

RESOLUTION NO. 2017 – 33

**AMENDED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH
ESTABLISHING FEES AND CHARGES UNDER CALIFORNIA PUBLIC RECORDS ACT
FOR REQUESTED COPIES OF PUBLIC RECORDS**

WHEREAS,

1. In Government Code Section 6253, the California Public Records Act (“PRA”) allows the City to charge “fees covering direct costs of duplication,” when public records of the City are requested by members of the public; and
2. In City Council Resolution 2006-40, adopted on February 15, 2006, the City Council last established fees and charges for providing copies of documents under the PRA; and
3. Resolution 2006-40 fixed the fee at \$.10/page for copies and provided the option of copying the documents on to a compact disk (“CD”) for \$3.00/disk; and
3. In the intervening ten years, the technology has changed and the use of the PRA has changed with requests often seeking hundreds or thousands of pages of documents; and
4. The City Council continues to support both the letter and the spirit of the PRA by making public records readily available to members of the public, while, at the same time, allowing the City to recover the costs allowed under the PRA, when the request places a significant demand on City resources;

NOW, THEREFORE, BE IT RESOLVED:

1. There shall be no charge for copies of documents as follows:
 - a. A total of 150 pages or less printed to paper in response to a single request or in multiple requests from or on behalf of the same requestor in any consecutive three (3) month period;
 - b. Documents transferred from electronic media or scanned into a PDF format and emailed to the requestor or copied to a flash drive or other storage medium supported by the City’s computer system and supplied by the requestor, provided that the time required to scan the documents is one-half (1/2) hour or less.
2. For requests not covered by 1 above, the charge for public records is as follows:
 - a. For paper copies \$.04/page for black/white, and \$.08 for color, which includes the hourly cost to the City of the Deputy Clerk operating the copy machine (hereafter, “the Employee Cost” *see detailed formula below), which does not count the time to locate the document, remove the document from the file, prepare the document for copying, return the documents to the file and return the files to storage;

*** Regular Scan Sizes: 8.5 x 11; 8.5 x 14; 11 x 17:**

- Hourly rate of Deputy City Clerk is \$41.63
- \$41.63 divided into 60 minutes = \$0.69 cents per minute.
- \$0.69 divided into 60 seconds = \$0.01 cent per second.
- Time to copy or scan one page = 1 second
- **Total Employee Cost for Copying and Scanning = \$0.01/ page**

b. For copies scanned to a flash drive or other storage medium compatible with the City's equipment which is supplied by the requestor, \$.03/page to cover the cost of the copy machine or scanner, which includes the Employee Cost.

c. For large miscellaneous documents, plans, and maps that are not able to be copied on the 11 x 17 copier, but which can be copied in house on city equipment, \$5.00/page.

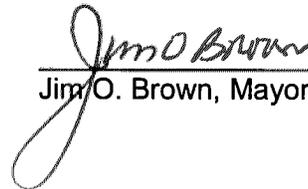
3. Where fees are required, the City can require a deposit prior to proceeding to copy or scan the documents and require full payment or make a required refund prior to furnishing the copies to the requestor.

4. Nothing in this resolution shall prevent the City Clerk from charging costs in accordance with Government Code Section 6253.9 or for the actual direct cost of making copies of documents that cannot be copied or scanned on City equipment (such as blue prints or other oversized documents) or require some other specialized copying or scanning.

5. This resolution shall become effective immediately upon its adoption and shall apply to PRA requests pending on the resolution's effective date.

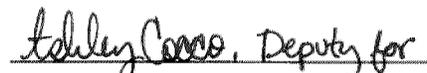
PASSED AND ADOPTED on July 5, 2017, by the following Roll Call Vote:

AYES: Councilmembers Scalmanini, Crane, Mulheren, Doble, and Mayor Brown
NOES: None
ABSTAIN: None
ABSENT: None



Jim O. Brown, Mayor

ATTEST:



Kristine Lawler, City Clerk