



Acalanes Union High School District

1212 Pleasant Hill Road, Lafayette, CA 94549

www.acalanes.k12.ca.us

925-280-3900 ♦ Fax 925-280-3903

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August 18, 2014

Stephen D. Conlin, Foreperson
2013-14 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

RE: Grand Jury Report No. 1405, The Public Records Act In Contra
Costa County

DISTRICT ADMINISTRATION

John T. Nickerson, Ed.D.
Superintendent

Christopher J. Learned
*Associate Superintendent,
Business Services*

Kevin French
*Associate Superintendent,
Administrative Services*

Dear Foreperson Conlin:

Pursuant to California Government Code § 933.05(a) the Acalanes Union High School District is responding to findings of Grand Jury Report No. 1405, The Public Records Act In Contra Costa County.

FINDINGS

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

The District agrees with the finding.

2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

The District agrees with the finding.

3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

The District can only assume that the Grand Jury report is correct regarding Contra Costa County's periodic training and agrees with the finding as stated.

SCHOOLS

Acalanes Adult Education
Walnut Creek

Acalanes Center for
Independent Study
Walnut Creek

Acalanes High School
Lafayette

Campolindo High School
Moraga

Las Lomas High School
Walnut Creek

Miramonte High School
Orinda

4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

The District can only assume that the Grand Jury finding is correct and agrees with the finding as stated.

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

The District can only assume that the Grand Jury finding is correct and agrees with the finding as stated.

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

The District can only assume that the Grand Jury finding is correct and agrees with the finding as stated. Specific to the AUHSD, District employees are familiar with their responsibilities when a CPRA request is made and respond timely to the request.

7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

The District partially disagrees with the finding. Annual Audits are included on the AUHSD website. There are many other public record documents of great value included on the District website that improve public agency transparency and permit "the public to better monitor the functioning of the government and reduces the likelihood of waste, fraud and corruption." Posting Statements of Economic Interests and Employment Contracts on the World Wide Web could result on the unintended consequences. The documents are readily available to the public through public records requests.

RECOMMENDATIONS

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

✓ The recommendation will not be implemented because it is not warranted. The District believes that its Governing Board Policy 1340 is adequate and serves the public well. " The Governing Board recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of state and federal law."

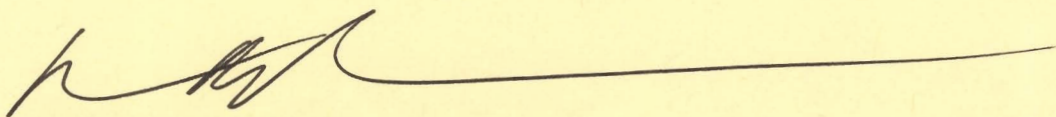
2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

The recommendation has been the District practice for many years. Therefore, the recommendation has been implemented.

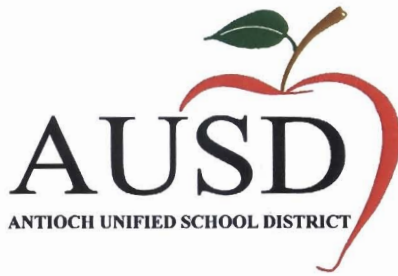
3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available in their websites:
 - a. Statements of Economic Interests
 - b. Employment Contracts
 - c. Annual Audits
 - d. Travel and Entertainment reimbursements
 - e. Agendas and supporting documents for public meetings.

The recommendation has been implemented for c and e. The recommendation for a, b, and d will not be implemented because it is not warranted and is not reasonable. Most Economic Interest Statements, employment contracts, and travel reimbursements contain personal information that could be used for identity theft if posted on the World Wide Web. Redacting personal information to make it available on the web would be time consuming. Consistent with the District's Board policy, the documents are available for inspection at no charge and for production at nominal charge upon request. These records are accessible to the public.

Sincerely,

A handwritten signature in dark ink, appearing to be 'John Nickerson', followed by a long horizontal line extending to the right.

John Nickerson, Ed.D.
Superintendent



*Revised 9/3/14
KMS*

Office of the Superintendent
Donald Gill, Ed.D.

Conlin

Preparing Students for Success in College, Career, and Life.

August 28, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

RE: Comments and responses to 2013-2014 Contra Costa Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County", Findings and Recommendations

Dear Foreperson Conlin,

We are pleased to respond to your general findings on the Public Records Act In Contra Costa County. Pursuant to California Penal Code sections 933.05(a) and 933.05(b), the Governing Board of the Antioch Unified School District files this comment with regard to the 2013-2014 Contra Costa County Grand Jury Report No. 1405 Findings and Recommendations.

FINDINGS

Antioch Unified Required to respond to Findings 1-7

Finding #1

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)

Response to Finding #1

The respondent agrees with this finding.

Finding #2

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response to Finding #2

Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, Antioch Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #3

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response to Finding #3

Due to not having full knowledge of the County's activities in this area as the Grand Jury may have, Antioch Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #4

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response to Finding #4

Due to not having full knowledge of the Board of Superintendent's process for reporting activities as the Grand Jury may have, Antioch Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #5

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed responses or fail to respond entirely.

Response to Finding #5

Due to not having full knowledge of the other cities' reporting activities as the Grand Jury may have, Antioch Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate. Antioch Unified School District is responsive to the requests for information.

Finding #6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response to Finding #6

Antioch Unified School District disagrees with this finding if it is applied to the District. The District employees responsible for responding to these requests are well aware of the CPRA provisions and do comply.

Finding #7

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response to Finding #7

Antioch Unified School District agrees that these are appropriate documents to have available for public review when requested. The District does not agree that these are the most valuable documents that could be included on websites.

RECOMMENDATIONS

Antioch Unified School District required to respond to 1,2,3

Recommendation #1

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

Response to Recommendation #1

The recommendation requires further analysis. The Better Government Ordinance is complex and creates an additional administrative burden beyond what is required by law. If adopted and procedural matters are not carried out correctly, interested parties may use legal processes to void actions, resulting in additional expense and disruption to operations. School districts do not generally retain specialized legal staff to address these requirements.

Recommendation #2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response to Recommendation #2

The recommendation has already been implemented.

Recommendation #3

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings

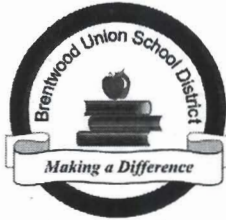
Response to Recommendation #3

The recommendation has been implemented with respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at nominal charge upon request.

Sincerely,



Donald Gill, EdD
Superintendent
Secretary to the Board of Education



Superintendent
Dana Eaton, Ed.D.

Brentwood Union School District

255 Guthrie Lane, Brentwood, CA 94513 (925)513-6300 FAX (925)634-8583

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August 22, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553

Re: Responses to 2013-2014 Contra Costa County Grand Jury Report No. 1405,
"The Public Records Act In Contra Costa County"

Dear Foreperson Conlin:

In accordance with Section 933.05(a) of the California Government Code, the Brentwood Union School District (BUSD) has prepared this written response to the findings of Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County."

FINDINGS

Finding #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response to Finding #1:

The respondent agrees with this finding.

Finding #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response to Finding #2:

I have no knowledge of this as it does not apply to our District. I would assume that this has strengthened the CPRA. Agreed.

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
August 22, 2014
Page 2

Finding #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response to Finding #3:

Agreed.

Finding #4:

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response to Finding #4:

I have no knowledge of this as it does not apply to our District. I would assume that this finding is true. Agreed.

Finding #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

Response to Finding #5:

I have no direct knowledge with regards to this general statement. However, we would assume your report is accurate. Agreed.

Finding #6:

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response to Finding #6:

The District disagrees with this finding if it is applied to Brentwood Union School District. The District employees responsible for responding to these requests are well aware of the CPRA provisions and do comply.

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
August 22, 2014
Page 3

Finding #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response to Finding #7:

Agree that a website could be one place to access these documents.

RECOMMENDATIONS

Recommendation #1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response to Recommendation #1:

Implemented. The District has a policy that is consistent with the CPRA, California Education Code, Government Code and other related regulations and laws.

Recommendation #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response to Recommendation #2:

The recommendation has already been implemented.

Recommendation #3:

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
August 22, 2014
Page 4

Response to Recommendation #3:

The District will continue to comply with the requirements of the CPRA. Warrants are provided to the public with each monthly Board of Trustees Meeting Agenda. Employment contracts, annual audits and all travel and entertainment reimbursements are available for review. In addition, based on a prior grand jury report, board expenses are placed on the agenda annually. As to Statements of Economic Interests, those are filed annually with the Contra Costa County Clerk as required and copies are kept at the District Office. My recommendation is that the County Clerk's office place all of the statements that they receive on their website so that the public would only have to access one website to find all other such "Statements".

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dana Eaton', with a large, stylized flourish extending to the left.

Dana Eaton, Ed.D.
Superintendent



October 7, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553

RE: Responses to 2013-2014 Contra Costa County Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"

Dear Foreperson Conlin:

In accordance with Section 933.05(a) of the California Government Code, the Byron Union School District has prepared this written response to the recommendations of Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County."

RECOMMENDATIONS:

Recommendation #1:

Cities and special district in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response to Recommendation #1:

The recommendations requires further analysis. The Better Government Ordinance is very complex and creates an additional administrative burden beyond what is required by law. If adopted and procedural matters are not carried out correctly, interested parties may use legal processes to void actions, resulting in additional expense and disruption to operations, as is, the Byron Union School District has a skeletal administrative staff. School districts do not generally retain specialized legal staff to address these requirements.

Recommendation #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response to Recommendation #2:

The recommendation has already been implemented.

Recommendation #3:

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and entertainment reimbursements
- e. Agendas and supporting documents for public

Response to Recommendation #3:

The recommendation has been implemented with the respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employee contracts, and travel reimbursements may contain personal information that, while publicly these documents can be disclosed, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at a nominal charge upon request.

Sincerely,



Debbie Burnette, Ed. D
Superintendent
(925) 809-7502
dburnette@byron.k12.ca.us



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CANYON ELEMENTARY SCHOOL

August 28, 2014

Stephen D. Conlin, Forperson

Contra Costa County civil Grand Jury

725 Court Street, PO Box 911

Martinez, Ca. 94553

Dear Foreperson Conlin:

This letter is in response to Contra Costa County Grand Jury Report No. 1405 "The Public Records Act in Contra Costa County."

Finding #1:

The State of California's policy of transparency in government is embodied in the California Public Records ACT.

The respondent agrees with this finding.

Finding #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

The respondent partially agrees because Canyon ESD does not have full knowledge of this ordinance, but assumes that the Grand Jury's assessment is accurate.

Finding #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

The respondent partially agrees because Canyon ESD does not have full knowledge regarding these activities but assumes that the Grand Jury's assessment is accurate.

Finding#4

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

The respondent partially agrees because Canyon ESD has no knowledge regarding reports to the Board of Supervisors but assumes that the Grand Jury's assessment is accurate.

Finding #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

The respondent partially agrees because Canyon ESD has no knowledge of city and special district reporting in Contra Costa, but assumes that the Grand Jury's assessment is accurate.

Finding #6:

Employees of cities and special districts who deal with CPRA requests are unfamiliar with the ACT and responsibilities of their agency when records are requested.

The respondent partially agrees because Canyon ESD has no knowledge regarding employees of other agencies, but assumes that the Grand Jury's assessment is accurate.

Finding #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

The respondent partially agrees. Canyon ESD is a very small district and all of the listed items are available in the school office for public inspection or upon request.

Recommendation #1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access public records.

This recommendation requires further analysis. Canyon ESD is a very small district, but has always responded to public record requests in a timely and efficient manner.

Recommendation #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

The district has one person responsible for responding to PRA requests. Canyon ESD will study ways to stay informed regarding CPRA.

Recommendation #3:

Cities and special districts should consider making certain public records that are clearly dis-closable under the CPA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and entertainment reimbursements
- e. Agendas and supporting documents for public

Canyon ESD will look into putting (c) and (e) on the school district website. The district will continue to have all other information available in the office.

Sincerely,



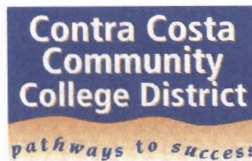
Gloria Faircloth

Superintendent/CBO

Canyon Elementary School District

Governing Board

John E. Marquez, *President*
John T. Nejedly, *Vice President*
Vicki Gordon, *Secretary*
Greg Enholm
Matthew Rinn



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Chancellor
Helen Benjamin, Ph.D.

College Presidents
Contra Costa College Denise Noldon, Ph.D.
Diablo Valley College Peter Garcia
Los Medanos College Robert Kratochvil

Caplan

September 24, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. BOX 431
Martinez, CA 94553-0091

Re: 2013-2014 Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County"

Honorable Stephen D. Conlin, Foreperson:

On behalf of the Contra Costa Community College District (District), I am responding to the 2013-2014 Contra Costa County Grand Jury (Grand Jury) *Report No. 1405: The Public Records Act In Contra Costa County*.

Pursuant to California Government Code §933.05(a), the District is required to report on each finding and recommendation. For each finding, the District is required to report one of the following responses:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees with the finding.
- (3) The respondent partially disagrees with the finding.

In the case of responses (2) and (3), the District is to specify the portion of the finding that is disputed and is to include an explanation of the reasons why this finding is in dispute. Following is the District's response to each finding and recommendation.

Finding 1

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response

We agree with this finding.

Finding 2

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response

We partially disagree with this finding. It is stated as fact that the adoption of the ordinance has strengthened transparency. The District is not aware of any evidence, nor is any provided, of this statement of fact. As such, the District can neither agree nor disagree with this finding.

Finding 3

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response

We partially disagree with this finding. It is stated as fact that Contra Costa County provides training to its employees on request responses. The District is not aware of any evidence, nor is any provided, of this statement of fact. As such, the District can neither agree nor disagree with this finding.

Finding 4

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response

We partially disagree with this finding. It is stated as fact that responses to CPRA requests by departments reporting to the Board of Supervisors are generally timely and appropriate. The District is not aware of any evidence, nor is any provided, of this statement of fact. As such, the District can neither agree nor disagree with this finding.

Finding 5

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed respond or fail to respond entirely.

Response

We partially disagree with this finding. It is stated as fact that responses to CPRA requests by cities and special districts are uneven. The District is not aware of any evidence, nor is any provided, of this statement of fact. As such, the District can neither agree nor disagree with this finding. In the case of the District, we believe our responses are always timely and appropriate.

Finding 6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response

We partially disagree with this finding. It is stated as fact that some employees of cities and special districts are unfamiliar with the Act and their related responsibilities. The District is not aware of any evidence, nor is any provided, of this statement of fact. As such, the District can neither agree nor disagree with this finding. In the case of the District, we believe our employees responsible for CPRA responses are generally familiar with the Act and their related responsibilities.

Finding 7

Among the most valuable documents that could be included in websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response

We agree with this finding.

In addition, as required by §933.05(b) of the California Government Code, the District is providing its reply to the report's recommendation. For each recommendation, the District is required to respond by stating one of the following actions:

- (1) The recommendation has been implemented, with a summary describing the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- (3) The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury report.

-
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Recommendation 1

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

Response

This recommendation requires further analysis. The District will review the Ordinance and consider its applicability and relevance in concert with existing policy and procedure during the fall of 2014.

Recommendation 2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response

This recommendation has been implemented within the District. The District's key responders have attending training provided at professional conferences, generally delivered by attorneys. Attending such training will continue to be encouraged.

Recommendation 3

Cities and special districts should consider making certain public records that are clearly disclosable under CPRA available on their websites:

- a. *Statements of Economic Interests*
- b. *Employment Contracts*
- c. *Annual Audits*
- d. *Travel and Entertainment reimbursements*
- e. *Agendas and supporting documents for public meetings.*

Response

This recommendation has multiple components, of which three have been implemented. The District makes available on its website, and has for years, all employment contracts, annual audits, and agendas and supporting documents for public meetings. Making statements of economic interests and travel and entertainment reimbursements available on the District's website requires further analysis, which will be done in the fall of 2014.

We welcome the opportunity to address any questions the Grand Jury may have regarding our responses. Please do not hesitate to contact me (925-229-6820, hbenjamin@4cd.edu), should you have any further questions.

Sincerely yours,



Helen Benjamin, Ph.D.
Chancellor

cc: Governing Board
Chancellor's Cabinet



Joseph A. Ovick, Ed.D., Superintendent of Schools

77 Santa Barbara Road • Pleasant Hill, CA 94523 • (925) 942-3388

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MS

August 6, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553

Re: Responses to 2013-2014 Contra Costa County Grand Jury Report No. 1405,
"The Public Records Act In Contra Costa County"

Dear Foreperson Conlin:

In accordance with Section 933.05(a) of the California Government Code, the Contra Costa County Office of Education (CCCOE) has prepared this written response to the findings of Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County."

FINDINGS

Finding #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response to Finding #1:

The respondent agrees with this finding.

Finding #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response to Finding #2:

Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, the CCCOE can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response to Finding #3:

Due to not having full knowledge of the County's activities in this area as the Grand Jury may have, the CCCOE can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #4:

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response to Finding #4:

Due to not having full knowledge of the County departments' reporting activities as the Grand Jury may have, the CCCOE can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

Response to Finding #5:

Due to not having full knowledge of the other cities' reporting activities as the Grand Jury may have, the CCCOE can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #6:

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response to Finding #6:

The CCCOE disagrees with this finding if it is applied to the CCCOE. The CCCOE employees responsible for responding to these requests are well aware of the CPRA provisions and do comply.

Finding #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response to Finding #7:

The CCCOE agrees that these are appropriate documents to have available for public review when requested. The District does not agree that these are the most valuable documents that could be included on websites.

RECOMMENDATIONS

Recommendation #1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response to Recommendation #1:

The recommendation requires further analysis. The Better Government Ordinance is complex and creates an additional administrative burden beyond what is required by law. If adopted and procedural matters are not carried out correctly, interested parties may use legal processes to void actions, resulting in additional expense and disruption to operations. School districts do not generally retain specialized legal staff to address these requirements.

Recommendation #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response to Recommendation #2:

The recommendation has already been implemented.

Recommendation #3:

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public

Response to Recommendation #3:

The recommendation has been implemented with respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at nominal charge upon request.

Sincerely,



Bill Clark
Associate Superintendent
Business and Administrative Services

BC:mj



JOHN SWETT UNIFIED SCHOOL DISTRICT

400 Parker Avenue, Rodeo, CA 94572
(510) 245-4300 • FAX (510) 245-4312

Issued
9/3/14
[Signature]

[Signature]

August 29, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
P. O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin,

The John Swett Unified School District is in receipt of your letter dated June 3, 2014 and a copy of Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County" by the 2013-2014 Contra Costa Grand Jury.

Listed below are the responses to your findings and recommendations:

FINDINGS

Finding #1: The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)

JSUSD Response: The respondent agrees with this finding

Finding #2: Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

JSUSD Response: Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, the John Swett Unified School District can only partially agree with this finding. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #3: Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

JSUSD Response: Due to not having full knowledge of the County's activities in this area as the Grand Jury may have, the John Swett Unified School District can only partially agree with this finding. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #4: The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

JSUSD Response: Due to not having full knowledge of the County departments' reporting activities as the Grand Jury may have, the John Swett Unified School District can only partially agree with this finding. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #5: The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

JSUSD Response: Due to not having full knowledge of the other cities' and special districts' reporting activities as the Grand Jury may have, the John Swett Unified School District can only partially agree with this finding. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #6: Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

JSUSD Response: The John Swett Unified School District disagrees with this finding, if it is applied to JSUSD. The John Swett Unified School District employees responsible for responding to these requests are well aware of the CPRA provisions and do comply.

Finding #7: Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

JSUSD Response: The John Swett Unified School District agrees that these are appropriate documents to have available for public review when requested. The District does not agree that all of these are the most valuable documents that could be included on websites.

RECOMMENDATIONS

Recommendation #1: Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

JSUSD Response: The recommendation requires further analysis. The Better Government Ordinance is complex and creates an additional administrative burden beyond what is required by law. If adopted and procedural matters are not carried out correctly, interested parties may use legal processes to void actions, resulting in additional expense and disruption to operations. School districts do not generally retain specialized legal staff to address these requirements.

Recommendation #2: Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

JSUSD Response: The recommendation will be implemented. District staff who are responsible for responding to Public Records Act requests will receive periodic training on how to respond.

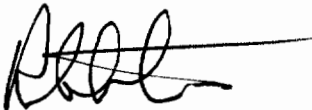
Recommendation #3: Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings

JSUSD Response: The recommendation has been implemented with respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b) and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at nominal charge upon request.

Please contact me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Stockberger', with a long horizontal line extending to the right.

Rob Stockberger
Superintendent



Knightsen Elementary School District

1923 Delta Road / P.O. Box 265

Knightsen, CA 94548

925-625-0073

FAX 625-8766

Board of Trustees

Thomas Baldocchi, Jr.

Franklin Dell

Adam McMeans

Janice Smith

Liesel Williams

Superintendent

Theresa Estrada

September 2, 2014

Stephen D. Conlin

Contra Costa County Civil Grand Jury

725 Court Street

PO Box 911

Martinez, CA 94553-0091

*logged 9/3
HBS
Compliance*

Re: Responses to 2013-2014 Contra Costa Grand Jury Report No. 1405,
"The Public Records Act in Contra Costa County"

Dear Foreperson Conlin:

Pursuant to California Penal Code sections 933 and 933.05, the Governing Board of the Knightsen Elementary School District files this comment with regard to the 2013-2014 Contra Costa Grand Jury Report #1405 Findings and Recommendations.

FINDINGS

Finding #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

The Knightsen School District agrees with this finding.

Finding #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

The Knightsen School District can only partially agree to this finding as we do not have full knowledge of the impact of this Ordinance.



Knightsen Elementary School

1923 Delta Road

Knightsen, CA 94548

925-625-0073

FAX 625-4593

Theresa Estrada

Superintendent

Ray Witte

Principal



An equal opportunity provider and employer

Finding #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Due to not having full knowledge of the County's activities in this area the Knightsen School District can only partially agree, assuming that the Grand Jury's assessment is accurate.

Finding #4

The Response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Due to not having full knowledge of the County departments' reporting activities as the Grand Jury may have, we can only partially agree to this finding. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #5

The response to CPRA by cities and special districts with Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

Due to not having full knowledge of the other cities' reporting activities as the Grand Jury may have, we can only partially agree to this finding. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

The Knightsen School District partially disagrees with this finding. We do not have knowledge of what other cities' employees or special district employees know. However we believe that most cities and special districts understand they must comply with requests made under the CPRA. In the case of small special districts, there is often only a single employee who must respond to many varied requests in addition to other duties. CPRA requests can put a strain on small administrative staffs.

Finding #7

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

The Knightsen School District agrees that these documents are appropriate to have available for public review when requested.

Recommendation #1

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

The recommendation requires further analysis. The ordinance is complex and creates an additional administrative burden beyond what is required by law. Knightsen School District does not have sufficient staffing to address these requirements.

Recommendation #2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

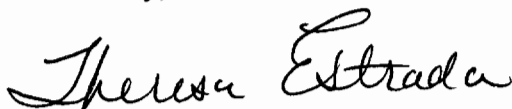
This recommendation has been implemented. Knightsen School District has only 530 students and limited time and resources. When a CPRA request is received either the Superintendent or the Business Manager respond. If District employees are not sure of appropriate response to the request, they seek legal counsel for assistance. Both the Business Manager and Superintendent receive information about requirements regarding the CPRA by attending workshops when available at professional conferences or Contra Costa County Office of Education workshops.

Recommendation #3

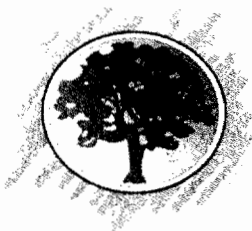
Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites.

The recommendation has been implemented with respect to (e) and (c) will be posted to the website by November 1st. The District has concerns with (a), (b), and (d) because it is not reasonable or warranted. These documents contain personal information that is not appropriate for publication on the Internet. Redaction of personal information on these documents for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production for a nominal charge.

Sincerely,

A handwritten signature in black ink, reading "Theresa Estrada". The signature is fluid and cursive, with the first name "Theresa" and last name "Estrada" clearly distinguishable.

Theresa Estrada, M.A.
Superintendent
Secretary to the Governing Board



Lafayette School District

3477 School Street, Lafayette, CA 94549

Telephone: (925) 927-3500 Fax: (925) 284-1525

Website: <http://www.lafsd.k12.ca.us>

*logged
10/14/14
RZ*

RACHEL ZINN
SUPERINTENDENT OF SCHOOLS
TEL. #(925) 927-3502
E-MAIL: RZINN@LAFSD.K12.CA.US

October 9, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
PO Box 431
Martinez, CA 94553-0091

Re: Lafayette School District Response to Contra Costa Grand Jury Report No. 1405
"The Public Records Act In Contra Costa County"

Dear Mr. Conlin:

On or about October 6, 2014, the Lafayette School District ("District") received a telephone call from Ms. Carol Edmund with the Grand Jury's office inquiring about the status of the District's response to your June 3, 2014 letter and Grand Jury Report No. 1405. Regretfully, the District has no record of ever receiving your letter and the Grand Jury Report. Accordingly, we took immediate action to secure a copy from a neighboring school district and obtain direction and approval of a formal response from the District Board of Education.

On behalf of the District, we sincerely apologize for the delay in responding and consistent with Penal Code section 933.05 and the direction of Ms. Edmund, the District hereby responds to the Grand Jury's Findings and Recommendations as follows:

RESPONSE TO FINDINGS

Finding No. 1: The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

District Response to Finding No. 1: The District agrees with the finding.

Finding No. 2: Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

District Response to Finding No. 2: The District agrees with the finding.

Finding No. 3: Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

District Response to Finding No. 3: The District has no specific information regarding the periodic training of the County's employees regarding the CPRA and the County's Better Government Ordinance. That said, the District has no basis upon which to disagree with the finding.

Finding No. 4: The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

District Response to Finding No. 4: The District has no specific information regarding the timeliness or appropriateness of responses to CPRA requests by County department reporting to the Board of Supervisors. That said, the District has no basis upon which to disagree with the finding.

Finding No. 5: The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed responses or fail to respond entirely.

District Response to Finding No. 5: The District has no specific information regarding the timeliness or appropriateness of responses to CPRA requests by cities and other special districts within Contra Costa County. That said, the District has no basis upon which to disagree with the finding.

Finding No. 6: Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and responsibilities of their agency when records are requested.

District Response to Finding No. 6: The District agrees with the finding.

Finding No. 7: Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

District Response to Finding No. 7: The District agrees with the finding that Employment Contracts, Annual Audits and agendas and supporting documents for public meetings are among the most valuable documents that could be included on websites.

RESPONSE TO RECOMMENDATIONS

Recommendation No. 1: "Cities and special districts in Contra Costa County should consider adopting a policy similar to Better Government Ordinance, expanding the right of the public to access to public records."

District Response to Recommendation No. 1: The recommendation has been implemented. Adopted District board policies and regulations, as well as the District's adherence to the California Public Records Act and the relevant provisions of the Ralph M. Brown Act provide the public with prompt and meaningful access to public records.

Recommendation No. 2: "Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act request."

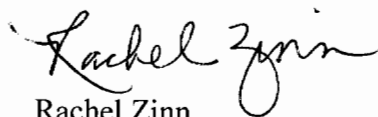
District Response to Recommendation No. 2: The recommendation has not fully been implemented. District legal counsel has provided and continues to provide advice and support to staff in appropriately responding to requests for public records in light of the complexities associated with the statutory confidentiality of pupil records and information as well as certain school employee information. However, the recommendation will be implemented within the next six (6) months through training by District legal counsel.

Recommendation No. 3: "Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites."

District Response to Recommendation No. 3: Components of this recommendation have been implemented but other components of this recommendation require further analysis. The District currently makes employment contracts, annual audits and all agendas and supporting documents available on the District website. District Governing Board input will be required as Statement of Economic Interests and travel and entertainment reimbursements are provided in a timely manner when requested pursuant to the CPRA but as they may contain confidential information, they are not currently posted on the District's website.

Again, on behalf of the District, I apologize for the delay in providing the District's response to the Grand Jury's Findings and Recommendations as set forth in Report No. 1405.

Sincerely,



Rachel Zinn
Superintendent

cc: clope2@contracosta.courts.ca.gov (via email only)
Carol Edmund: cje.grandjury@gmail.com



Liberty Union High School District

20 Oak Street

Brentwood, CA 94513

Phone: (925) 634-2166 Fax (925) 634-1687

Eric L. Volta, Superintendent

logged
8/26
EV

August 8, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, Ca 94553-0091

Re: Response to the 2013-2014 Contra Costa Grand Jury Report #1405, The Public Records Act
In Contra Costa County

Dear Foreperson Conlin:

Pursuant to California Penal Code Sections 933 and 933.05 the Secretary of the Governing Board of the Liberty Union School District files this comment with regard to the 2013-2014 Contra Costa County Grand Jury Report #1405

Finding #1

Respondent agrees with the finding

Finding #2

Given the information in Grand Jury Report No. 1405, and with no additional investigation, the respondent agrees with the finding.

Finding #3

Given the information in Grand Jury Report No. 1405, and with no additional investigation, the respondent agrees with the finding.

Finding #4

Given the information in Grand Jury Report No. 1405, and with no additional investigation, the respondent agrees with the finding.

Finding #5

Given the information in Grand Jury Report No. 1405, and with no additional investigation, the respondent agrees with the finding. However, LUHSD complies with the timelines of all PRA requests made.

Finding #6

Given the information in Grand Jury Report No. 1405, and with no additional investigation, the respondent agrees with the finding. However, those employees in the LUHSD that deal with PRA requests are very familiar with PRA request obligations.

Finding #7

Given the information in Grand Jury Report No. 1405, and with no additional investigation, the respondent partially agrees with the finding. All information noted can be found on Board Agendas accessed on our web site with the exception of Statements of Economic Interest in which only six people in the District file.

Response to Recommendation #1

The recommendation will not be implemented as it is not warranted. Throughout any given year LUHSD receives a number of PRA requests. We pride ourselves on our compliance to the law.

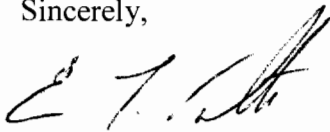
Response to Recommendation #2

The recommendation has been implemented. LUHSD administrators responsible for abiding by the PRA regularly work with legal counsel on such requests and thus are regularly trained.

Response to Recommendation #3

The recommendation has been partially implemented. All information listed, with the exception of Statements of Economic Interests can be found in the back-up material of Board Meeting Agendas. The six Statements of Economic Interest in our District are on file in the Superintendent's Office and are readily available upon request. Thus that portion of the recommendation will not be implemented as it is not warranted. No request has ever been made for a statement of economic interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Volta", written in a cursive style.

Eric L. Volta, Superintendent
Secretary to the Board of Trustees



MARTINEZ UNIFIED SCHOOL DISTRICT

"Martinez USD operates as a Professional Learning Community that effectively uses data to inform instruction and is committed to providing an environment for 21st century teaching and learning. Together we will ensure diverse paths to support all students to be college and career ready, equipped to compete and contribute in a global society."

logged 9/3/14

Conlin

SCHOOL BOARD

*Denise Elsken
John L. Fuller
Deidre M. Siguenza
Bobbi Horack
Kathi McLaughlin*

DISTRICT STAFF

Superintendent
Rami Muth

Assistant Superintendent

Personnel Services
David Robertson

Assistant Superintendent

Business Services
Andi Stubbs

**Director
Curriculum and
Educational Technology**
Audrey Lee

**Director
Special Education**
Janelle Eyet

**Director
Student Services &
Secondary Support**
Helen Rossi

Chief Technology Officer

Max Eissler

SITE ADMINISTRATORS

Alhambra High
*Tom Doppe
Principal*

**Vicente Martinez /
Briones School**
*Carol Adams
Principal*

**Martinez
Junior High**
*Jonathan Eagan
Principal*

**John Muir
Elementary**
*Jessica Conkle
Principal*

**John Swett
Elementary**
*Adam Welcome
Principal*

**Las Juntas
Elementary**
*Crystal Castaneda
Principal*

**Morello Park
Elementary**
*Kate Besocke
Principal*

**Martinez Adult
Education**
*Kathy Farwell
Director*

August 27, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553

Re: Responses to 2013-2014 Contra Costa County Grand Jury Report No. 1405,
"The Public Records Act In Contra Costa County"

Dear Foreperson Conlin:

In accordance with Section 933.05(a) of the California Government Code, the Martinez Unified School District (MUSD) has prepared this written response to the findings of Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County."

FINDINGS

Finding #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response to Finding #1:

The respondent agrees with this finding.

Finding #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response to Finding #2:

Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, the Martinez Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding#3:

The Martinez Unified School District conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response to Finding#3:

Due to not having full knowledge of the County's activities in this area as the Grand Jury may have, the Martinez Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding#4:

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response to Finding#4:

Due to not having full knowledge of the County departments' reporting activities as the Grand Jury may have, the Martinez Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

Response to Finding#5:

Due to not having full knowledge of the other cities' and special districts' reporting activities as the Grand Jury may have, the Martinez Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #6:

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response to Finding #6:

The Martinez Unified School District disagrees with this finding, if it is applied to MUSD. The Martinez Unified School District employees responsible for responding to these requests are well aware of the CPRA provisions and do comply.

Finding #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response to Finding #7:

The Martinez Unified School District agrees that these are appropriate documents to have available for public review when requested. The District does not agree that all of these are the most valuable documents that could be included on websites.

RECOMMENDATIONS

Recommendation #1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response to Recommendation #1:

This recommendation requires further analysis. The Better Government Ordinance is complex and creates an additional administrative burden beyond what is required by law. If adopted and procedural matters are not carried out correctly, interested parties may use legal processes to void actions, resulting in additional expense and disruption to operations. School districts do not generally retain specialized legal staff to address these requirements. District staff will review the Better Government Ordinance, and consult with the MUSD Governing Board to determine whether or not the district should adopt a similar policy. This review and consult shall take place before December 3, 2014.

Recommendation #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response to Recommendation #2:

The recommendation has already been implemented. District staff who are responsible for responding to Public Records Act requests are trained on how to respond, as these requests are received. Additionally, a formal refresher training will be offered to all district office staff during the 2014-15 school year, in which they are provided with a copy of the Act, and given internal guidelines on responding as legislation requires.

Recommendation #3:

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public

Response to Recommendation #3:

The recommendation has been implemented with respect to (c) and (e). Annual audits and all public meeting agendas/supporting documentation are posted on the district website. Additionally, warrant registers are included in the Board packets, which show payments for items such as travel reimbursements. These Board packets are posted on the website. The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at nominal charge upon request. Additionally, payment information for all items is reflected in monthly warrant registers, which are included in the Board packets and posted on the website.

Sincerely,



Andi Stubbs
Assistant Superintendent of Business Services
Martinez Unified School District



keyed
7/11
MB

Bruce K. Burns
Superintendent
1540 School Street
Moraga, CA 94556
T: (925) 377-4101
F: (925) 376-6755
bburns@moraga.k12.ca.us

July 2, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
PO Box 431
Martinez, CA 94553-0091

Re: Response to Grand Jury Request, Report No. 1405, "The Public Records Act In Contra Costa County" per June 3, 2014 Letter from Foreperson Stephen D. Conlin

Dear Foreperson Conlin,

Pursuant to your request in the letter dated June 3, 2014, the Moraga School District (District) responds accordingly to **Findings 1-7**:

1. Per **Finding #1**: "The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)."

The District replies to Finding #1 accordingly: The District agrees with the Finding.

2. Per **Finding #2**: "Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance."

The District replies to Finding #2 accordingly: The District agrees with the Finding.

3. Per **Finding #3**: "Contra Cost County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance."

The District replies to Finding #3 accordingly: The District agrees with the Finding per the "Background" information in the Grand Jury Report No. 1405. The District has no other knowledge of Contra Costa County conducting periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance. The District will provide CPRA and BGO training to administrative employees on August 7, 2014.

4. Per **Finding #4**: “The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.”

The District replies to Finding #4 accordingly: The District agrees with the Finding per the “Background” information in the Grand Jury Report No. 1405. The Moraga School District has no other knowledge of responses to CPRA requests by departments reporting to the Board of Supervisors as generally timely and appropriate.

5. Per **Finding #5**: “The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.”

The District replies to Finding #5 accordingly: The District agrees with the Finding per the “Background” information in the Grand Jury Report No. 1405.

6. Per **Finding #6**: “Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.”

The District replies to Finding #6 accordingly: The District agrees with the Finding per the “Background” information in the Grand Jury Report 1405.

7. Per **Finding #7**: “Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.”

The District replies to Finding #7 accordingly: The District agrees with the Finding.

Pursuant to your request in the letter dated March 18, 2014, the Moraga School District (MSD) responds accordingly to **Recommendations 1-6**:

1. Per **Recommendation #1**: “Cities and special districts in Contra Costa County should consider adopting a policy similar to Better Government Ordinance, expanding the right of the public to access to public records.”

The District replies to Recommendation #1 accordingly: The recommendation has been implemented. District Board policy and regulation, as well as adherence to the Brown Act and the CPRA provide the public access to public records and meetings.

2. Per **Recommendation #2**: “Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.”

The District replies to Recommendation #2 accordingly: The recommendation has been implemented. School District legal counsel provides periodic CPRA training and support to comply with the CPRA. The District will also provide CPRA and BGO training to administrative employees on August 7, 2014.

3. Per **Recommendation #3**: "Cities and special districts should consider making certain public records that are clearly discloseable under the CPRA available on their websites.

The District replies to Recommendation #3 accordingly: The recommendation requires further analysis. District Governing Board input will be required as one, and only one, employment contract and Statements of Economic Interests, which have been provided in a timely manner when requested per the CPRA, are currently not posted on the District's website. The Board will discuss this issue August 19, 2014.

Sincerely,



Bruce K. Burns
Superintendent
Secretary to the Governing Board



MT. DIABLO UNIFIED SCHOOL DISTRICT
JAMES W. DENT EDUCATION CENTER
1936 Carlotta Drive
Concord, California 94519-1397
(925) 682-8000

*Logged 9/9/14
Conlin*

OFFICE OF
SUPERINTENDENT

September 3, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court St.
P.O. Box 431
Martinez, CA 94553-0091

Re: Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"
2013-2014 Contra Costa Grand Jury

Dear Foreperson Conlin:

Pursuant to California Penal Code sections 933 and 933.05, the Governing Board of the Mt. Diablo Unified School District (MDUSD) files this response with regard to the 2013-2014 Contra Costa County Grand Jury Report No. 1405 Findings and Recommendations.

FINDINGS

FINDING 1

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

RESPONSE TO FINDING 1

Respondent MDUSD agrees with the finding and notes that open meetings and public records review are now required by the California Constitution.

FINDING 2

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

RESPONSE TO FINDING 2

Respondent MDUSD can neither agree nor disagree with this finding since the matter is not under the control of the governing body of MDUSD.

FINDING 3

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

RESPONSE TO FINDING 3

Respondent MDUSD can neither agree nor disagree with this finding since the matter is not under the control of the governing body of MDUSD.

FINDING 4

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

RESPONSE TO FINDING 4

Respondent MDUSD can neither agree nor disagree with this finding since the matter is not under the control of the governing body of MDUSD.

FINDING 5

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

RESPONSE TO FINDING 5

Respondent MDUSD disagrees with the finding to the extent that it implies that MDUSD is not responsive to CPRA requests. MDUSD attempts to have a robust and diligent response to every request through its Office of General Counsel. Please remember that, at times, documents cannot be provided under the exemptions found in Government Code sections 6254 and 6255.

FINDING 6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

RESPONSE TO FINDING 6

Respondent MDUSD disagrees with the finding to the extent that it implies that MDUSD staff that responds to CPRA requests is not familiar with the law and agency practice. MDUSD attempts to make a robust and diligent response to every request through its Office of General Counsel. Please remember that, at times, documents cannot be provided under the exemptions found in Government Code sections 6254 and 6255.

FINDING 7

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

RESPONSE TO FINDING 7

Respondent MDUSD agrees with the finding.

RECOMMENDATIONS

RECOMMENDATION 1

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

RESPONSE TO RECOMMENDATION 1

The recommendation will not be implemented because it is not warranted or is not reasonable.

The current level of access and response is very high at MDUSD. The reason that an expanded sunshine policy may not be appropriate is the large share of the records kept by the District relate to minors and such records may not be released without the consent of the parents under federal and state law. MDUSD has a higher obligation under federal and state law to maintain confidentiality of student information.

RECOMMENDATION 2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

RESPONSE TO RECOMMENDATION 2

The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation. Trainings will occur in 2014-15 as provided by representatives of the Office of General Counsel our outside legal firms for the various MDUSD departments which maintain records subject to CPRA.

RECOMMENDATION 3

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings.

RESPONSE TO RECOMMENDATION 3

- a. Statements of Economic Interests. ***The recommendation requires further analysis.*** We will need to review the numbers of statements to be converted to electronic format (all Form 700's are filed in hard copy) and the time and the cost of a conversion to website posting. This study will be reviewed in fall 2014 and the Board may consider this recommendation.
- b. Employment Contracts. ***The recommendation has been implemented.*** The only employment agreement in MDUSD is that of the Superintendent. Her agreement is posted with the agenda of August 28, 2013, when it was approved.

- c. Annual Audits. ***The recommendation has been implemented.*** The MDUSD Budget & Fiscal Department posts all budget and audit documents on its page on www.mdusd.org. The documents go back to 2009-10 and include the 2014-15 Adopted Budget (the audit for 2013-14, the most current audit, is underway as of the date of this letter).
- d. Travel and Entertainment reimbursements. ***The recommendation requires further analysis.*** We will need to review the numbers of reimbursements to be converted to electronic format and the time and the cost of a conversion to website posting. This study will be reviewed in fall 2014 and the Board may consider this recommendation.
- e. Agendas and supporting documents for public meetings. ***The recommendation has been implemented.*** The Superintendent posts all agendas and supporting documents on its page on www.mdusd.org. The documents go back to 2004-05 school year.

Sincerely,

MT. DIABLO UNIFIED SCHOOL DISTRICT



Nellie Meyer, Ed.D.
Superintendent

Attachment: Grand Jury Report No. 1405



July 14, 2014

Via Certified Mail Return Receipt Requested

Stephen Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

**Re: Response to 2013-2014 Contra Costa Grand Jury Report 1405
Regarding the Public Records Act in Contra Costa County**

Dear Foreperson Conlin:

The following is the Oakley Union Elementary School District's (the "District") response to Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"

RESPONSE TO FINDINGS

Response to Finding No. 1

Agreed.

Response to Finding No.2

I have no knowledge of this as it does not apply to our District. I would assume that this has strengthened the CPRA. Agreed.

Response to Finding No.3

Agreed.

Response to Finding No. 4

I have no knowledge of this as it does not apply to our District. I would assume that this finding is true. Agreed.

Response to Finding No. 5

I have no direct knowledge with regards to this general statement. However, we would assume your report is accurate. Agreed.

Response to Finding No. 6

I have no direct knowledge with regard to this general statement. However, this would appear to make sense given the large number of agencies in the county. Agreed.

Response to Finding No. 7

Agree that a website could be one place to access these documents.

RESPONSE TO RECOMMENDATIONS

Response to Recommendation No. 1

Implemented. The District has a well-established policy that is consistent with the CPRA, California Education Code, Government Code and other related regulations and laws.

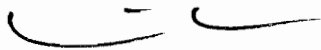
Response to Recommendation No. 2

Implemented. Training has been attended.

Response to Recommendation No. 3

The District will continue to comply with the requirements of the CPRA. Warrants are provided to the public with each monthly Board of Trustees Meeting Agenda. Employment contracts, annual audits and all travel and entertainment reimbursements are available for review with each month agenda. In addition, based on a prior grand jury report, board expenses are placed on the agenda annually. As to Statements of Economic Interests, those are annually filed with the Contra Costa County Clerk as required and copies are kept at the District Office. My recommendation is that the County Clerk's office places all of the statements that they receive on their website so that the public would only have to access one website to find all other such "Statements."

Sincerely,



Richard K. Rogers, Ed.D.
Superintendent
Secretary to the Board



*Legget
9/16 rms
Caylan*

**Orinda Union
School District**
8 Altarinda Road
Orinda, CA 94563

August 29, 2014

Phone (925) 254-4901
Fax (925) 253-0719

Superintendent
Dr. Joe Jaconette

Board of Trustees
Sarah G. Butler
Tyson Krumholz
Matt Moran
Julie Rossiter
Dr. Chris Severson

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

By U.S. Mail and e-mail clope2@contracosta.courts.ca.gov

Re: Responses to 2013-2014 Contra Costa County Grand Jury Report No.
1405, "The Public Records Act in Contra Costa County"

Dear Foreperson Conlin:

In accordance with Section 933.05(a) of the California Government Code, the Orinda Union School District has prepared this written response to the findings of Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County."

FINDINGS

Finding #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response to Finding #1:

The respondent agrees with this finding.

Finding #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response to Finding #2:

We agree that the Grand Jury believes that Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance. Our district has no other knowledge of this issue.

Finding #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response to Finding #3:

We agree that the Grand Jury believes that Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA. Our district has no other knowledge of this issue.

Finding #4:

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response to Finding #4:

We agree that the Grand Jury believes the response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate. Our district has no other knowledge of this issue.

Finding #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

Response to Finding #5:

We agree that the Grand Jury believes this. Our district is responsive to CPRA requests. Our district has no other knowledge of the responsiveness of other entities.

Finding #6:

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response to Finding #6:

The Orinda Union School District disagrees with this finding if it is applied to our district. Our district employees responsible for responding to these requests are instructed about the requirements necessary for responding to the request. Legal counsel is frequently used to provide assistance to the employee.

Finding #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contract, Annual Audits, Travel and Entertainment reimbursements, and agenda and supporting documents for public meetings.

Response to Finding #7:

The Orinda Union School District agrees that these are appropriate documents to have available for public review when requested. The District does not agree that these are the most valuable documents that could be included on websites. Governing board agendas are required to be posted on agency websites according to the Brown Act. There are many other school and district documents that are vital to the operations of schools that are most valuable.

RECOMMENDATIONS

Recommendation #1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response to Recommendation #1:

Our district lacks information on cities and special districts with regard to this ordinance. Our district complies with the Public Records Act and therefore may not need any further policy on this issue. The recommendation will not be implemented at this time because our district complies with the Public Records Act. ✓

Recommendation #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response to Recommendation #2:

The recommendation has already been implemented.

Recommendation #3:

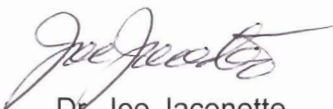
Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public

Response to Recommendation #3:

The recommendation has been implemented with respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at nominal charge upon request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe Jaconette", written in a cursive style.

Dr. Joe Jaconette
Superintendent

JJ/kf



Pittsburg Unified School District

2000 RAILROAD AVENUE · PITTSBURG · CALIFORNIA 94565

Janet Schulze, Ed.D. - Superintendent

PHONE: (925) 473-2351

FAX: (925) 473-4374

August 29, 2014

(Via email and U.S. Mail)

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553

Re: Responses to the 2013-2014 Contra Costa County Grand jury report No. 1405, "The Public Records Act In Contra Costa County"

Dear Foreperson Conlin,

In accordance with Section 933.05 (a) of the California Government Code, the Pittsburg Unified School District (PUSD) has prepared this written response to the findings of the Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County."

FINDINGS:

Finding #1

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)

Response to Finding #1

The respondent agrees with this finding

Finding #2

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Governance Ordinance.

Response to Finding #2

The respondent agrees with this finding, with the assumption that the Grand Jury's assessment is accurate.

Finding #3

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response to Finding #3

The respondent agrees with this finding.

Finding #4

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response to Finding #4

The respondent agrees with this finding.

Finding #5

The response to CPRA by cities and special districts within the Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

Response to Finding #5

The respondent partially agrees with this finding, as we have no knowledge of the timeliness in reporting of other cities or special districts so assume the Grand Jury's finding is accurate.

Finding #6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response to Finding # 6

The respondent disagrees with this statement as it pertains to PUSD. The respondent agrees with the statement with assumption that the Grand Jury finding is accurate for other districts or cities.

Finding #7

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response to Finding #7

The respondent agrees with the finding that these are important to include on websites, not the most important

RECOMMENDATIONS:

Recommendation #1

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access public records

Response to Recommendation #1

The recommendation requires further analysis. Respondent is unfamiliar with the details of the Better Government Ordinance and how it would specifically be implemented, including costs for training, or how it would specifically address any areas of concern more than the current law requires. Respondent defers to the County Office of Education on the timeline if implemented.

RECOMMENDATION #2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public record Act requests

Response to Recommendation #2

The recommendation has already been implemented. PUSD employees are trained in response to Public records requests and PUSD also contracts for legal services with Fagen, Friedman & Fullfrost, LLP, who can provide any additional guidance needed in a timely manner on Public records requests.

RECOMMENDATION # 3

Cities and special districts should consider making certain public records that are clearly disclosable under the CRPA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings

Response to Recommendation #3

The recommendation has been implemented with respect to (c), (d) and (e). The recommendation has not been implemented with respect to (a) and (b) because it is not reasonable to publish these on the website due to the volume and the additional work and costs to remove individual information. These are available for inspection at any time at no cost and available for production upon request for little to no cost, depending on the size of the requested reproduction.

Regards,

A handwritten signature in blue ink, appearing to read "Janet Schulze", with a stylized flourish at the end.

Janet Schulze, Ed.D
Superintendent



SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
699 Old Orchard Drive, Danville, California 94526
(925) 552-2933 • FAX (925) 552-5092

Lyed
9/3/14
MMS
Complains

August 27, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: Grand Jury Report No. 1405
"The Public Records Act in Contra Costa County"

Dear Mr. Conlin:

The San Ramon Valley Unified School District responds to Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County" as follows:

FINDINGS

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRS).

Response: The respondent agrees with the finding.

2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response: Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, San Ramon Valley Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response: Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, San Ramon Valley Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury’s assessment is accurate.

4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response: Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, San Ramon Valley Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury’s assessment is accurate.

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, which others have delayed responses or fail to respond entirely.

Response: Due to not having full knowledge of the impact of this Ordinance as the Grand Jury may have, San Ramon Valley Unified School District can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury’s assessment is accurate.

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: the San Ramon Valley Unified School District disagrees with this finding if it is applied to the SRVUSD. SRVUSD employees responsible for responding to these requests are well aware of the CPRA provisions and do comply.

7. Among the most valuable documents that can be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response: The SRVUSD agrees that these are appropriate documents to have available for public review when requested. The District does not agree that these are the most valuable documents that could be included on websites. SRVUSD does post agendas and supporting documents on the website.

RECOMMENDATIONS

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response: The recommendation requires further analysis. The Better Government Ordinance is complex and creates an additional administrative burden beyond what is required by law. If adopted and procedural matters are not carried out correctly, interested parties may use legal processes to void actions, resulting in additional expense and disruption to operations. School districts do not generally retain specialized legal staff to address these requirements.

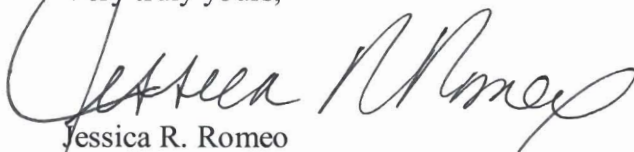
2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response: The recommendation has been implemented.

3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on the their websites:
 - a. Statement of Economic Interests
 - b. Employment Contracts
 - c. Annual Audits
 - d. Travel and Entertainment reimbursements
 - e. Agendas and supporting documents for public meetings

Response: The recommendation has been implemented with respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal e-mail addresses, and signatures for web presentation would be cost-prohibitive. The type of documents remain available for inspection at no charge and for production at nominal charge upon request.

Very truly yours,



Jessica R. Romeo
Assistant Superintendent, Human Resources

logged 8/26
MMR

To: Contra Costa County Grand Jury
From: Patricia Wool, Superintendent
Walnut Creek School District
RE: Grand Jury Report No. 1405 "The Public Records Act in CCC"
Date: August, 2014

FINDINGS

The Walnut Creek School District agrees with the seven findings.

1. The State of California's policy of transparency in government is embodied in the California Public Records Act.
2. CCC's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.
3. CCC conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.
4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.
5. The response to CPRA by cities and special districts is uneven.
6. Employees of cities and some special districts are unfamiliar with the Act.
7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel reimbursements and agendas.

RECOMMENDATIONS

1. Cities and special districts in CCC should consider adopting a policy expanding the right of the public to access public records.
#2 The recommendation has not yet been implemented, but will be implemented in the 2014-15 school year.
2. Cities and special districts in CCC should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.
#2 The recommendation has not yet been implemented, but will be implemented in the 2014-15 school year through our attorney.
3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on websites: Statement of Economic Interest, Contracts, Audits, Travel reimbursements, agendas.
*#1 The recommendation has been implemented in terms of audits and agendas.
#2 The other recommendations (Statement of Economic Interest, contracts, travel reimbursements) will be implemented fully in 2014-15; travel reimbursements will be included on the warrant register which will be posted on the district website.*

Logged
8/19
MJS

To: Contra Costa County Grand Jury
From: Patricia Wool, Superintendent
Walnut Creek School District
RE: Grand Jury Report No. 1405 "The Public Records Act in CCC"
Date: August, 2014

FINDINGS

The Walnut Creek School District agrees with the seven findings.

1. The State of California's policy of transparency in government is embodied in the California Public Records Act.
2. CCC's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.
3. CCC conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.
4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.
5. The response to CPRA by cities and special districts is uneven.
6. Employees of cities and some special districts are unfamiliar with the Act.
7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel reimbursements and agendas.

RECOMMENDATIONS

1. Cities and special districts in CCC should consider adopting a policy expanding the right of the public to access public records.
#2 The recommendation has not yet been implemented, but will be implemented in the 2014-15 school year.
2. Cities and special districts in CCC should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.
#2 The recommendation has not yet been implemented, but will be implemented in the 2014-15 school year through our attorney.
3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on websites: Statement of Economic Interest, Contracts, Audits, Travel reimbursements, agendas.
*#1 The recommendation has been implemented in terms of audits and agendas.
#2 The other recommendations (Statement of Economic Interest, contracts, travel reimbursements) will be implemented fully in 2014-15; travel reimbursements will be included on the warrant register which will be posted on the district website.*



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Office of the Director of Communications
1108 Bissell Avenue
Richmond, CA 94801-3135
Phone: 510.231.1160
Fax: 510.236.0662

Typed
8/27/14
MW

Dr. Bruce Harter
Superintendent of Schools

Marcus Walton
Director of Communications

August 15, 2014

John T. Laettner
Judge of the Superior Court
Contra Costa County
725 Court Street
Martinez, CA 94553-0091

Dear Honorable Judge Laettner,

The West Contra Costa Unified School District (District) is in receipt of Contra Costa County Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County" (Report).

In accordance with California Penal Code §933.05(a), the District's response to each of the numbered Findings is as follows:

1. The District agrees with the Finding.
2. The District neither agrees nor disagrees with the Finding. The District has no basis on which to evaluate the impact of Contra Costa County's Better Government Ordinance on the County's policy of transparency in government.
3. The District neither agrees nor disagrees with the Finding. The District is not in a position to know whether Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the California Public Records Act (CPRA) and the Better Government Ordinance.
4. The District neither agrees nor disagrees with the Finding. The District is not in the position to know whether responses to CPRA requests by county departments reporting to the Board of Supervisors is generally timely and appropriate.
5. The District neither agrees nor disagrees with the Finding. The District is not in the position to determine whether the response to CPRA requests by cities and special districts within Contra Costa County is uneven.

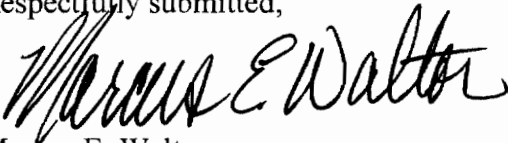
The District is a public school district, not a city or special district. As applied to itself, the District partially disagrees with the finding. The District's responses to CPRA requests are consistent, responsive, and in the majority of instances, prompt. In instances where a response may be delayed, it is due to the logistics of identifying, collecting, reviewing, and redacting responsive documents.

6. The District neither agrees nor disagrees with the Finding. The District has no basis to evaluate whether employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested. As applied to itself, the District disagrees wholly with the finding. District employees who deal with CPRA requests are familiar with the Act and the responsibilities of the District when records are requested.
7. The District agrees with the Finding.

In accordance with California Penal Code §933.05(b), the District's response to each of the numbered Recommendations is as follows:

1. The Recommendation requires further analysis. The District currently adheres to the CPRA. Further analysis is necessary to determine whether adopting a policy similar to the Better Government Ordinance is feasible under the District's current staffing levels, bargaining unit contracts, and technological resources. The impact of such a policy on the District's business would also need to be evaluated. A further response will be provided within a six month timeframe.
2. The Recommendation has not yet been implemented. The District will arrange for training for all of its employees who are responsible for responding to Public Records Act requests. It is the District's goal to complete the training no later than the end of the 2014-2015 school year.
3. The Recommendation has been partially implemented. The collective bargaining agreements applying to each represented unit, annual audits, and agendas and supporting documents for public meetings are available on the District website, www.wccusd.net. The Recommendation will not be implemented as to individual employment contracts to protect the privacy interests of the respective employees and to guard against the public release of information which may lead to fraud and identity theft. Nevertheless, the District will respond to all requests for employment contract information in compliance with its obligations under the California Public Records Act. The Recommendation will not be implemented as to travel and expense reimbursements as the burden for a district of our size in terms of administrative time required to collect and post such information on the website outweighs the benefit of on-line access to it. Nevertheless, the District will respond to all requests for travel and expense reimbursement information in compliance with its obligations under the California Public Records Act.

Respectfully submitted,



Marcus E. Walton
Director, Communications

cc: Stephen D. Conlin, Grand Jury Foreperson
Bruce Harter, Superintendent
clope2@contracosta.courts.ca.gov



Logged 8/4/14
MMS

July 23, 2014

The Honorable John Laettner
Presiding Judge of the Contra Costa Superior Court
A.F. Bray Court House, Department 25
1020 Ward Street, Martinez CA 94553

Re: **Contra Costa County Grand Jury Report:** "The Public Records Act In Contra Costa County" (Report 1405)

Dear Judge Laettner:

On behalf of the Antioch City Council, this letter responds to Contra Costa County Grand Jury Report: "The Public Records Act In Contra Costa County." The City Council authorized this response at its meeting on July 22, 2014.

We appreciate the time and effort that you and the Grand Jury spent considering these matters. We trust that the Grand Jury also appreciates the City time spent reviewing and responding to Grand Jury reports, particularly given Antioch's continued weekly furloughs and 33% staffing reductions. Pursuant to California Penal Code section 933.05, the City will respond to each finding and to each recommendation individually.

Findings

Finding #1: "The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)."

The City agrees with this finding as to governmental records. One could also say that the State of California's policy of transparency as to governmental meetings and decisions is embodied in the Brown Act.

Finding #2: "Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance."

The City agrees and partially disagrees with this finding. The City has not seen the County's ordinance nor has received any information regarding how the ordinance has changed the County's transparency. However, the City does not dispute that the the Grand Jury has found that the ordinance enhances the County's transparency.

Finding #3: "Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance."

The City agrees and partially disagrees with this finding as the Government Code does not provide the option of stating that the City cannot comment on this finding. Again, the City has not seen the County's ordinance, or their training program.

Finding #4: "The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate."

The City agrees and partially disagrees with this finding as the Government Code does not provide the option of stating that the City cannot comment on this finding. The City has no directly knowledge of County department's responsiveness to Public Records Act requests.

Finding #5: "The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely."

The City agrees with this finding. The City does not have direct knowledge of the practices of other public agencies, but it is not surprising that many agencies struggle to provide timely and complete responses to CPRA requests, especially given the reduced staffing most have experienced over the last several years.

Finding #6: "Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested."

The City agrees with this finding. Again, the City does not have direct knowledge of the practices of other public agencies, but it is not surprising that public employees have varying familiarity with the Public Records Act due to short staffing and employees being assigned multiple, varying duties.

Finding #7: "Among the most valuable documents that could be included on websites are: Statement of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings."

The City agrees with this finding; although, there are certainly other valuable documents such as General Plans and budgets. We are unfamiliar with the concept of "Entertainment reimbursements".

Recommendations

Recommendation #1: "Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access public records."

The recommendation has not been implemented. At this time, the City of Antioch will simply continue to comply with the provisions of the CPRA.

Recommendation #2: "Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests."

The recommendation has been implemented. The City of Antioch pursues and encourages training opportunities for our staff responsible for responding to CPRA requests.

Recommendation #3: "Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their website:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings."

The recommendation has been partially implemented. At this time, the City of Antioch makes the annual audits, travel reimbursements and agendas with supporting documents for public meetings available on our website. We don't reimburse employees or officials for entertainment. Meals are reimbursed under our travel and training policy. The employment agreements and the Statements of Economic Interests are not currently on our website, but will be reviewed for implementation within the next year.

We trust that the Grand Jury will find these responses helpful to its endeavor.

Sincerely yours,



Wade Harper
Mayor, City of Antioch

cc: Stephen D. Conlin, Contra Costa County Grand Jury Foreperson,
725 Court Street, Martinez, CA 94553
Steve Duran, City Manager
Lynn Tracy Nerland, City Attorney

logged 8/29
mz



Conline

MAILING ADDRESS:

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150 City Park Way
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Phone: 925-516-5400
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CITY ADMINISTRATION

150 City Park Way
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Fax: 925-516-5441

COMMUNITY DEVELOPMENT

150 City Park Way
Phone: 925-516-5405
Fax: 925-516-5407

**FINANCE & INFORMATION
SYSTEMS**

150 City Park Way
Phone: 925-516-5460
Fax: 925-516-5401

PARKS AND RECREATION

35 Oak Street
Phone: 925-516-5444
Fax: 925-516-5445

POLICE

9100 Brentwood Boulevard
Phone: 925-634-6911
24 Hr. Dispatch: 925-778-2441
Fax: 925-809-7799

PUBLIC WORKS

Operations Division

2201 Elkins Way
Phone: 925-516-6000
Fax: 925-516-6001

Engineering Division

150 City Park Way
Phone: 925-516-5420
Fax: 925-516-5421

August 28, 2014

The Honorable John T. Laettner
Judges of the Superior Court of Contra Costa County
A.F. Bray Court House, Department 25
1020 Ward Street
Martinez, CA 94553

Dear Judge Laettner:

This letter is in response to the questions raised in Grand Jury Report No. 1405 "The Public Records Act in Contra Costa County". In accordance with Section 933.05 of the California Penal Code, the City provides the attached required responses to Findings 1-7 and Recommendations 1-3 as identified in the Grand Jury Report.

If you have questions or require any additional information, please do not hesitate to contact me at (925) 516-5440.

Sincerely,

Steven M. Salomon
Interim City Manager

cc: Stephen D. Conlin, Grand Jury Foreperson
725 Court Street, Martinez, CA 94553
Brentwood Mayor and City Council
Damien Brower, City Attorney

**City Of Brentwood Response to Grand Jury Findings and Recommendations
Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"**

FINDINGS

Grand Jury Finding 1

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

City Response: The City agrees with the finding, however there are additional statutes including the Ralph M. Brown Act and the Political Reform Act that also relate to transparency in government.

Grand Jury Finding 2

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

City Response: The City neither agrees nor disagrees with the finding, as the City has not received copies of Contra Costa County's policies related to transparency in government, nor does the City have direct knowledge of whether the County's transparency in government has been strengthened and, if it has, whether the strengthening was caused by its adoption of the Better Government Ordinance.

Grand Jury Finding 3

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

City Response: The City neither agrees nor disagrees with the finding, as the City does not have direct knowledge of what training may be held for Contra Costa County employees.

Grand Jury Finding 4

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

City Response: The City neither agrees nor disagrees with the finding, as the City does not have direct knowledge of the response time of Contra Costa County departments to CPRA requests, nor whether such responses are appropriate.

Grand Jury Finding 5

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

City Response: The City neither agrees with nor disagrees with the finding, as the City does not have direct knowledge of the response times or the responses of other cities and/or special districts.

Grand Jury Finding 6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

City Response: The City neither agrees with nor disagrees with the finding; as the City does not have direct knowledge of the familiarity with the CPRA by employees of other cities and special districts who deal with CPRA requests. The City of Brentwood has held two training sessions for its employees regarding their responsibilities for responding to CPRA requests.

Grand Jury Finding 7

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

City Response: City agrees that the above documents are valuable, but cannot state that they are the most valuable documents as there could be others that are equally, or more valuable.

RECOMMENDATIONS**Grand Jury Recommendation 1**

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City Response: This recommendation has been implemented. The City Council adopted City Council/Administrative Policy 00-8, Policy for Responding to Public Records Requests, which reiterates that the City will provide copies of documents in accordance with the CPRA and the California Constitution.

Grand Jury Recommendation 2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

City Response: This recommendation has been implemented. Following the adoption of City Council/Administrative Policy 00-8, Policy for Responding to Public Records Requests, and two citywide trainings were held for employees who are responsible for responding to CPRA requests.

Grand Jury Recommendation 3

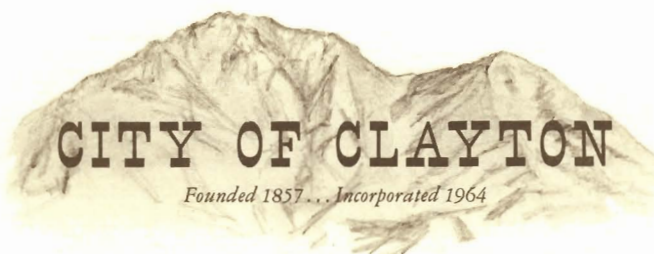
Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites: a) Statements of Economic Interests; b) Employment Contracts; c) Annual Audits; d) Travel and Entertainment reimbursements; and e) Agendas and supporting documents for public meetings.

City Response: The City has partially implemented this recommendation. Agendas and supporting documents for the City Council, City commissions and standing Council Subcommittees; as well as videos of the City Council and Planning Commission meetings have been online since 2002.

In addition to the documents listed above, the City also posts Campaign Finance Documents on the City's website.

Further, the City's Finance and Information Systems Department posts the following documents on the City's website: Annual Property Tax Summaries, Bond Official Statements, Budget in Brief, Capital Improvement Program (CIP) Budgets, Combined Community Facilities District (CFD) Annual Report for Special Taxes Levied, Comprehensive Annual Financial Reports (CAFRs), Cost Allocation Plans, Successor Agency Reports, General Fund Fiscal Models, Operating Budgets, Public Facilities Fee Reports (AB1600), Quarterly Sales Tax Reports, Quarterly Treasury Reports and State Controller's Reports.

Finally, the City has begun the process of analyzing its options and ability to place Statements of Economic Interests and Travel & Entertainment Reimbursements on its website.



CITY OF CLAYTON

Founded 1857... Incorporated 1964

COMMUNITY
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ENGINEERING (925) 363-7433

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TELEPHONE (925) 673-7300 FAX (925) 672-4917

byes 8/26
MD

City Council
HANK STRATFORD, MAYOR
DAVID T. SHUEY, VICE MAYOR
JIM DIAZ
HOWARD GELLER
JULIE K. PIERCE

August 20, 2014

VIA U.S. REGULAR MAIL AND
REQUESTED EMAIL TO: clope2@contracosta.courts.ca.gov

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury, 2013-14
725 Court Street
P O Box 431
Martinez, CA 94553-0091

**Re: City Response to Civil Grand Jury Report No. 1405
"The Public Records Act in Contra Costa County"**

Dear Mr. Conlin:

Pursuant to the June 3, 2014 letter regarding release of Report No. 1405 by the Contra Costa County Civil Grand Jury for 2013-14, the City of Clayton provides its attached Response as required by California Penal Code section 933.05(a). At its regular public meeting of August 19, 2014, the Clayton City Council reviewed, considered and then approved its attached Response.

Should any questions arise regarding our reply, please do not hesitate to contact us or our city manager at 925.673-7300.

Sincerely,



Hank Stratford
Mayor

Attachment: 1. City Response to Civil Grand Jury Report No. 1405 [4 pp.]

cc: Honorable Clayton City Council Members



CITY OF CLAYTON RESPONSE TO
CIVIL GRAND JURY REPORT NO. 1405
"THE PUBLIC RECORDS ACT IN CONTRA COSTA COUNTY"
2013-14 CONTRA COSTA COUNTY CIVIL GRAND JURY

The City of Clayton, California provides the following response to Civil Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County", issued by the 2013-14 Contra Costa County Civil Grand Jury on 03 June 2014. Pursuant to page 6 of the Report, the City is required to respond to Findings 1 through 7 and Recommendations 1 through 3 adhering to format guidelines prescribed by the California Penal Code (Section 933.05).

FINDINGS

1. *The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).*

City Response

The City agrees with this Finding.

2. *Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.*

City Response

The City agrees this Finding is the Civil Grand Jury's conclusion to its review but the City of Clayton has no independent knowledge to confirm or reject that conclusion.

3. *Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.*

City Response

The City agrees this Finding is the Civil Grand Jury's conclusion to its review but the City of Clayton has no independent knowledge or facts to confirm or reject that conclusion.

4. *The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.*

City Response

The City agrees this Finding is the Civil Grand Jury's conclusion to its review but the City of Clayton possesses no independent knowledge or facts to confirm or reject that conclusion.

5. *The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.*

City Response

The City disagrees with this Finding as Report No. 1405 did not specifically identify which public agencies fell into which CPRA rating category by the Civil Grand Jury, and therefore the City of Clayton has no specific facts to evaluate and review for determination. Further, the City of Clayton staff recalls the anonymous request for the specific public record identified within Report No. 1405 on page 4 and notes this City responded swiftly and correctly to that Public Records Act request.

6. *Employees of cities and some districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.*

City Response

The City disagrees with this Finding as it relates to the City of Clayton and its employees. Regarding the broader Finding as to employees of other cities and some districts, the City agrees this Finding is the Civil Grand Jury's conclusion to its review but this City has no independent knowledge or discovery of other public agencies' training and resulting competency concerning the CPRA to reach the same conclusion.

7. *Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.*

City Response

As worded, the City disagrees with this Finding as most other public documents uploaded to a city's website are considered just as important and often more valuable to the public performance of city business than those listed above. Examples include its General Plan, Municipal Code, Zoning Map, City Budget, job employment opportunities, public employee salary schedules and employee benefits, or even community events and other public resources as integral to the primary operations of a city.

Within the context of Civil Grand Jury Report No. 1405 and its particular scope of review, the City agrees with this Finding as it pertains to public meeting agendas, agenda packet materials and staff reports, Audited Financial Statements of the City, Statements of Economic Interests, and employment contracts, but disagrees with the Finding for the need to upload travel and entertainment reimbursements due to the City's minimal expense for that purpose.

#

RECOMMENDATIONS

1. *Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to [sic] public records.*

City Response

The recommendation will not be implemented because in the City of Clayton's case and circumstance it is not warranted and is not reasonable.

This City's organization and scope of operations are miniscule in comparison to the purview of the County of Contra Costa. The City of Clayton regularly abides by and follows the Ralph M. Brown Act (Government Code section 54950 et. seq.) and the California Public Records Act (Government Code section 6250 et. seq.), which are the essential and functional ingredients embodied in the County's "Better Government Ordinance". Further, there is no demonstrated necessity or contravening evidence suggesting this City establish a permanent citizen's oversight committee for such purpose.

2. *Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.*

City Response

The recommendation has been implemented as the City's City Clerk and other management personnel responding to CPRA requests receive real time training and advice from the City Attorney and the City Manager when presented with a CPRA request or when questions arise as to the qualifying document(s).

3. *Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:*

- a. *Statements of Economic Interests*
- b. *Employment Contracts*
- c. *Annual Audits*
- d. *Travel and Entertainment reimbursements*
- e. *Agendas and supporting documents for public meetings.*

City Response

The recommendation has been implemented for most parts (a, b, c & e) but is unwarranted and will not be implemented as it pertains to part d, as detailed below:

- a. **Statements of Economic Interests.**
Has been implemented and uploaded onto the City's website.
- b. **Employment Contracts.**
Has been implemented and uploaded onto the City's website. Employment contracts have always been previously available to the public and on the City's website when submitted as Agenda materials for City Council approval.
- c. **Annual Audits.**
Has been implemented and uploaded onto the City's website. Annual Audited Financial Statements of the City have always been previously available to the public and on the City's website when submitted as Agenda materials for City Council approval.

d. Travel and Entertainment reimbursements.

Will not be posted and updated onto the City's website as it is unwarranted due to miniscule expenses incurred for such purposes.

Each fiscal year budget contains the annual allocations for City travel and business meetings. By previous Civil Grand Jury Report No. 1104 recommendation (2010-11), this City includes in its annual budget a chart summarizing annual calendar expenses for and of its elected City officials, which categories include training and City meeting expenses. Further, due to on-going budgetary constraints, City expenses for meals and entertainment have been virtually eliminated in the City Budget for the last eight (8) years.

Over the course of many years, most City-related meeting expenses incurred by members of the City Council are paid directly by its members from personal funds and are not reimbursed by the City. Any travel expenditures of the City are made available upon request through the CPRA.

e. Agendas and supporting documents for public meetings.

Has previously been implemented and always been a part of the City's website.

#

CITY OF CONCORD
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Telephone: (925) 671-3150



Legged 8/14
CITY COUNCIL
Timothy S. Grayson, Mayor
Ronald E. Leone, Vice Mayor
Edi E. Birsan
Daniel C. Helix
Laura M. Hoffmeister

Thomas J. Wentling, City Treasurer
Valerie J. Barone, City Manager

July 29, 2014

Stephen D. Conlin, Foreperson
Contra Costa Grand Jury
725 Court Street
P. O. Box 431
Martinez, CA 94553-0091

Re: City of Concord Response to June 3, 2014 Grand Jury Request
The Public Records Act in Contra Costa County

Dear Mr. Conlin:

This letter serves as the City of Concord's response to the Contra Costa Grand Jury's findings and recommendations set forth in Report No. 1405, entitled "The Public Records Act in Contra Costa County."

I. FINDINGS

Finding No. 1: "The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)."

Response to Finding No. 1: The City of Concord agrees with this finding.

Finding No. 2: "Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance."

Response to Finding No. 2: While the City of Concord agrees that the Better Government Ordinance was adopted by Contra Costa County with the salutary goal of strengthening transparency in government, the City of Concord does not have comprehensive information on the extent to which that policy has been implemented, and thus is unable to provide an informed response to this finding.

Finding No. 3: “Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.”

Response to Finding No. 3: The City of Concord does not have any information regarding this finding, and therefore is not in a position to provide an informed response.

Finding No. 4: “The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.”

Response to Finding No. 4: The City of Concord does not have any information regarding this finding, and therefore is not in a position to provide an informed response.

Finding No. 5: “The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.”

Response to Finding No. 5: The City of Concord disagrees with this response as it pertains to Concord. The City of Concord does not have any information regarding this finding as it pertains to other cities and special districts within Contra Costa County, and therefore is not in a position to provide an informed response as to those cities and special districts.

Finding No. 6: “Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.”

Response to Finding No. 6: The City of Concord disagrees with this response as it pertains to Concord. The City of Concord does not have any information regarding this finding as it pertains to other cities and special districts within Contra Costa County, and therefore is not in a position to provide an informed response as to those cities and special districts.

Finding No. 7: “Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.”

Response to Finding No. 7: The City of Concord agrees with this finding in respect to agendas and supporting documents for public meetings and Form 700 Statements of Economic Interest filed by the City Council, the City Manager and the City Attorney, but disagrees with the remaining portion of this finding.

II. RECOMMENDATIONS

Recommendation No. 1: “Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.”

Response to Recommendation No. 1: This recommendation will not be implemented because it is not warranted. The City of Concord has already adopted Policy and Procedure No. 27 (“Public Records Inspection and Fees”) which is analogous to the Public Records portion of Contra Costa County’s Better Governance Ordinance. This policy is periodically reviewed for required updates.

Recommendation No. 2: “Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.”

Response to Recommendation No. 2: This recommendation has been implemented. The City Attorney’s Office and City Clerk’s Office provide training to all Department Heads and employees who handle Public Records Act requests.

Recommendation No. 3: “Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employee Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings.”

Response to Recommendation No 3: This recommendation has been implemented in part, but is unwarranted and will not be implemented as to certain public records, as discussed below.

- a. The City has included a statement on the website that refers interested parties to the FPPC website to view the Statements of Economic Interest filed for all 82700 filers. Interested persons are directed to the City Clerk’s office for immediate access to the Form 700 files for the 123 individuals who file a Form 700, Conflict of Interest, with the City of Concord.
- b. Any employment contract that requires City Council approval is available on the website for review as part of the supporting documents to an agenda. Any other employment contract will be made available upon request.

- c. The annual Comprehensive Annual Financial Report (CAFR) for the years 2002-2013 on the City's website at <http://www.cityofconcord.org/citygov/finance/reports> as are the City Budgets.
- d. Travel and Entertainment reimbursements are not posted to the City's website. The Fiscal Budget contains the annual amount of funding allocated for travel and meetings, and it is reviewed at a public meeting. Most entertainment expenses incurred by the City Council are paid for by the Councilmember directly and are not reimbursable. All travel expenditures are made available upon formal request.
- e. Public meeting agendas and supporting documents, annotated agendas, and minutes for the past five years are available on the City's website. An on-demand video library of meetings for the same period is also available to the public for review via the website at <http://www.cityofconcord.org/citygov/agendas/council/>.

Please let me know if you have any questions or require additional information concerning the above responses. You can reach me at my direct telephone number (925) 671-3175 or by email at valerie.barone@cityofconcord.org

Yours truly,

A handwritten signature in black ink, appearing to read 'Valerie J. Barone', written in a cursive style.

Valerie J. Barone
City Manager



*"Small Town Atmosphere
Outstanding Quality of Life"*

July 16, 2014

Honorable John T. Laettner
Judge of the Superior Court
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: Contra Costa County Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"

Dear Judge Laettner:

Pursuant to California Penal Code Section 933.05, this letter responds to Contra Costa County Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County." This response was reviewed and authorized by the Town Council at a duly noticed Town Council meeting on July 15, 2014.

Grand Jury Findings

Finding #1: The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response: Danville agrees with Finding #1.

Finding #2: Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response: Danville partially disagrees with Finding #2. The Town cannot address the practices of other entities, including whether or not the County's transparency has been strengthened since its adoption of the Better Government Ordinance.

Finding #3: Contra Costa County conducts periodic training of its employees regarding how to respond to records under the CPRA and the Better Government Ordinance.

Response: Danville partially disagrees with Finding #3. The Town cannot address the practices of other entities, including how often or whether or not Contra Costa County

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(925) 314-3388

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Engineering & Planning
(925) 314-3310

Transportation
(925) 314-3320

Maintenance
(925) 314-3450

Police
(925) 314-3700

Parks and Recreation
(925) 314-3400

July 16, 2014

Page 2

conducts periodic training of its employees regarding how to respond to records under the CPRA and the Better Government Ordinance

Finding #4: The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response: Danville partially disagrees with Finding #4. The Town cannot address the practices of other entities, including whether or not County departments reporting to the Board of Supervisors provide timely or appropriate responses to the CPRA.

Finding #5: The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

Response: Danville partially disagrees with Finding #5. The Town cannot address the practices of other entities, including their level of responsiveness. The Town's practice is to fully comply with the California Public Records Act. In fact, the Town strives to respond to inquiries as soon as possible, often within 24 hours of each request.

Finding #6: Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: Danville partially disagrees with Finding #6. The Town cannot address the practices of other entities. The Town has designated the City Clerk as the point of contact for all CPRA requests, with an alternate point of contact in the City Clerk's absence. Town staff are fully aware of the Act and have received training as to their responsibilities when records are requested.

Finding #7: Among the most valuable documents that could be included on websites are: Statements of Economic Interest, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response: Danville partially disagrees with Finding #7. The Town agrees that annual audits, agendas and supporting documents for public meetings and employment contracts are valuable documents that could and should be included on public agency websites, as the Town does. Statements of Economic Interest are among the least requested documents through CPRA requests. Entertainment activities are not reimbursable by the Town and therefore cannot be included on the Town website. Travel expenses are approved as part of the budget process and therefore would be covered under the agendas and supporting documents for public meetings.

July 16, 2014

Page 3

Grand Jury Recommendations

Recommendation #1: Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access public records.

Response: This recommendation will not be implemented because it is not warranted. Danville provides for public access to government records and information beyond state law and the California Public Records Act. Financial information, audits, meeting agendas and supporting documents and employment contracts are among the public documents readily available to the public on the Town's website. Adopting a policy similar to that of the County of Contra Costa would not change the Town's practice of being as transparent as possible.

Recommendation #2: Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response: Danville has implemented this recommendation. Staff who are responsible for responding to Public Records Act requests undergo regular training on the subject matter.

Recommendation #3: Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings

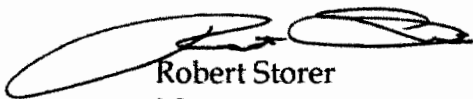
Response: This recommendation will not be implemented because it is not warranted. The Town complies fully with the CPRA. The Town currently provides considerable information via its website, including employment contracts, annual audits, and agendas and all supporting documents for public meetings on the Town website (3.b, 3.c and 3.e above). This includes a bi-monthly Register of Audited Demands that includes all Town expenses (including 3.d). Practically speaking, the Town endeavors to include information which is most frequently requested, while responding to other individual requests received in a timely manner, and within the parameters established in the CPRA.

July 16, 2014
Page 4

The Town appreciates the time and effort spent by His Honor and the Grand Jury in consideration of these matters.

Sincerely,

TOWN OF DANVILLE

A handwritten signature in black ink, appearing to read 'Robert Storer', with a large, sweeping loop on the left side.

Robert Storer
Mayor



*Letter 9/9/14
MAB
Compliance*

September 2, 2014

Mr. Stephen D. Conlon
Contra Costa County Civil Grand Jury
725 Court Street
P O Box 431
Martinez CA 94553-0091

RE: Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"

Dear Mr. Conlin:

On behalf of the City of El Cerrito, this letter serves as a response to your June 3, 2014 letter regarding Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County," by the 2013-2014 Contra Costa Grand Jury.

In accordance with your request and Section 933.05 of the California Government Code, the City is responding as required to Findings 1-7 and Recommendations 1-3 as outlined in the Grand Jury Report.

FINDINGS

1. The State of California's policy of transparency in government is embodied in the California Public Records Act.

The City of El Cerrito agrees with this finding and adds that State transparency laws are also embodied in the Ralph M. Brown Act and the Political Reform Act. Mandatory disclosure of contributions, loans and expenditures for local candidates and committees is also required under state law, creating a robust set of transparency laws and regulations for state and local government.

2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

The City of El Cerrito agrees with this finding.

3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance."

The City of El Cerrito does not have any information regarding this finding, and therefore is not in a position to agree or disagree with this finding. This finding is expressly directed to and would be most properly responded to by Contra Costa County.

4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

The City of El Cerrito does not have any information regarding this finding, and therefore is not in a position to agree or disagree with this finding. This finding is



expressly directed to and would be most properly responded to by Contra Costa County.

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

The City of El Cerrito only has knowledge of its own responses to CPRA requests and is not in a position to agree or disagree with a finding related to other agencies' practices or performance related to responses to CPRA requests. The City of El Cerrito is timely in its responses to CPRA requests.

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

The City of El Cerrito only has knowledge of its own practices and performance responding to CPRA requests and is not in a position to agree or disagree with a finding related to other agencies' practices or performance related to responses to CPRA requests. The City disagrees with this finding as it pertains to the City of El Cerrito.

7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

The City agrees with this finding.

RECOMMENDATIONS

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

This recommendation requires further analysis. The spirit of this recommendation has been implemented by the City of El Cerrito as it is the City's practice to emphasize transparency in its operations, and not only complies with state law but also often exceeds state noticing requirements and CPRA requirements. Delivering Exemplary Service and Transparency and Open Communication have been adopted as values and goals in the City's Strategic Plan. The City Council adheres strictly to Brown Act requirements and has also codified several requirements of the Brown Act into its own Municipal Code. El Cerrito's policy for noticing meetings, posting agendas, staff reports and minutes and making other documents available online exceeds the requirements stated in the Brown Act and CPRA.

2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act



requests.

The City of El Cerrito has already implemented this recommendation.

3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:
 - a. Statements of Economic Interests
 - b. Employee Contracts
 - c. Annual Audits
 - d. Travel and Entertainment reimbursements
 - e. Agendas and supporting documents for public meetings.

The City of El Cerrito has partially implemented this recommendation. Most of the listed documents are already available on the City's website. The City is continually making more public information available online as resources allow. The City will review the list of recommended items as well as other public documents and consider making them available on the City's website.

Please do not hesitate to let me know if you have any questions or require additional information concerning the above responses. You can reach me directly at (510) 215-4302 or by email at kpinkos@ci.el-cerrito.ca.us.

Sincerely,

Karen E. Pinkos
Assistant City Manager
City of El Cerrito

cc: El Cerrito City Council
Scott Hanin, City Manager



OFFICE OF THE CITY MANAGER

David Biggs

July 22, 2014

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Grand Jury
P.O. Box 431
Martinez, CA 94553-0091

RE: Grand Jury Report No. 1405 – “The Public Records Act in Contra Costa County”

Dear Mr. Conlin:

The City of Hercules has reviewed Grand Jury Report No. 1405 – “The Public Records Act in Contra Costa County”. Required responses to Findings Nos. 1 through 7 and Recommendations Nos. 1 through 3 are provided below and meet the requirements of California Penal Code Sections 933.05(a) and 933.05(b).

FINDINGS

Finding No 1: The State of California’s policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response: *The City agrees with this finding however there are likely other statutes that relate to “transparency” in addition to CPRA.*

Finding No 2: Contra Costa County’s policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response: *The City partially agrees with this finding due to not having full knowledge of the impact of this ordinance. By partially agreeing we are assuming that the Grand Jury’s assessment is accurate.*

Finding No 3: Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response: *The City partially agrees with this finding due to not having full knowledge of the County activities in this area. By partially agreeing we are assuming that the Grand Jury’s assessment is accurate.*

Finding No 4: The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response: *The City partially agrees with this finding due to not having full knowledge of the County department report activities. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.*

Finding No 5: The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

Response: *The City partially agrees with this finding due to not having full knowledge of the other cities' reporting activities. By partially agreeing we are assuming that the Grand Jury's assessment is accurate.*

Finding No 6: Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: *The City disagrees with this finding as it relates to the City of Hercules. The City employees responsible for responding to these requests are well aware of the CPRA provisions and are committed to complying with the statutory requirements of the CPRA.*

Finding No 7: Among the most valuable documents that could be included on websites are: statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response: *The City agrees with this finding*

RECOMMENDATIONS:

Recommendation No. 1: Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public access to public records.

Response: *The recommendation requires further analysis. The City will review the provisions of the County's "Better Government Ordinance."*

Recommendation No. 2: Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response: *The City has implemented this recommendation and key personnel are trained and will continue to receive necessary training..*

Recommendation No. 3: Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statement of Economic Interests
- b. Employment Contracts

- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings.

Response: *The City agrees and has partially implemented this recommendation. Most of these public records are accessible through the City's website. Those public records currently not available on the City's website will be evaluated for inclusion.*

The Hercules City Council thanks the Grand Jury for its service. If you have any questions or need additional clarification, please do not hesitate to contact us at (510) 799-8200.

Sincerely,

David Biggs
City Manager



Issued 8/4/14
MD

City Council

Don Tatzin, Mayor
Brandt Andersson, Vice Mayor
Mike Anderson, Council Member
Mark Mitchell, Council Member
Traci Reilly, Council Member

July 7, 2014

Stephen D. Conlin, Foreperson
2013-14 Contra Costa Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

Pursuant to your June 3, 2014 letter regarding Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County" please consider this to be the City of Lafayette's response.

FINDINGS

Finding No. 1: The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA)

Response: Lafayette agrees with Finding #1.

Finding No. 2: Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response: Lafayette cannot agree or disagree with Finding No. 2. We do not have first-hand knowledge if the county transparency policy has been strengthened with the adoption of the Better Government Ordinance.

Finding No. 3: Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response: Lafayette cannot agree or disagree with Finding No. 3. We do not have first-hand knowledge regarding the county employee training program.

Finding No. 4: The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response: Lafayette cannot agree or disagree with Finding No. 4. We do not have first-hand knowledge on the county's timely and appropriate responses to CPRA requests.

Finding No. 5: The response to CPRA requests by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

Response: Lafayette cannot agree or disagree with Finding No. 5. We do not have first-hand knowledge of the timely and appropriate responses of other cities and special districts within Contra Costa County to CPRA requests.

Finding No. 6: Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: Lafayette partially disagrees with Finding No. 6. We do not have first-hand knowledge how other cities and special district deal with CPRA requests. The employees of the City of Lafayette are familiar with the Act and their responsibilities when records are requested.

Finding No. 7: Among the most valuable documents that could be included on websites are: Statement of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response: Lafayette partially agrees with finding No. 7. The city has posted Statement of Economic Interests for the City Manager, Administrative Services Director, Mayor, Councilmembers, City Attorney and Planning Commissioners, Employment Contracts for the City Manager and City Attorney, Annual Audits, and agendas and supporting documents for public meetings. Entertainment activities are not reimbursable by the City and therefore not included on the city website. Travel expenses are approved as part of the budget process and available with agendas and supporting documents.

RECOMMENDATIONS:

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City response: Agree. The Council adopted Resolution 2009-39 Implementing the Lafayette Open Government Statement and Policy on June 22, 2009, providing disclosure of key financial data and practices in a document and forum that is open and widely available to the public on the front page of the city website. Documents include:

- a. Budget information: Council resolution adopting current budget; summary of all municipal funds, fund balances, and changes; summaries of all municipal revenues and expenditures; five year forecast; graphs and charts describing budget and budget trends
- b. Salary ranges for all employees
- c. Most recent audited financial statements and auditor's letter

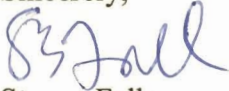
- d. Executive Management and Compensation: City manager employment agreement; Council resolutions establishing City Manager salary and (if any) bonus; base salary, benefits, and estimated total actual compensation for City Manager; base salary, benefits, and estimated total actual compensation for top five earning city employees
 - e. City Attorney contract / employment agreement; estimated and actual expenditures for City Attorney for current and prior fiscal years
 - f. Human Resources: Labor agreements, personnel rules, and all non-confidential documents controlling, prescribing, or describing rules that govern pay and benefits received by city employees
 - g. Annual conflict of interest statements of: Council Members and City Manager, Administrative Services Director, City Attorney, Council Members, Planning Commissioners
 - h. Approved whistleblower policy
 - i. Approved document retention policy
 - j. Investment policy
 - k. Employee gift acceptance policy
2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for respond to Public Records Act requests. ***City response: Agree.***
3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:
- a. Statements of Economic Interests. ***City response: Agree.***
Statements of Economic Interests for the City Manager, Administrative Services Director, City Attorney, City Council Members and Planning Commissioners are available to the public on the city webpage under Open Government.
 - b. Employment Contracts. ***City response: Agree.***
The employment contract for the City Manager and City Attorney are available on the city webpage under Open Government.
 - c. Annual Audits. ***City response: Agree.***
The Comprehensive Annual Financial Report for the Year Ending June 30, 2013 is available on the city webpage under Open Government.
 - d. Travel and Entertainment Reimbursements. ***City response: Partially agree.***
Entertainment activities are not reimbursable by the City and therefore not included on

the city website. Travel expenses are approved as part of the budget process and available with agendas and supporting documents.

- e. Agendas and supporting documents for public meetings. ***City response: Agree.***
Agendas and staff reports for public meetings are available on the city webpage.

We hope this letter is responsive to your request.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Falk", written over the printed name.

Steven Falk
City Manager

Enclosure: Resolution 2009-39 Lafayette Open Government Statement and Policy

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

A Resolution of the City Council of the)
City of Lafayette Adopting and)
Implementing the Lafayette)
Open Government Statement and Policy)

Resolution No. 2009-39

WHEREAS, the activities and employees of the City of Lafayette are funded with money provided by California's citizens and businesses;

WHEREAS, these funders have, through the democratic process, voluntarily agreed to pay earned money to the City of Lafayette with the expectation that such funds will be spent fairly, wisely, and efficiently;

WHEREAS, these funders are entitled, by ethos, practice, and law, to have access to information about how their money is spent;

WHEREAS, in recognition of the foregoing, the City of Lafayette 2009 Workplan, adopted by the City Council at its regular meeting on February 9, 2009, included implementation of the Lafayette "Open Government Statement," and directed Staff to deliver the "Open Government Statement" to the City Council annually each June;

WHEREAS, the purpose of the Lafayette Open Government Statement is to provide for the disclosure of key financial data and practices in a document and forum that is open and widely available to the public; and

WHEREAS, the goal of the Lafayette Open Government Statement is to place the City of Lafayette at the forefront of open government practices in California.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council does hereby adopt the Lafayette Open Government Statement attached hereto and incorporated herein as Exhibit "A".

Section 2. Following its adoption, the City shall post a copy of the Lafayette Open Government Statement on its website, and have a copy available for public inspection at the City offices.

Section 3. The City Council shall review the Open Government Statement annually each June, and it shall be updated as needed.

Section 4. This Resolution shall be effective immediately after its adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Lafayette at a regular meeting of said Council on June 22, 2009 by the following vote:

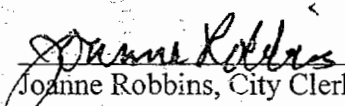
AYES: Tatzin, Andersson, Anderson and Federighi

NOES: None

ABSENT: Anduri

ABSTAIN: None

ATTEST:


Joanne Robbins, City Clerk

APPROVED:


Don Tatzin, Mayor

EXHIBIT "A"

LAFAYETTE OPEN GOVERNMENT STATEMENT

The Lafayette Open Government Statement will include the following:

1. Finance
 - 1.1 Council resolution adopting current budget
 - 1.2 Summary of all municipal funds, fund balances, and changes
 - 1.3 Summaries of all municipal revenues and expenditures
 - 1.4 Five year forecast
 - 1.5 Graphs and charts describing budget and budget trends
 - 1.6 Salary ranges for all employees
 - 1.7 Most recent audited financial statements and auditor's letter
2. Executive Management and Compensation
 - 2.1 City manager employment agreement
 - 2.2 Council resolutions establishing City Manager salary and (if any) bonus
 - 2.3 Base salary, benefits, and estimated total actual compensation for City Manager
 - 2.4 Base salary, benefits, and estimated total actual compensation for top five earning city employees
 - 2.5 City Attorney contract / employment agreement
 - 2.6 Estimated and actual expenditures for City Attorney for current and prior fiscal years
3. Human Resources
 - 3.1 Labor agreements, personnel rules, and all non-confidential documents controlling, prescribing, or describing rules that govern pay and benefits received by city employees.
4. Good Government
 - 4.1 Annual conflict of interest statements of Council Members and City Manager required by State of California
 - 4.2 Approved whistleblower policy
 - 4.3 Approved document retention policy
 - 4.4 Investment policy
 - 4.5 Employee gift acceptance policy



City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394

(925) 372-3505
FAX (925) 229-5012

July 18, 2014

2013-2014 Contra Costa County Civil Grand Jury
Attn: Stephen Conlin, Foreperson
725 Court Street
P. O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin:

On behalf of the Martinez City Council, this letter responds to Contra Costa County Grand Jury Report: "The Public Records Act in Contra Costa County," (Report 1405). The City Council authorized this response at its meeting on July 16, 2014.

According to page 6 of the Report, the City of Martinez is required to respond to Findings 1 through 7 and Recommendations 1 through 3. Pursuant to California Penal Code Section 933.05, the City will respond to each finding and to each recommendation individually.

CITY'S RESPONSES TO GRAND JURY FINDINGS 1-7

GRAND JURY FINDING #1

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

City Response: With the information provided by the Grand Jury Report # 1405, the City agrees with this finding.

GRAND JURY FINDING #2

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

City Response: With the information provided by the Grand Jury Report # 1405, the City agrees with this finding.

GRAND JURY FINDING #3

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

City Response: With the information provided by the Grand Jury Report # 1405, the City agrees with this finding.

ROB SCHRODER, MAYOR

GRAND JURY FINDING #4

The response to CPRA requests by departments reporting to the Board of Supervisors is general timely and appropriate.

City Response: With the information provided by the Grand Jury Report # 1405, the City agrees with this finding.

GRAND JURY FINDING #5

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

City Response: The City partially disagrees with the finding. While the information in Grand Jury Report # 1405 provides empirical data of uneven responses by cities and special districts within the County, the City of Martinez is consistent in its timely responses to CPRA requests.

GRAND JURY FINDING #6

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

City Response: The City partially disagrees with the finding. While the information in Grand Jury Report # 1405 provides empirical data of uncertainty from cities and special districts within the County about which staff person should respond to a CPRA request, the City of Martinez has a specific and constant approach when responding to CPRA requests.

GRAND JURY FINDING #7

Among the most valuable documents that could be included on websites are: Statements of Economic Interest, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

City Response: The City agrees with this finding.

CITY'S RESPONSES TO GRAND JURY RECOMMENDATIONS 1-3**GRAND JURY RECOMMENDATION #1**

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City Response: The recommendation requires further analysis. The analysis will include review of the Ordinance, costs, and applicability to the City. The City will consider this issue by November 2014.

GRAND JURY RECOMMENDATION #2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

City Response: The recommendation requires further analysis. City staff is knowledgeable with the process of responding to Public Records Act requests. The Deputy City Clerk who is responsible for managing the Public Records Requests completes training through the California City Clerks Association and Northern City Clerks Association. However, the City will consider if additional training is necessary for other employees by November 2014.

GRAND JURY RECOMMENDATION #3

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites.

- a. Statement of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings

City Response: The recommendation has been partially implemented. The City's website currently has the annual audits, agendas and supporting documents available online. While the other documents are available through regular PRA requests, the City will consider making those documents available online.

Sincerely,



Robert Schroder
Mayor, City of Martinez

Cc: City Council

Anna Gwyn Simpson, Interim City Manager
Jeffrey Walter, City Attorney
Alan Shear, Assistant City Manager
Mercy Cabral, Deputy City Clerk



Town of Moraga

TOWN MANAGER

*Issued
9/3/14
RMS*

Amphure

August 27, 2014

Mr. Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Via US Mail and Electronic mail: clope2@contracosta.courts.ca.gov

SUBJECT: TOWN OF MORAGA RESPONSE TO GRAND JURY REPORT NO. 1405, "THE PUBLIC RECORDS ACT IN CONTRA COSTA COUNTY" BY THE 2013-2014 CONTRA COSTA COUNTY GRAND JURY

Dear Jury Foreperson Conlin:

The Town of Moraga provides this response to Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County" pursuant to your June 3, 2014 letter and California Penal Code Section 933.05.

According to page 1 of the report, the Town of Moraga is required to respond to Findings 1 through 7 and Recommendations 1 through 3.

RESPONSES TO GRAND JURY FINDINGS 1-7:

In compliance with Section 933.05(a), The Town of Moraga responds to each of the report's findings as follows:

GRAND JURY FINDING #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

RESPONSE: The Town of Moraga does not have detailed information on the extent to which this policy has been implemented and is not able to provide an informed response to this finding.

GRAND JURY FINDING #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

RESPONSE: The Town of Moraga has no information regarding this finding with respect to the County and cannot provide an informed response. The Town of Moraga, however, understands and also provides periodic training of its employees who are in positions most likely to receive Public Records Act requests.

GRAND JURY FINDING #4:

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

RESPONSE: The Town of Moraga has no information regarding this finding and cannot provide an informed response. The Town endeavors to meet all prescribed deadlines for Public Records Act requests.

GRAND JURY FINDING #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

RESPONSE: The Town of Moraga does not have any information regarding this finding as it pertains to other cities and special districts and cannot provide an informed response. The Town of Moraga, however, endorses governmental transparency and works to respond to all requests in a timely manner.

GRAND JURY FINDING #6:

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

RESPONSE: The Town of Moraga disagrees with this finding as it pertains to Moraga. Moraga employees are training on CPRA and it is a core value of the organization. The Town of Moraga has no information regarding this finding as it pertains to other cities and special districts and cannot provide an informed response.

GRAND JURY FINDING #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

RESPONSE: The Town of Moraga agrees with this finding.

RESPONSES TO GRAND JURY RECOMMENDATIONS 1-3:

In compliance with Section 933.05(b), the Town of Moraga responds to each of the report's recommendations as follows:

GRAND JURY RECOMMENDATION #1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

RESPONSE: The Town of Moraga has already prioritized transparency and access to public information. The Town already complies with many of the provisions of the Better Government Ordinance in its regular and routine procedures for implementing the California Public Records Act, including providing information on the Town Website as described below.

GRAND JURY RECOMMENDATION #2:

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

RESPONSE: The Town of Moraga has implemented this recommendation. The Town Clerk's office provides training to all employees who handle Public Records Act requests.

GRAND JURY RECOMMENDATION #3:

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interest
- b. Employee Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings

RESPONSE: The Town of Moraga has partially implemented this recommendation.

- a. Statements of Economic Interest filed for all 87200 filers are available through the Town Clerk's Department and on the FPPC's website.
- b. All employment contracts requiring Town Council approval are available on the website as part of the supporting documents to an agenda.
- c. The Town maintains the three most recent financial audits on its website, including the most current annual Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2013, as well as the Town's Adopted Budgets for the current year and past two years.
- d. Travel and entertainment reimbursements are not posted on the Town's website. However, in each Town Council agenda, the bi-weekly report of payments processed through the Town include any and all payment for travel and entertainment reimbursements. In addition, the annual Adopted Budget contains the authorized amount of funding allocated for travels and meetings which is reviewed at a public meeting. All specific travel expenditures are made available upon request.
- e. Public meeting agendas, supporting documents, summary of Council actions and minutes are available on the Town's website. As of January, 2013, the Town began uploading the Town Council audio recordings of all Council meetings to the website.

I appreciate the opportunity to provide this response. Please feel free to contact me for additional information regarding the Town's response at 925-888-7022. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Keimach", with a large, stylized flourish extending to the right.

Jill Keimach
Town Manager



logged in
7/15
MA

3231 Main Street
Oakley, CA 94561
925 625 7000 tel
925 625 9859 fax
www.ci.oakley.ca.us

July 9, 2014

MAYOR
Randy Pope

VICE MAYOR
Doug Hardcastle

COUNCILMEMBERS
Diane Burgis
Kevin Romick
Carol Rios

Stephen D. Conlin, Foreperson
CONTRA COSTA CIVIL GRAND JURY
P.O. Box 911
Martinez, CA 94553-0091

Attn: clope2@contracosta.courts.ca.gov

Subject: Civil Grand Jury Report 1405, "The Public Records Act In Contra Costa County"

Mr. Conlin:

This letter is in response to this Grand Jury report regarding the California Public Records Act. Our letter is consistent with Section 933.05 of the California Penal Code and includes the requested responses to the Grand Jury findings and recommendations on this topic.

Finding #1 – The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

City Response: *The City agrees. There are likely other statutes that also relate to transparency in addition to CPRA.*

Finding #2 – Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance

City Response: *Due to not having full knowledge of the impact of this Ordinance, the City can only partially agree with this finding - by partially agreeing we are assuming that the Grand Jury's assessment is accurate.*

Finding #3 – Contra Costa County's conducts periodic training of its employees regarding how to respond to request under the CPRA and the Better Government Ordinance.

City Response: *Due to not having full knowledge of the County's activities in this area, the City can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.*

Finding #4 – The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

City Response: Due to not having full knowledge of the County departments reporting activities, the City can only partially agree with this finding - with the assumption that the Grand Jury's assessment is accurate.

Finding #5 – The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have delayed responses or fail to respond entirely.

City Response: Due to not having full knowledge of the other cities' reporting activities, the City can only partially agree with this finding – by partially agreeing we are assuming that the Grand Jury's assessment is accurate.

Finding #6 – Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

City Response: The City disagrees with this finding if it is applied to Oakley. The City employees responsible for responding to these requests are well aware of the CPRA provisions and complies.

Finding #7 – Among the most valuable documents that could be included on the websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

City Response: The City agrees that these are very valuable documents to have available for online public review.

Recommendation #1 – Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City Response: The City will review more closely the provisions of the County's "Better Government Ordinance," though a quick review indicates that the City is already implementing many of its provisions.

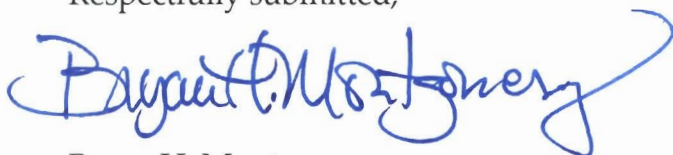
Recommendation #2 – Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

City Response: The City has implemented this recommendation and key personnel are trained and will continue to receive training related to CPRA.

Recommendation #3 – Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites.

***City Response:** The City has implemented this recommendation and these public records are accessible through the City's website link to our online public document retrieval system (ImageSilo).*

Respectfully submitted,

A handwritten signature in blue ink, reading "Bryan H. Montgomery". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Bryan H. Montgomery
City Manager



22 orinda way • orinda • california • 94563

*Typed 9/9/11 mms
Complere*

September 2, 2014

Stephen D. Conlin
Contra Costa Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553

Via email: clope@contracosta.courts.ca.gov

Subject: Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"

Dear Mr. Conlin,

This letter is in response to Grand Jury Report 1405 regarding the Public Records Act in Contra Costa County. Below you will find the City of Orinda's responses to the report's findings and recommendations.

Finding: 1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

City Response: Agree with finding

Finding: 2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

City Response: Agree with finding

Finding: 3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

City Response: Not Applicable. The City of Orinda does not have knowledge of the County's training program.

Finding: 4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

City Response: Not Applicable. The City of Orinda does not have knowledge of activities of departments reporting to the Board of Supervisor.

General Information
(925) 253-4200 (ph)
(925) 254-9158 (fax)

Administration
(925) 253-4220 (ph)
(925) 254-2068 (fax)

Planning
(925) 253-4210 (ph)
(925) 253-7719 (fax)

1 Parks & Recreation
(925) 254-2445 (ph)
(925) 253-7716 (fax)

Police
(925) 254-6820 (ph)
(925) 254-9158 (fax)

Public Works
(925) 253-4231 (ph)
(925) 253-7699 (fax)

Finding: 5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

City Response: Partially not applicable, partially agree and partially disagree with finding. The City of Orinda does not have knowledge of the responsiveness of other agencies. The City of Orinda responds to all CPRA requests within the requirements of the law.

Finding: 6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

City Response: Partially not applicable, partially agree and partially disagree with finding. The City of Orinda does not have knowledge of other agencies' familiarity with the CPRA. City of Orinda staff are well versed in the CPRA provisions and adhere to them.

Finding: 7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

City Response: Agree with finding

RECOMMENDATIONS

Recommendation: 1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City Response: The City of Orinda already follows many of the provisions in the Contra Costa County Better Government Ordinance as part of the City's compliance with the California Public Records Act.

Recommendation: 2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

City Response: The City currently provides guidance to employees on the CPRA and tracks CPRA requests. The City of Orinda does not plan to implement a more formal training on the CPRA.

Recommendation: 3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings.

City Response:

The recommendation has been partially implemented. Currently the City has available on its website items B through E of the Grand Jury's recommendation. The City plans on providing the link to the Fair Political Practices Commission (FPPC) to review City of Orinda 87200 filers Statements of Economic Interest in the near future. The City of Orinda is also making an effort to make more documents readily available in the future.

Please feel free to contact me for additional information regarding the City's response at 925-253-4220

Sincerely,



Janet Keeter, City Manager

Cc: Orinda City Council

Attachments: - Letter from Contra Costa County Grand Jury dated June 3, 2014
- Contra Costa County Grand Jury Report "The Public Records Act In Contra Costa County" (Number 1405)



CITY OF PINOLE

City Manager's Office

2131 Pear Street
Pinole, CA 94564
Phone: (510) 724-8933
FAX: (510) 724-9826
www.ci.pinole.ca.us

August 20, 2014

Mr. Stephan D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
PO Box 431
Martinez, CA 94553-0091

Also sent via email: clope2@contracosta.courts.ca.gov

Re: Contra Costa County Grand Jury Report 1405: "The Public Records Act in Contra Costa County"

Dear Mr. Conlin:

We are in receipt of your Contra Costa County Grand Jury Report 1405: "The Public Records Act in Contra Costa County" and this letter outlines our response to the findings and recommendations that are outlined in the report in accordance with California Penal Code Section 933.05.

The City of Pinole appreciates the work that the Grand Jury undertook, and we generally agree with the statements in the Report that we are cognizant and wholeheartedly agree with the need for transparency and open government, and on-going training related to ethics, conflict of interest, and compliance with the Public Records Act.

GRAND JURY FINDINGS SPECIFIC TO THE CITY OF PINOLE

- **Finding Number 1**

"The State of California's policy of transparency in government is embodied in the California Records Act."

Response: The City of Pinole agrees with this finding.

- **Finding Number 2**

"Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance".

Response: The City of Pinole agrees with this finding that the Better Government Ordinance was adopted by Contra Costa County with the goal of strengthening transparency. It appears from your report, from reading the County ordinance and from our experience with accessing information on the web that the goal has been accomplished.

- **Finding Number 3**

“Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance”.

Response: The City of Pinole agrees with this finding, and has reviewed the Better Government Ordinance (BGO) and also viewed the County on-line video regarding the Brown Act. The City Attorney and City Clerk will develop and conduct a training program for employees within the next several months.

- **Finding Number 4**

“The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate”.

Response: The City of Pinole agrees with the finding, as represented in the BGO Section 25-4.204, stating that a one-day initial response is extremely responsive. While the City of Pinole currently attempts to make initial contact within a day or two, it is not always possible for a small agency with limited staffing.

- **Finding Number 5**

“The response to CPRA by cities and special districts within Contra Costa County is uneven. Some cities are responsive, while others have delayed responses or fail to respond entirely”.

Response: The City of Pinole disagrees with this finding as it pertains to Pinole, and does not have information to be able to make an informed response regarding the timeliness of other agency responses. Public records request officially filed with the City Clerk are logged, tracked, and disseminated to the correct staff in order to be responsive to the requestor in a timely manner.

- **Finding Number 6**

“Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested”.

Response: The City of Pinole generally agrees with this finding, but does not have knowledge of other agencies familiarity with the Act and their responsibilities.

- **Finding Number 7**

“Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings”.

Response: The City of Pinole agrees with this finding with respect to most items listed in Finding 7. The listed documents, as well as campaign finance reports, and annual budgets are available on the City of Pinole website, with the exception of Entertainment reimbursements. Our officials do not receive reimbursement for Entertainment. Reimbursements to staff and officials are part of the warrant lists approved by the City Council and available on the website in the Agenda supporting documents for each Council meeting.

GRAND JURY RECOMMENDATIONS SPECIFIC TO THE CITY OF PINOLE

- **Recommendation Number 1**

“Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records”.

Response: The City of Pinole currently complies with all aspects of the California Government Code Chapter 6250-6270 - Public Records Act and has a Public Records request form with information on the City website. However, the City does agree with the recommendation and believes there is always room to improve, and will implement a procedures paper to enhance the level of information to the public regarding obtaining records by the end of the year. The City also has a portal available in City Hall to view Council ordinances, resolutions, meeting minutes, and building permits.

- **Recommendation Number 2**

“Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests”.

Response: The City of Pinole agrees with the recommendation. The City Attorney and City Clerk will provide training to all employees who handle public records.

- **Recommendation Number 3**

“Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites”:

- A) Statement of Economic Interests
- B) Employment Contracts
- C) Annual Audits
- D) Travel and Entertainment reimbursements
- E) Agendas and supporting documents for public meetings

Response: This recommendation has already been implemented in the City of Pinole; most all of these documents and numerous other documents are available to the public on the City website, as discussed below:

- 1. The City had included the Form 700 Statement of Economic Interest for all 87200 Code filers (Council, Treasurer, City Manager, City Attorney and Planning Commissioners) on the website. Interested parties are directed to the City Clerk's office to review Form 700 form for all individual filing in Pinole, and are available for immediate review with a binder at the counter available upon request.**
- 2. The City Manager's contract is available for review on the City website. All other contracts are available upon request.**
- 3. The annual Comprehensive Annual Financial Report (CAFR) for FY 2012/13 is on the City's website, along with special audits of Measure S sales tax measure for the years of 2010 – 2013, and budgets for current fiscal year and the past six years.**
- 4. The City of Pinole does not have an Entertainment budget, and travel / training reimbursements are not posted on the City's website, but all reimbursements are found on the Warrant Lists which are part of the supporting documents for Council agendas. The City budget contains the annual amount of funding allocated for travel and training, and is reviewed at a public meeting prior to adoption. The City of Pinole has severely cut travel and training in the past six years and many expenses incurred by the City Council associated with the office, are paid for by the council member directly and are not reimbursable.**
- 5. Public meeting agendas, supporting documentation and minutes for the past two years are available on the City website. An on-demand video library of meetings for the same period is also available for public review via the website at http://www.ci.pinole.ca.us/admin/meeting_agendas.html**

In closing, I would like to thank the Grand Jury again for their efforts with these municipal service reviews and annual reports. I hope that this response meets the expectations of the Grand Jury and that transparency in local government continues to be a focal point.

Respectfully Submitted,



Peter Murray

Mayor Pro Tem of the City of Pinole

C Stephen Conlin, Contra Costa County Grand Jury Foreperson
Pinole City Councilmembers
Belinda B. Espinosa, City Manager
Ben Reyes, City Attorney



City of Pittsburg

65 Civic Avenue • Pittsburg, California 94565

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7/1/14

June 27, 2014

Stephen D. Conlin, Foreperson
Contra Costa Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553

RE: City of Pittsburg Response to Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County"

Dear Mr. Conlin,

As requested, the following is in response to Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County" in the format you have requested. Please note that because many of the Grand Jury's findings are general and not necessarily specific to the City of Pittsburg, we do not have a basis to agree or disagree on many findings since we do not all have all of the information to review from the cities/agencies in Contra Costa County as the Grand Jury did when they prepared the report.

List of Findings

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

City of Pittsburg Response: (1) Agree with the finding.

2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

City of Pittsburg Response: (2) Disagrees with the finding. Adoption of an ordinance by an agency is unnecessary. The CRPA is sufficient to allow full transparency in government if followed correctly. Also, the City of Pittsburg does not receive County ordinances and cannot make a judgment call as to whether or not this document would strengthen a state law, or whether or not it has strengthened Contra Costa County's policy of transparency in government.

3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

City of Pittsburg Response: The City of Pittsburg cannot comment on this finding as we have no way of knowing whether or not the County conducts such training. The City of Pittsburg DOES conduct bi-annual training of each department on the CPRA. The City Clerk, along with City Attorney staff, attends departmental meetings bi-annually and as needed to review our procedures. Pittsburg Administrative Order No. 039 – Policy Directive Regarding Procedures for Public Records Act Requests was issued in January 2008. A copy is attached. Administrative Orders are also available on our website.

4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

City of Pittsburg Response: The City of Pittsburg cannot comment on this finding as we have no way of knowing whether or not this is a true statement.

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed responses (sic) or fail to respond entirely.

City of Pittsburg Response: The City of Pittsburg cannot comment on this finding because we have not been given documents supporting this assertion. It would be helpful to see back-up to the Grand Jury's report.

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

City of Pittsburg Response: The City of Pittsburg cannot comment on this finding as we have no way of knowing whether or not some cities and special districts are unfamiliar with the CPRA. City of Pittsburg employees are fully aware of the CPRA and our policy for records requests.

7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursement, and agenda and support documents for public meetings.

City of Pittsburg Response: (1) The respondent agrees with the finding.

List of Recommendations

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City of Pittsburg Response: (4) The recommendation will not be implemented because it is not warranted or is not reasonable. The City of Pittsburg believes the CPRA is sufficient to allow full transparency in government if followed correctly. Adoption of an ordinance by an agency is unnecessary.

2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

City of Pittsburg Response: (1) The recommendation has been implemented. The City of Pittsburg has determined that it is necessary to train all staff members within each department on the proper way to respond to CPRA's, as any staff member may be asked for public records. We began training staff in 2006 and created our Administrative Policy 039 - Policy Directive Regarding Procedures for Public Records Act Requests which was issued in January 2008. Since that time the City Clerk and staff from the City Attorney's office has met with each department on a bi-annual basis, or as needed, for CPRA training.

3. Cities and special districts should consider making certain public records that are clearly disclosable under CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertaining reimbursements
- e. Agenda and supporting documents for public meetings

City of Pittsburg Response: (1) The recommendation has been implemented. The City of Pittsburg makes all of the above, with the exception of Statements of Economic Interests, available on our website. Our website contains a portal to our Electronic Document Management System (EDMS) and allows the public to obtain resolutions, ordinances, minute orders, contracts, minutes, etc. as well as full agenda packets for all public meetings. This has been functional and available to the public since 2005. City Council and Planning Commission meetings are video-streamed and archived meetings are also available.

Thank you for providing us the opportunity to respond to the Grand Jury's findings and recommendations. If you have any questions, please call me at (925) 252-4923 or Alice Evenson, City Clerk, at (925) 252-4870.

Sincerely,



Joe Sbranti
City Manager

cc: City of Pittsburg Council Members



Approved by Marc S. Grisham
City Manager

Subject: Policy Directive Regarding Procedures for Public Records Act Requests

Purpose:

This policy provides to all City staff the information and tools necessary to effectively respond to public records act requests in a timely manner.

The California Public Records Act ("CPRA") serves an important purpose, and the City has an excellent record of responding to requests for public information in a timely manner. Recently, the quantity and scope of CPRA requests submitted to the City have increased substantially. The goal of this Policy Directive is to ensure that each request is handled in a timely, comprehensive and coordinated manner.

Overview

The CPRA (Government Code Section 6250 *et seq.*) is California's version of the federal Freedom of Information Act. The CPRA requires the City to make public records available for inspection or duplication upon request. A public record includes "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained" by the City.¹ Virtually every document to which you have access as a City employee may be a public record.

However, certain public records are exempt from disclosure under the CPRA.² The majority of the exemptions were formulated to protect the privacy of individuals and confidential materials. Any decision to withhold or otherwise deny access to records responsive to a CPRA request must be made by the City Clerk's Office.

The City is required to make copies of records "promptly available" to a requester upon payment of fees for photocopying, if applicable. The CPRA requires the City to respond to a request for records within 10 calendar days.³ It should be noted that the City is not required to *produce* the responsive documents within 10 days. The City has a standard response letter for CPRA requests that complies with the requirements of the CPRA.

¹ Government Code Section 6252(e).

² See Government Code Section 6254.

³ Government Code Section 6253(c).

Frequently Asked Questions

Can we require a requesting party to use the City's standard CPRA request form?

No. A valid CPRA request may be made orally or in writing. The request may be made by letter, via email, by telephone, in person, or by any other means. The City's standard CPRA request form is on file with the City Clerk and available on the City's website. City staff should *encourage* a requesting party to utilize the City's standard request form, but the City cannot require a written request. City staff may not limit access to public records based upon the identity or purpose of the requesting party.

Does the City have a duty to assist the requesting party?

Yes. The City has an affirmative duty under the CPRA to help a requesting party identify the records responsive to a CPRA request. City must provide suggestions for overcoming any practical obstacles regarding access to the records or information sought. For example, City staff may be required to identify and help a requesting party access documents maintained electronically, off-site or on microfiche.

May the City charge for copies under the CPRA?

Yes. The City may require the payment of fees covering the "direct costs of duplication" prior to the production of responsive documents. Under the CPRA, the City may not charge a requesting party for staff time used to locate documents or process the request. The City Council established the City's standard copy fees by resolution. Please contact the City Clerk's office for information related to specific copy charges.

What if the City has no documents responsive to the request?

The requesting party should be notified that the City has no responsive documents. In certain situations, this may be an appropriate time to "assist the requestor" in an effort to identify documents in the City's possession. Under no circumstances does the CPRA require the City to create a new document to respond to a request.

Processing A Request

Certain requests may be handled informally by City staff. Requests for Ordinances, Resolutions, Municipal Code Sections, finalized agenda items, building permits, business licenses and minutes from City Council meetings may be filled by staff after department head notification. All other CPRA requests must follow three easy steps:

1. Reduce the request to writing: Ideally, a requesting party will fill out the City's standard CPRA request form. If the request is made orally, offer to provide the City's standard form and encourage the requesting party to fill it out. If the requesting party is unwilling to reduce its CPRA request to writing, document the request to the best of your ability on the City's standard form. Staff should thereafter send a written confirmation of the oral request

to the requesting party. This gives the requesting party the ability to correct any misunderstandings related to its request and provides the City with written confirmation of the request.

2. Contact the City Clerk's Office. The City Clerk's office is responsible for coordinating and tracking all CPRA requests received by the City. Upon receipt, immediately date-stamp and hand deliver a copy of the CPRA request to the City Clerk. The City Clerk's office will thereafter coordinate the 10 day written response to the requesting party, City Attorney review of the responsive documents (if necessary) and production of the responsive documents. All 10 day response letters must be delivered under the City Clerk's signature. In the event that a requesting party seeks the inspection of documents, the City Clerk's office will coordinate use of a conference room or other suitable area for the document review. Under no circumstances is a member of the public allowed access to an employee work area to review documents responsive to a CPRA request. Any decision to deny access to City records must be made in writing by the City Clerk's office.

3. Gather the Responsive Documents. Upon direction from the City Clerk's office, City staff should begin to gather the documents responsive to the request. The City Records Manager will coordinate with staff to identify the most practical and efficient method for document collection. Requests that seek a large volume of documents or oversized documents may require additional attention and facilities. Do not produce documents responsive to a CPRA request without authorization from the City Clerk's office.

Compliance with this Policy Directive will ensure that all City document requests are handled in a timely, comprehensive and coordinated manner in compliance with the requirements of the CPRA. If you have any questions related to this Policy Directive, please contact the City Clerk's office.



City of Pleasant Hill



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7/23

MM

July 8, 2014

John T. Laettner, Judge of the Superior Court
Stephen D. Conlin, 2013-2014 Civil Grand Jury Foreperson
A. F. Bray Courthouse
1020 Ward Street
Martinez, CA 94553

RE: City of Pleasant Hill's Response to Report "The Public Records Act In Contra Costa County" (Number 1405)

Dear Judge Laettner and Foreperson Conlin:

In May 2014, the 2013-2014 Contra Costa Civil Grand Jury (Grand Jury) issued a report (number 1405) entitled "The Public Records Act In Contra Costa County." Below find the City of Pleasant Hill's (City) responses to the report's findings and recommendations.

FINDINGS

Finding: 1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

City Response: Agree: The City agrees that the State's policy of transparency in government is embodied in the California Public Records Act, the Ralph M. Brown Act, and other legislation and policy documents.

Finding: 2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

City Response: Agree

Finding: 3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

City Response: Agree

Finding: 4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

City Response: N/A. The City has not conducted its own research, nor does the Grand Jury report contain sufficient information and analysis, to enable the City to form an opinion on this finding.

Finding: 5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

City Response: N/A. The City has not conducted its own research, nor does the Grand Jury report contain sufficient information and analysis, to enable the City to form an opinion on this finding.

Finding: 6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

City Response: N/A. The City has not conducted its own research, nor does the Grand Jury report contain sufficient information and analysis, to enable the City to form an opinion on this finding.

Finding: 7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

City Response: Agree

RECOMMENDATIONS

Recommendation: 1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

City Response: The recommendation requires further analysis. Transparency and access to public information are priorities of the members of the Pleasant Hill City Council and staff. Indeed, one of the tasks specifically enumerated in the City Council goals, most recently updated in February 2014, is the following: "Ensure that the City has the highest level of transparency by providing training and communications for City staff, Commissioners and City Council

with regard to the Brown Act, Public Records Act, Political Reform Act and any other related State or Federal laws." The Council and staff continually explore new policies and methods, including those embodied in the Better Government Ordinance, to increase transparency and access in Pleasant Hill. The City already adheres to many of the provisions of the Better Government Ordinance as part of the City's routine procedures for implementing the California Public Records Act.

Recommendation: 2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

City Response: The recommendation has been implemented. The City recently updated its documentation of its internal process for responding to Public Records Act requests and communicated the process to staff.

Recommendation: 3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings.

City Response: The City is continually making more public information available on its website. The City will review the list of recommended items above as well as other public documents and consider making them available on the website.

Please feel free to contact me for additional information regarding the City's response at 925-671-5204.

Sincerely,



June Catalano
City Manager

Cc: Timothy M. Flaherty, Mayor
Ken Carlson, Vice-Mayor
David E. Durant, Councilmember
Michael G. Harris, Councilmember
Jack Weir, Councilmember

Janet Coleson, City Attorney
Andrew Murray, Assistant City Manager

- Attachments: - Letter from Contra Costa County Grand Jury dated June 3, 2014
- Contra Costa County Grand Jury Report "The Public Records Act In Contra Costa County" (Number 1405)



*Typed 10/7/14
MMS
Compliance*

September 16, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

RE: City of Richmond's Response to Grand Jury Report 1405: "The Public Records Act in Contra Costa County"

Dear Foreperson Conlin:

In accordance with California Government Code Sections 933.5(a) and 933.5(b), please find below the response of the City of Richmond to the findings and recommendations of the Grand Jury. The City's response is in italics directly below each finding or recommendation.

FINDINGS

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response: The City of Richmond agrees with this finding.

2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response: The City of Richmond agrees with this finding in theory but this finding does not pertain specifically to the City of Richmond.

3. Contra Costa County conducts periodic training of its employees regarding how to respond to request for records under the CPRA and the Better Government Ordinance.

Response: The City of Richmond agrees with this finding and conducts its own training of City employees in compliance with AB 1234.

4. The response to CPRA requests by departments reported to the Board of Supervisors is generally timely and appropriate.

Response: The City of Richmond does not have personal knowledge of CPRA requests to the Board of Supervisors so the City cannot agree or disagree with this finding.

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delays response or fail to respond entirely.

Response: The City of Richmond has no knowledge regarding how responsive other entities are but the City of Richmond responds to CPRA requests in compliance with the law.

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: The City of Richmond disagrees with this finding. All CPRA requests are routed through the Richmond City Attorney's Office and assigned to attorneys who are knowledgeable of the CPRA and Richmond Municipal Code 2.40 entitled "Public Information."

7. Among the most valuable documents that could be included on website are: Statements of Economic Interest, Employment Contracts, Annual Audits, Travel and Entertainment Reimbursements, and agendas and supporting documents for public meetings.

Response: The City of Richmond agrees with this finding.

RECOMMENDATIONS

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

The recommendation has been implemented. The City of Richmond enacted Richmond Municipal Code Chapter 2.40 entitled "Public Information" which expands the access to public records beyond what is required under the CPRA.

2. Cities and special districts in Contra Costa should arrange for periodic training of employees who are responsible for responding to Public Records Requests.

The recommendation has been implemented. The City of Richmond conducts training to employees biennially who are responsible for responding to Public Records requests or who are involved in the process in any capacity.

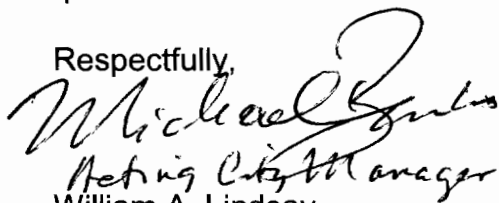
3. Cities and special districts should consider making certain public records, that are clearly disclosable under the CPRA, available on their websites;
 - a. Statement of Economic Interest
 - b. Employment Contracts
 - c. Annual Audits
 - d. Travel and Entertainment reimbursements
 - e. Agendas and supporting documents for public meetings

The recommendation has been implemented in part. The City of Richmond currently makes all annual audits and agenda and supporting documents for public meetings available online and is in the process of placing all Statements of Economic Interest online as well. The City will look into the possibility of putting employment contracts and travel/entertainment reimbursements online in the future.

The Richmond City Council reviewed and approved this response at their meeting of September 16, 2014.

Thank you for the opportunity to respond on this very important issue. Please contact me at (510) 620-6512 or at bill_lindsay@ci.richmond.ca.us if you have any additional questions.

Respectfully,



William A. Lindsay

City Manager

cc: Gayle McLaughlin, Mayor
Bruce Reed Goodmiller, City Attorney
Lisa Stephenson, Human Resources Director

logged 9/19/14
MPS
Compliance



CITY OF SAN PABLO
City of New Directions

September 2, 2014

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091
Email: clope2@contracosta.courts.ca.gov

Via Email and First Class Mail

**SUBJECT: CITY OF SAN PABLO RESPONSE TO GRAND JURY REPORT
NO. 1405, "THE PUBLIC RECORDS ACT IN CONTRA COSTA
COUNTY"**

Dear Jury Foreperson Conlin:

The City of San Pablo provides this response to Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County." in accordance with California Penal Code Section 933.05.

GRAND JURY FINDINGS SPECIFIC TO THE CITY OF SAN PABLO

GRAND JURY FINDING #1:

The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #2:

Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

RESPONSE: The City of San Pablo generally agrees with the concept behind this finding, but has not reviewed the County's policy.

GRAND JURY FINDING #3:

Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

RESPONSE: The City of San Pablo agrees with this finding but has no personal knowledge of the County's internal procedures.

GRAND JURY FINDING #4:

The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

RESPONSE: The City of San Pablo agrees with this finding, but has no personal knowledge of the County's response timelines.

GRAND JURY FINDING #5:

The response to CPRA by cities and special districts within Contra Costa County is uneven. Some cities are responsive, while others have delayed responses or fail to respond entirely.

RESPONSE: The City of San Pablo partially agrees with this finding based on the assumption that some cities are more responsive than others. Public record requests officially filed with the City Clerk's office in the City of San Pablo are logged, tracked and disseminated to the correct department and/or staff in order to respond in a timely manner.

GRAND JURY FINDING #6:

Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

RESPONSE: The City of San Pablo partially disagrees with this finding. While it is certainly possible that isolated employees are unfamiliar with the Act, employees in the City of San Pablo are familiar with the Act and the responsibility to timely respond to public records act requests.

GRAND JURY FINDING #7:

Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

RESPONSE: The City of San Pablo agrees with this finding with respect to most items listed in Finding #7. The listed documents, as well as campaign finance reports and annual budgets are available on the City of San Pablo's website. The City of San Pablo does not reimburse city officials or employees for "entertainment." Reimbursements to staff and officials are included in the monthly periodic reports under the Vendor Check Register Report on the city council agendas.

GRAND JURY RECOMMENDATIONS SPECIFIC TO CITY OF SAN PABLO

Recommendation No. 1:

Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records”.

RESPONSE: The recommendation requires further study. There is no indication at this time that such a policy is needed in San Pablo. The City of San Pablo currently complies with all aspects of the Public Records Act. The City believes there is always room to improve in order to expand public access. The City has a Public Records Request Form with information on the City website, but does not require requests to be filed on such form. Public records requests are often emailed and responded to via email. The City publishes its city council meeting minutes and various other important documents on its website; is considering providing a kiosk at City Hall; and will make resolutions and ordinances available on the City website in order to enhance the level of information available to the public. The City will consider the need for a policy similar to the County policy by the end of the fiscal year.

Recommendation Number 2

Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

RESPONSE: The City of San Pablo agrees with and will implement the recommendation. The Deputy City Clerk will provide training to all employees who handle public records requests and look into seminars or workshops for those employees who handle public records requests to attend. Such training will occur by the end of the fiscal year.

Recommendation Number 3

Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- A) Statement of Economic Interests
- B) Employment Contracts
- C) Annual Audits
- D) Travel and Entertainment reimbursements
- E) Agendas and supporting documents for public meetings

RESPONSE: This recommendation has already been implemented in the City of San Pablo. Most of these documents and numerous other documents are available to the public on the city website, as discussed below:

- a. *The City has included the Statements of Economic Interests (Form 700) for all 87200 Code filers (City Council, City Treasurer, City Clerk, Planning Commissioners, City Attorney and City Manager). All other Form 700's are available for immediate review upon request at the counter in the City Clerk's Office.*
- b. *The City Manager's and City Attorney's contracts are viewable on the city website. All other contracts are available upon request.*
- c. *The City Financial Reports which include the City Budgets, Comprehensive Annual Financial Reports, Five Year Financial Forecast Fiscal Years 2013-2018, Financial Policies, and Single Audits are all viewable on the city website.*
- d. *The City of San Pablo does not have an Entertainment budget and travel/training reimbursements are not posted on the City's website. However, reimbursements to staff and officials are included in the monthly periodic reports under Vendor Check Register Report section of the city council agendas. The city budget contains the annual amount of funding allocated for travel and training and is reviewed at a public meeting prior to adoption.*
- e. *All public meeting agendas, supporting documentation and minutes from 2002 to present are viewable on the city website. The City of San Pablo has recently made available an on-demand video library of city council meetings beginning June 2014 for public review via the website at <http://www.sanpabloca.gov>.*

In closing, we would like to thank the Grand Jury again for their efforts with these municipal service reviews and annual reports. We hope that this response meets the expectations of the Grand Jury and that transparency in local government continues to be a focal point.

We appreciate the opportunity to provide this response. If you have any questions, please contact me at (510) 215-3016, or Lehnny Corbin, Deputy City Clerk, at (510) 215-3005, or lehny@sanpabloca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Rodriguez', with a long horizontal line extending to the right.

Matt Rodriguez
City Manager
City of San Pablo



Agreed
9/3/14
HMS

Conlin

CITY OF SAN RAMON

2222 CAMINO RAMON
SAN RAMON, CALIFORNIA 94583
PHONE: (925) 973-2500
WEB SITE: www.sanramon.ca.gov

August 25, 2014

Contra Costa County
Mr. Stephen D. Conlin
Grand Jury
725 Court Street
PO B ox 431
Martinez, CA 94553

Mr. Conlin:

The City of San Ramon's response to Grand Jury Report No. 1405, 'The Public Records Act In Contra Costa County', due September 4, 2014, is attached.

Sincerely,


Greg Rogers
City Manager

City of San Ramon

Responses to the Findings in Grand Jury Report:

Finding No. 1: The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response: Agree

Finding No. 2: Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Cannot Agree or Disagree: San Ramon has no knowledge of the effects of this ordinance.

Finding No. 3: Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Cannot Agree or Disagree: No substantiating training information was provided.

Finding No. 4: The response to CPRA requests by departments reporting the Board of Supervisors is generally timely and appropriate.

Cannot Agree or Disagree: No substantiating information or data has been provided.

Finding No. 5: The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

Cannot Agree or Disagree as San Ramon only has knowledge of its responsiveness to CPRA.

Finding No. 6: Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the act and responsibilities of their agency when records are requested.

Cannot Agree or Disagree as San Ramon only has knowledge of its own employees' understanding of CPRA.

Finding No. 7: Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Partially agree. San Ramon posts Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings. Statements of Economic Interest are handled in accordance with FPPC regulations and State Law.

City of San Ramon

Recommendations:

1. Cities and special Districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access public records.

The recommendation will not be implemented because it is not warranted. The City promptly replies to all CPRA requests and follows State Law.

2. Cities and special Districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Implemented. The City Clerk is responsible for the receipt, monitoring, and response to all Public Records Act requests. City personnel are trained to direct all inquiries, written or verbal, to the Clerk for accurate and timely responses.

3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interest

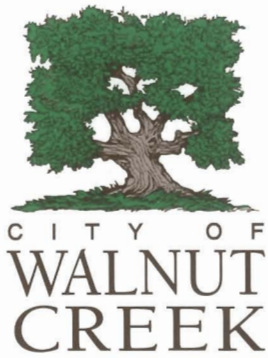
The recommendation will not be implemented because it is not warranted based on the CPRA request history of this item. All State Laws and FPPC regulations are followed.

- b. Employment Contracts Implemented

- c. Annual Audits Implemented

- d. Travel and Entertainment reimbursements Implemented

- e. Agendas and supporting documents for public meetings. Implemented



Typed 8/29
MDE

August 25, 2014

Steven D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin,

This correspondence will serve as the City of Walnut Creek's response to your June 3, 2014 letter regarding Grand Jury Report 1405 – The Public Records Act in Contra Costa County.

FINDINGS:

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).
Response: The City of Walnut Creek partially disagrees with the finding. In California, transparency in government is also promoted by open meeting laws such as the Brown Act (for local government) and the Bagley-Keene Act (for state bodies).
2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.
Response: The City of Walnut Creek does not have any information regarding this finding, and therefore, is not in a position to provide an informed response.
3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.
Response: The City of Walnut Creek does not have any information regarding this finding, and therefore, is not in a position to provide an informed response.
4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response: The City of Walnut Creek does not have any information regarding this finding, and therefore, is not in a position to provide an informed response.

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while other have a delayed responses or fail to respond entirely.

Response: The City of Walnut Creek is responsive to all California Public Records Act requests received. The City of Walnut Creek does not have any information regarding this finding as it pertains to other cities and special districts within Contra Costa County, and therefore is not in a position to provide an informed response as to those cities and special districts.

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: The City of Walnut Creek disagrees with this finding as it pertains to Walnut Creek. The City of Walnut Creek is familiar with the Act and responds appropriately when records are requested. The City of Walnut Creek does not have any information regarding this finding as it pertains to other cities and special districts within Contra Costa County, and therefore is not in a position to provide an informed response as to those cities and special districts.

7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agenda and supporting documents for public meetings.

Response: The City of Walnut Creek agrees with this finding in regards to agendas and supporting documents for public meetings, Employment Contracts and Annual Audits. In contrast, because the City of Walnut Creek infrequently receives requests for either Statements of Economic Interests or Travel and Entertainment Reimbursements, the City disagrees with the remaining portion of this finding. (Please see Response to Recommendation 3 for how the City of Walnut Creek ensures that the public has access to these records.)

RECOMMENDATIONS

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, explaining the right of the public to access to public records.

Response: Transparency and access to public information is a priority of the City of Walnut Creek. As such, the City of Walnut Creek's routine procedures for responding to Public Records Act requests are consistent with many of the provisions of the Better Government Ordinance. The City will do further research within the next six months to consider the need to adopt policies similar to the County's Better Government Ordinance.

2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act request.

Response: The recommendation has not yet been implemented, but will be implemented in the near future. The City of Walnut Creek is in the process of developing an annual training for the Public Records Act (PRA) for employees responsible for responding to PRA requests. The process is expected to be completed by March 31, 2015 with trainings beginning in April 2015.

3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:
 - a. Statements of Economic Interest
 - b. Employment Contracts
 - c. Annual Audits
 - d. Travel and Entertainment reimbursements
 - e. Agendas and supporting documents for public meetings.

Response:

The City of Walnut Creek provides Employment Contracts, Annual Audits, and Agendas and supporting documents for public meetings on its website as follows:

- Employment Contracts: The City of Walnut Creek has only one employment contract. The City Manager Employment contract is available on the City's website at: <http://www.walnut-creek.org/citygov/depts/admin/hr/labor.asp>.
- Annual Audits: The annual Comprehensive Annual Financial Reports (CAFR) for fiscal year's ending 2012 and 2013 are available on the City's website at http://www.walnut-creek.org/citygov/city_budget/default.asp as are the City's biannual Budgets for fiscal years 2006-2008; 2008-2010; 2010-2012; 2012-2014; and 2014-2016.
- Agendas and Supporting Documents for Public Meetings: Public meeting agendas and supporting documents and minutes are available on the City's website as well as an on-demand video library of meetings at <http://www.walnut-creek.org/services/citizen/granicus.asp>.

With respect to Statements of Economic Interest and Travel and Entertainment reimbursements, the City of Walnut Creek provides the public with access to this information (see information that follows). The recommendation of the Grand Jury requires further analysis; the results of this analysis will be available within six months of the date of the Grand Jury report.

- Statements of Economic Interest: At present, the City of Walnut Creek has included a statement on the website that refers interested parties to the Fair Political Practices Commission website to view the Statement of Economic Interests filed for all members of the City Council (<http://www.fppc.ca.gov/index.php?id=592>). Interested persons are directed to the City Clerk's office for immediate access to the

Form 700 files for designated staff who file a Form 700 with the City of Walnut Creek.

- Travel and Entertainment reimbursements: Currently, this information is not posted to the City's website. The 2014-2016 fiscal budget contains the amount of funding allocated for travel and meetings, and it is reviewed at a public meeting. The City's Travel and Reimbursement policy does not allow for reimbursement of "entertainment" expenses. Any entertainment expenses incurred by the City Council are paid for by the Councilmember directly and are not reimbursable. All disclosable travel expenditures are made available upon request.

The City Council approved this response at their August 19, 2014 regular meeting.

Sincerely,



KEN NORDHOFF
City Manager

Cc:

City Council
City Attorney
City Clerk



**CONTRA COSTA
WATER DISTRICT**

1331 Concord Avenue
P.O. Box H2O
Concord, CA 94524
(925) 688-8000 FAX (925) 688-8122
www.ccwater.com

ieffer
6/25
MAS

June 12, 2014

Directors

Joseph L. Campbell
President

Karl L. Wandry
Vice President

Bette Boatman
Lisa M. Borba
John A. Burgh

Jerry Brown
General Manager

Mr. Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
P.O. Box 431
Martinez, CA 94553-0091

Subject: Response to Grand Jury's Report No. 1405

Dear Mr. Conlin:

The following is Contra Costa Water District's (CCWD) response to the Grand Jury's Report No. 1405 "The Public Records Act in Contra Costa County." This letter addresses Findings 1-7 and Recommendations 1-3 of the Report, as requested.

FINDINGS

Finding #1: *The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).*

CCWD agrees with the finding.

Finding #2: *Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.*

CCWD agrees with the finding.

Finding #3: *Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and Better Government Ordinance.*

As an independent special district, CCWD is not able to agree or disagree with the County's training practices. CCWD does provide periodic training to its employees relative to the CPRA and Better Government Ordinance.

Finding #4: *The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.*

As an independent special district, CCWD is not able to agree or disagree with County departments' timeliness and appropriateness to responses for CPRA requests. CCWD does have a strong record of timely and appropriate responses to

CPRA requests, and has been awarded the Certificate of Transparency by California Special Districts Association.

Finding #5: *The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.*

CCWD cannot attest to the responsiveness of other cities and special districts. CCWD is a special district and has a strong record of timeliness and responsiveness to CPRA requests.

Finding #6: *Employees of cities and some special districts who deal with the CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.*

CCWD agrees with the finding but cannot attest to the familiarity of employees of other cities and special districts with the responsibilities of their agencies when records are requested under the CPRA. CCWD's employees are familiar with the responsibilities of the CPRA. CCWD uses its Public Affairs division as a clearinghouse for all CPRA requests to ensure a timely and appropriate response.

Finding #7: *Among the most valuable documents that could be included on websites are: Statements of Economic Interest, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.*

CCWD partially agrees with this finding. Documents available on the website versus provided on a requested basis are annotated under the response to Recommendation #3 below.

RECOMMENDATIONS

Recommendation #1: *Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access their public records.*

CCWD Code of Regulations 1.12 "Inspection of District Records" provides access to the District's records consistent with the CPRA and Better Government Ordinance.

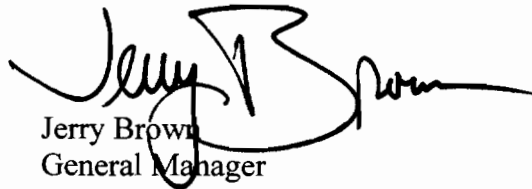
Recommendation #2: *Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.*

CCWD employees responsible for responding to CPRA requests receive training on an annual basis, and as needed to reflect any changes in practice. Additionally, all employees who may come in contact with a CPRA are regularly reminded to forward all requests to the Public Affairs division for proper tracking and disposition.

Recommendation #3: *Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:*

- a. Statements of Economic Interests – Available upon request.*
- b. Employment Contracts – Available on District website.*
- c. Annual Audits – Available on District website.*
- d. Travel and Entertainment reimbursements – Available on District website as part of agendas and supporting documents for public meetings.*
- e. Agendas and supporting documents for public meetings – Available on District website.*

Sincerely,



Jerry Brown
General Manager

JB/BJB/jc



Legged 8/4/14
MAB

**Pleasant Hill Recreation
& Park District**

July 22, 2014

ADMINISTRATION

147 Gregory Lane
Pleasant Hill, CA 94523

(925) 682-0896

(925) 682-1633 fax

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
P.O. Box 431
Martinez, CA 94553-0091

RE: Grand Jury Report No. 1405 "The Public Records Act in Contra Costa County"

Dear Foreperson Conlin:

Pleasant Hill Recreation & Park District has responded to the Grand Jury Report No. 1405 "The Public Records Act in Contra Costa County". The District's response is attached.

Please contact me at (925) 687-8610 if there are further questions. Thank you for the opportunity to respond to the Grand Jury Report No. 1405.

Sincerely,

Robert B. Berggren
General Manager

slk

Attachments

Pleasant Hill Recreation & Park District's Response to the Grand Jury Report No. 1405 "The Public Records Act in Contra Costa County"

Findings

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA). ***District Agrees with the finding.***
2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance. ***Not Applicable, District does not have information regarding Contra Costa County's Policies.***
3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance. ***Not Applicable, District does not have information regarding Contra Costa County's trainings.***
4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate. ***Not Applicable, District does not have information regarding Contra Costa County's departments.***
5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed responses or fail to respond immediately. ***District partially disagrees with the finding. Pleasant Hill Recreation & Park District responds to information requests in a timely manner. District does not have information regarding other Cities and special districts.***
6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested. ***District partially disagrees with the finding. Pleasant Hill Recreation & Park District has staff that has received training in the CPRA.***
7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings. ***District agrees with the finding.***

Recommendations

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records. ***The recommendation has already been implemented. Pleasant Hill Recreation & Park District Board of Directors approved a resolution "Recognizing the Importance of Government Transparency and Accessibility" on March 28, 2013. Resolution attached.***
2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests. ***The recommendation has already been implemented.***
3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:
 - a. Statements of Economic Interests ***The recommendation has not yet been implemented, but will be implemented by August 30, 2014.***
 - b. Employment Contracts ***The recommendation has not yet been implemented, but will be implemented by August 30, 2014.***
 - c. Annual Audits ***The recommendation has already been implemented.***
 - d. Travel & Entertainment Reimbursements ***The recommendation has already been implemented.***
 - e. Agendas and supporting documents for public meetings. ***The recommendation has already been implemented.***



Board of Directors Resolution

PLEASANT HILL RECREATION & PARK DISTRICT COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA BOARD OF DIRECTORS

IN THE MATTER OF

RESOLUTION 2013-03-28B

RECOGNIZING THE IMPORTANCE OF GOVERNMENT TRANSPARENCY AND ACCESSIBILITY

THE PLEASANT HILL RECREATION & PARK DISTRICT BOARD OF DIRECTORS DOES FIND:

WHEREAS, the California Legislature has found that access to information concerning the conduct of the people's business is a fundamental and necessary right, per California Government Code Sections 54950, et seq; and

WHEREAS, "Sunshine Week" was initiated by the American Society of News Editors to educate the public about the importance of open government; and

WHEREAS, James Madison, the father of the United States Constitution, wrote that "consent of the governed" requires that the people be able to "arm themselves with the power which knowledge gives"; and

WHEREAS, "Sunshine Week" coincides with James Madison's birthday on March 16th because he wrote the First Amendment to the U.S. Constitution that guarantees freedom of speech and press – and by extension the right and need of the people and press to know what their government is doing; and

WHEREAS, every citizen in our constitutional republic and under State Statutes has a right of open access to government meetings and public records; and

WHEREAS, an open and accessible government is vital to establishing and maintaining the people's trust and confidence in their government and in the government's ability to effectively serve its citizens; and

WHEREAS, the protection of every person's right of access to public records and notice of government meetings is a high priority of Pleasant Hill Recreation and Park District; and

WHEREAS, Pleasant Hill Recreation and Park District is committed to timely notice, openness and transparency in all aspects of its operations and seeks to set a high standard in this regard; and

TOWARD THAT END, Pleasant Hill Recreation and Park District will strive to earn the California Special District Associations (CSDA) District Transparency Certificate of Excellence, which includes some of the items listed below:

- Proof of current ethics training for all board members, timely filing of State Controller's Special Districts Financial Transactions and Compensation Report.
- Display names of board members and their terms of office, board meeting schedules, agendas, minutes, and the District's mission statement on the website, www.pleasanthillrec.com.
- Provide a regular district newsletter, website information, and email communication on the District activities and projects.

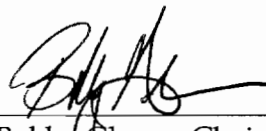
NOW, THEREFORE, Pleasant Hill Recreation & Park District commits during this Sunshine Week, March 10 – 16, commemorating the 262nd anniversary of James Madison's birth, and throughout the year 2013, to work diligently to enhance the public's access to government records and information; to increase information provided electronically and online; and to ensure that all meetings of deliberative bodies under its jurisdiction, and their committees, are fully noticed, open to the public; and that, whenever possible, audio recordings of public meetings shall be undertaken.

PASSED AND ADOPTED on March 28, 2013, by the following vote:

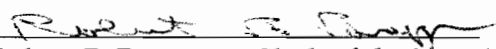
AYES: Bonato, Donaghu, Glover, Sterrett

NOES:

ABSENT: Shess


Bobby Glover, Chair

I hereby certify that the foregoing resolution was approved by the vote indicated herein above at the regular meeting of the Board of Directors on March 28, 2013.


Robert B. Berggren, Clerk of the Board