



Los Angeles County
Metropolitan Transportation Authority

Metro

**GENERAL MANAGEMENT
Public Document Disclosure Requests**

(GEN 12)

POLICY STATEMENT

Los Angeles County Metropolitan Transportation Authority public documents are open to inspection during regular office hours. Copies of public documents shall be provided according to the California Public Records Act (Act).

All public requests to view or receive copies of records shall be directed to the Records Management Center (RMC), which coordinates the responses to public requests. All requests to do research with transportation reference materials shall be forwarded to the MTA Research Library.

PURPOSE

This procedure is designed to ensure that records requests from the public are responded to in a manner that is efficient, consistent with the California Public Records Act, and protective of legitimately privileged or confidential information.

APPLICATION

This policy applies to all employees receiving public requests to review or obtain copies of agency records.

<i>Michelle Caldwell</i> _____ Department Head	<i>[Signature]</i> _____ APPROVED: County Counsel or N/A	<i>Arthur I. Yeahy</i> _____ ADOPTED: CEO
		Effective Date: <u>9/12/11</u>
		Date of Last Review _____



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1.0 GENERAL

All public requests for records shall be submitted to the Records Management Center (RMC). Requests received by other departments shall be immediately forwarded to the RMC for disposition.

2.0 PROCEDURES

2.1 Request for Information

A person shall request public documents from the RMC in writing, preferably using a Request for Document Disclosure Form (Attachment) or the online form that can be found on <http://www.metro.net/records>.

2.2 Receive and Log Request

The RMC receives and logs all document disclosure requests. The RMC has ten (10) days from the date the written request is received by the RMC to respond, in writing, to the Requester.

2.3 Check Availability & Contact Requester

The RMC is responsible for determining whether the requested information exists and is available. If available, the RMC sends a written response to the Requester, within ten days from receiving the request informing the Requester of:

- The status of the documents;
 - documents requested are available for release
 - documents requested are exempt from release
 - documents requested either do not exist or have been destroyed in accordance with MTA's Records Retention Policy
 - document request is too broad, unclear or has been drafted in the form of a discovery request and needs to be narrowed to readily identifiable records and record types
 - expected date of availability
 - any fees associated with the requested documents

If the requested information requires additional time to search for and/or examine, and it appears that the original ten-day response limit will be exceeded, due to "unusual circumstances" in accordance with Government Code § 6256.1, then RMC



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may notify the Requester that the response time will be extended up to an additional fourteen (14) days.

If the request is too ambiguous to fulfill, or if the document(s) requested are exempt or not a public document, the Records Manager shall explain why the request is denied or exempt from public disclosure and the names and titles of each person responsible for the denial.

2.4 Forward Request for Review & Advice by Counsel

If the RMC is unsure whether the requested document(s) are releasable public record, the request shall be forwarded to County Counsel for determination. Counsel shall then advise the RMC on whether the requested records are public documents and whether the requested records can be released or are exempt from disclosure. Copies of any requests for records pertaining to Board Members should be sent to the Board Secretary for review. County Counsel may be consulted about such requests and asked to determine whether Board records are releasable as public records.

2.5 Notify Requester of Final Determination

Once a determination has been made by RMC and County Counsel, the RMC shall notify the Requester, in writing and within the specified response time limit, of the following:

- the reasons for such determination;
- to what extent we are able to comply;
- when requested documents may be released;
- the option of viewing available requested document(s) at RMC offices during regular business hours; and
- the reproduction, shipping and handling fees
- the cost of programming time necessary to produce public records requested from a database.

2.6 Fees

Fees charged are those established in accordance with the Act.

2.7 Prepare Requested Information

After the appropriate fees have been received, the RMC shall prepare the requested information for review. All payment of fees received shall be sent to Accounting.



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Consultants and contractors presently working for the agency shall not be charged for a reasonable number of copies of public documents that are required for their related work. Consultants and contractors may be required to execute a Non Disclosure Agreement to protect records.

3.0 DEFINITION OF TERMS

Public Records - Includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained in the regular course of business regardless of physical form or characteristics.

Writing – any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored, as defined in California Government Code section 6250.

Electronically Stored Information (ESI) -Information that is stored in electronic form. ESI may include, among other things, electronic calendars, diaries, notes, memos, emails, voicemails, electronic versions of documents, spreadsheets, presentations, and any other written, recorded or computer files, as well as drafts and all copies of the foregoing that contain marginalia. Data located on floppy disks, ZIP disks, JAZ disks, DVDs, CDs, external hard drives, USB memory sticks/thumb drives, cell phones, PDA/mobile email devices, and gaming or music storage devices are also included in ESI. This list is illustrative only and is not exhaustive.

Information- documents, records, graphics, photographs, videos, recordings, ESI and any other information, materials or data of any nature in any format, whether written, recorded or in computer files or other automated data systems. Information includes (among other things), calendars (hard copy and electronic), diaries, memos, notebooks, handwritten notes, "Post-Its", emails, voicemails, documents, spreadsheets, presentations, as well as drafts and all copies of the foregoing that differ in any respect from the original. This description is illustrative only and is not exhaustive.

4.0 RESPONSIBILITIES

County Counsel - Supports the RMC with legal advice on whether specific requests for records are exempt from disclosure under the Public Records Act.



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Records Management Center - shall manage all public document disclosure requests in compliance with the California Public Records Act and LACMTA Gen 8 Records Management policy.

5.0 FLOWCHART

Not Applicable

6.0 REFERENCES

1. Gen 8 – Records Management
2. California Government Code Section 6250 et seq.

7.0 ATTACHMENTS

Request for Document Disclosure Form

8.0 PROCEDURE HISTORY

- 03/23/93 Former LACTC and former SCRTD interim procedures Board-adopted.
- 04/12/96 Revised to streamline and reduce operating cost.
- 07/22/11 Revised for format and to include electronically stored information, and the online request form at metro.net/records.



PUBLIC RECORDS REQUEST

This form is used for Public Records Requests pursuant to the California Public Records Act, Govt. Code Section 6250. Requests for public records may be submitted on this form, in person, by letter, e-mail and fax. Please read the back of this form for instruction and more information.

REQUESTER (Please Type or Print)

Name (First, Last) _____ Date _____

Company Name _____

Address _____ City _____ Zip _____

Phone # _____ Fax # _____ E-mail _____

DESCRIPTION OF RECORDS REQUESTED

(Please Refer to Records Duplication Cost on the back of this form).

Signature _____

For Department Personnel Use Only:

Records Management/Employee Responding WRITTEN REQUEST ORAL REQUEST

*(If an oral request, please document the conversation, including the date and time, and attach it to the form.)

NAME: _____

DATE RECEIVED: _____ TIME RECEIVED: _____

INSTRUCTIONS FOR REQUESTING RECORDS

This form must be used to submit records requests to Los Angeles Metropolitan Transportation Authority's (Metro) Records Management Center (RMC). Your request must reasonably describe identifiable records prepared, owned or retained by Metro.

The form must be completely filled out and signed. Remit the signed form between 8:00 AM - 4:30 PM to the RMC, located at: One Gateway Plaza, Mail Stop: 99-PL-5, Los Angeles, CA 90012.

Forms may also be sent by mail, via fax: 213-922-2389, or E-Mail: RMC@metro.net.

You will be charged the direct cost of duplication for any documents requested over ten (10) copies. For large records requests, documents will not be copied until 50% of the payment has been received. The fees for duplication of records are outlined on this form. We will notify you of any special charges, special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by check, cash or money order payable to Metro.

RECORDS DUPLICATION COST

The requester should pay the appropriate fee, if any, directly to the Records Management Information Coordinator. Records will only be released upon proof of receipt of payment.

DESCRIPTION OF PUBLIC RECORDS	\$ COST PER UNIT
Letter Size 8.5 "X 11"	.10 Per Copy
11" x 17"	.10 Per Copy
Color Copies 8.5" X 11"	.50 Per Copy
Color Copies 11" X 17"	1.00 Per Copy
Oversize Documents 22 x 34	.98 Per Copy
Cassettes Duplication	3.00 Per Cassette
Computer Disk (Double Density).	1.00 Per Disk
Compact Disk	5.30 Per Disk
Special Processing Time (Depending on request)	16.00 Per Hour
Postage Charges (Depending on quantity shipped)	TBD