

HOW TO: OBTAIN COPIES OF GENERAL PUBLIC RECORDS



This “How To” sheet will help you access general public records. Specific rules exist for police records, personnel records and building plans and specifications.

The City of Benicia has adopted the Open Government Ordinance to improve access to public records. However, not every record in the City’s possession is available for public review because of confidentiality, privacy or other laws.

First decide what records you want to review or have copied. If you know what department has the records, contact the department. If you don’t know where to start, begin with the City Clerk’s Office.

Agenda packets: The agenda and related documents are available for public inspection as soon as the packet has been distributed to a majority of the members of the body. You may also access most of the agenda packets for the various City Boards and Commissions at the Library or on the City’s web site. Records related to Closed Sessions are confidential and not typically available for public inspection.

Public Review File: Bodies such as the City Council and Planning Commission are required to maintain a communications file. This file has the business correspondence which the clerk or secretary of such body has distributed to, or sent on behalf of, a quorum of the body concerning recent or scheduled agenda items. This file may be inspected during business hours. Please contact the staff department for the body.

General Public Documents: Other public documents are generally available for inspection by making a request. Some records, such as the Statement of Economic Interests, are available for immediate inspection. Other information, such as information that has been distributed widely within the last year, will be available within 1 business day.

For other records requests, we will either provide the records within 1 business day or let you know why we cannot. We will then provide the records within 5 business days or let you know why we cannot. Generally, it should not take us more than 10 days to provide public records.

Copying costs: You must pay for the copies before you receive them. Black and white copies of 8 ½ x 11 inch paper are 20 cents/page. The Master Fee Schedule sets forth the fee for other copies. You may inspect records for free. You may also find many of the records you want on the City's web page.

Asking for records: You may either use the City provided forms or your own form or ask for the information verbally. If you choose to ask for the records in writing you may submit the request by email. If you email your request, the time limits for our response do not start until we acknowledge the request. If we do not acknowledge your request we may not have received the email. Please let us know.

For more details: Please see Chapter 4.12 of the Open Government Ordinance for more details on records request. It may be found in Title 4 of the Benicia Municipal Code on-line at www.ci.benicia.ca.us. If you have any questions, please contact the City Attorney's Office, City Manager's Office or the City Clerk.

How can you help us find the records you want? Provide as much information as possible about the records you want. This may also help us find the document.

Please note: We cannot contact you about your request if you do not provide us with correct (or legible) contact information. If you do not want to provide this information you will have to check back for the status of your request.

PUBLIC RECORDS REQUEST
Immediate Disclosure Request

Public records which have been previously distributed to the public, such as past meeting agendas and agenda-related materials, within the past calendar year or public records such as Statements of Economic Interests that have, by other law, a requirement to be disclosed within a specific shortened time frame.

Please describe the records in as much detail as possible. This will help us identify the records you want. Please use this form or write on your letter "IMMEDIATE DISCLOSURE REQUEST". If you mail your request to us, please also write "IMMEDIATE DISCLOSURE REQUEST" on the envelope.

TYPE OF DOCUMENT REQUESTED: _____

DESCRIPTION OF DOCUMENT: _____

DATE OF DOCUMENT (OR APPROXIMATE TIME FRAME): _____

Please note: We cannot contact you about your request if you do not provide us with correct (or legible) contact information. If you do not want to provide this information you will have to check back for the status of your request.

REQUESTED BY: _____

ADDRESS: _____

EMAIL: _____

PHONE NUMBER: _____

We will either provide you the documents right away or let you know within 2 business days that we will need more time because of the volume of records sought or because the records do not qualify as subject to the Immediate Disclosure Request procedure.

PUBLIC RECORDS REQUEST

Please describe the records in as much detail as possible. This will help us identify the records you want. Please use this form if you like.

TYPE OF DOCUMENT REQUESTED: _____

DESCRIPTION OF DOCUMENT: _____

DATE OF DOCUMENT (OR APPROXIMATE TIME FRAME): _____

Please note: We cannot contact you about your request if you do not provide us with correct (or legible) contact information. If you do not want to provide this information you will have to check back for the status of your request.

REQUESTED BY: _____

ADDRESS: _____

EMAIL: _____

PHONE NUMBER: _____

We will either provide you the documents within 1 business day or let you know that we will need more time because we need to determine if the records are

1. disclosable,
2. in the possession of the department;
3. are stored off-site;
4. are voluminous; or
5. involve other people who must be consulted prior to release of the records.

If 1-5 applies, we will let you know in writing within 5 business days. Responses to routine or readily answerable requests shall not be delayed unnecessarily. Generally, the longest you will have to wait for a records request is 10 business days.