNOWLEDGMENT TO BE FILED WITH EMPLOYEE'S ASSIGNED DEPARTMENT/DIVISION

REQUESTS FROM THE MEDIA

All requests for records from the media should be immediately directed to the City Manager's Office (unless they originate in the City Attorney's Office).

The City Manager's Office will consult with the City Attorney to determine if the documents requested are disclosable under applicable law.



Date Received: _____

CALIFORNIA PUBLIC RECORDS ACT (CPRA) RECORDS REQUEST FORM

Per the California Public Records Act (CPRA), I hereby request reproduction of the following records and, upon the production of said records, agree to pay the appropriate fees as follows:

- Document reproduction fees:
 - For single-sided paper documents: \$0.10 per page (free if less than 10 pages)*
 - For double-sided paper documents: \$0.05 per page (free if less than 20 pages)*
 - For files on a CD-R disc: \$0.025 per page (Files less than 5MB in size will instead be provided via email at no charge.)*
 - * PLEASE NOTE: Certified documents are available for a \$1.00 surcharge.

- Hearings on a CD-R disc (if requested): \$3.00 per CD-R (see checkbox below)

- Computer Programming Time (for complex requests requiring special database queries):
 - \$60.00 per hour (We will notify you if computer programming time is required to fulfill your request. Payment for programming time must be made before documents will be produced.)

Please complete the form below to request public records under the CPRA. The shaded spaces are necessary to fulfill your request:

YOUR NAME	PHONE NUMBER
ORGANIZATION (IF APPLICABLE)	FAX NUMBER
MAILING ADDRESS (STREET ADDRESS & UNIT NUMBER)	EMAIL ADDRESS (REQUIRED IF REQUESTING ELECTRONIC COMMUNICATIONS)
CITY, STATE & ZIP CODE	

RECORDS REQUESTED (PLEASE PROVIDE A DESCRIPTION OF THE RECORDS YOU ARE REQUESTING. PROVIDING THE APN AND/OR PROPERTY ADDRESS IS VERY HELPFUL.)

CHECK HERE TO REQUEST HEARING RECORDINGS AND PROVIDE THE MEETING DATE IF KNOWN:

CPRA requests may be submitted by email, U.S. Mail, fax, or in person:

- **Via Email:**
Please scan the completed form and save it as a PDF or TIF file. Then email the PDF or TIF document to cityattorney@ci.eureka.ca.gov
- **Via U.S. Mail:**
Please mail the completed form to:
ATTN: City Attorney
531 K Street
Eureka, CA 95501
- **Via Fax:**
Please fax this completed form to: **(707) 441-4148**
- **In Person:**
Please complete and sign this form and submit it to the City Attorney's Office, Second Floor of City Hall, Room 200, 531 K Street, Eureka, CA 95501.

DO YOU PREFER PAPER OR ELECTRONIC COMMUNICATIONS?		<input type="checkbox"/> PAPER	<input type="checkbox"/> ELECTRONIC (Please provide email address above.)
YOUR SIGNATURE	TODAY'S DATE		

A response will be sent to you within ten days of receipt of your request by this office. All payments are due at the time record reproduction is provided.
Questions? Please phone (707) 441-4147.

**This Section Is To Be Completed By A
City of Eureka Employee**

Request Completed By:	
Date Completed:	
Time Required to Complete Request:	
Amount Paid:	
Records Delivered By:	<input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> In-Person
CA Office Sign-Off:	