



AGENDA

CITY OF SISTERS SISTERS CITY COUNCIL

SISTERS CITY COUNCIL
520 E. Cascade Avenue
Sisters, OR 97759

April 16, 2015

8:00 a.m. WORKSHOP

1. Contract Renewals/Requests for Proposals – *L. Fujita-Conrads*
2. Council Goals Discussion – *Council*
3. Public Records Policy Update – *K. Nelson*
4. Preview April 23, 2015 Workshop and Regular Meeting Agendas – *K. Nelson*
5. Other Business – *A. Gorayeb/Council*
6. Field Trip – A Home to Share

*This agenda is also available via the Internet at www.ci.sisters.or.us
The meeting location is accessible to persons with disabilities. Requests for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by calling Kathy Nelson, City Recorder, at the number below.
520 E. Cascade Ave. – P.O. Box 39, Sisters, OR 97759 – 541-323-5213*

AGENDA ITEM



SUMMARY

CITY OF SISTERS SISTERS CITY COUNCIL

Meeting Date: April 16, 2015

Staff: Kathy Nelson 

Type: Workshop

Dept: CMO

Subject: Public Records Requests

Action Requested: Discuss updated public records request policy and updated public records request form in consideration of future adoption at the April 23, 2015 regular meeting.

Summary Points:

- During the April 2nd workshop discussion, Council directed staff to create a public records policy to limit the number of free public records requests an individual, that require ½ hour or less to fulfill, to five in a calendar year.
 - Once an individual has met the five free requests per calendar year, further requests will be charged at a minimum of 15 minutes for staff time.
 - The Council also directed staff to amend the hourly research charge to \$40 an hour to reflect the actual costs to the City.
-

Attachment(s): City of Sisters Policy CMO 103, Public Records Requests
Revised Public Records Request Form

Concurrence:  CM  F&A _____ CDD  PW

CITY OF SISTERS	
POLICY: PUBLIC RECORDS REQUESTS	NUMBER: CMO 103
EFFECTIVE DATE: 04/23/2015	APPROVAL: CITY COUNCIL

I. PURPOSE:

To outline procedures for public records requests in order to comply with ORS guidelines.

II. SCOPE:

This policy applies to all City Employees.

III. POLICY:

The City strives to provide timely and open access to public records and information not specifically exempted from access as set forth in ORS. 192.501 and 192.502.

This policy does not apply to City employees seeking records from other City employees for use in the performance of their duties.

IV. GUIDELINES:

Requests: A copy of all public records requests should be forwarded to the City Recorder even if the request is one to which the employee can easily respond. It is important for the City to have documentation of all records provided to the public.

Documentation: All public records requests must be documented. The three acceptable forms of documentation are:

1. Completion of the Public Records Request form.
2. A request made via email that contains the following: date of request, requestors name and contact information and information on documents requested.
3. A letter that contains the following: date of request, requestors name and contact information and information on documents requested.

Notification Process: Timeliness is key to public records requests. If a request can be filled promptly, it should be. If there is a reason why the request cannot be filled promptly (within 48 hours), then notification must be sent to the requester acknowledging receipt of the request and an estimate on the time it will take to either fill the request or determine an estimated cost for the request.

Exempt Records: Some records are exempt from disclosure per ORS 192.501 and 192.502. If an employee has any doubt as to whether a record is exempt, please check with the City Recorder prior to releasing any information. If necessary, the City Recorder will check with the City Attorney.

Fees: ORS 192.440 authorizes public bodies to charge fees associated with requests, including prepayment prior to research beginning. Fees associated with Public Records Requests are maintained in the City's Master Fee Schedule. Consideration must be given to the expenditure of staff resources in providing public records. The City Council has determined it will allow any individual to obtain up to five requests that require ½ hour or

less of staff time to produce in a calendar year, after which time an hourly charge, as listed in the Master Fee Schedule, will apply to all further requests charged at a 15 minute minimum charge.

Reduced Fee or Fee Waiver: Whenever the City determines that providing copies of public records at a reduced fee or without cost would be in the public interest, the City may authorize such per ORS 192.440(5)

**PUBLIC RECORDS
REQUEST FORM**

CITY OF SISTERS



Requester Information:

Name

Phone Number

Date:

Mailing Address

Records/Documents information: Describe the records/information you are requesting. Please be as specific as possible.

Receive Information By: Mail Email Pick-up Email Address: _____

Staff may waive inspection or research fees for not more than five requests that require ½ hour or less of staff time from the same requester in a calendar year. After that a fee of \$40.00 per hour will apply to all public records requests to cover staff time for locating, researching, scanning and sending the document(s). CDs will be produced at a cost of \$10.00 per recording. Letter and legal sized copies will be produced at a cost of \$.25 per copy. Color copies will be produced at a cost of \$.50 per copy. Maps, oversized or non-standard copies will be charged at the actual cost for reproduction. Estimated charges in excess of \$10 must be prepaid prior to research beginning. If costs exceed the estimate, staff will contact the applicant for authorization to continue research. The additional cost must be paid prior to release of the documents. The City will refund any unused portion of any prepayment.

Your signature below acknowledges that you have read, understand and accept financial responsibility for the fees associated with this public records request.

Name: _____ Date: _____

- The City is not in possession of the requested record.
- Copies of the requested records are enclosed/attached.
- The City is in possession of at least some of the requested records.
 - It will take approximately _____ to provide the records.
 - The estimated cost is \$ _____.
- It is uncertain if the City is in possession of the records.
 - It will take approximately _____ to search for the records.
 - The estimated cost is \$ _____.
- The public records requested are exempted from public disclosure under state and federal law.
- Your request has been referred to the City Attorney.

Info Compiled By: _____ Date Completed: _____
Amount Due: \$ _____ Date Notified: _____
Date Mailed/Emailed/Picked Up: _____ Payment Received: _____



PUBLIC RECORDS REQUEST PROCEDURE

Procedure for Obtaining Copies of Public Records/Information

1. Request a *Public Records Request Form* by phone, fax, writing, email or in person at Sisters City Hall.
2. Fill out the request form completely, providing as much detail as possible for the document(s) you are requesting. An email may also be considered a formal records request if it contains all pertinent information necessary.
3. Submit the request to the City Recorder at PO Box 39, Sisters, OR 97759 or at knelson@ci.sisters.or.us
4. If the request will require more than minimal time for City Hall staff to locate or make copies the City Recorder will inform you of the estimated fee before the research is initiated.
5. If the estimated time to locate, research, scan, copy and/or send the document(s) will exceed 1/2 hour of staff time, prepayment will be required prior to initiating the work. If actual costs exceed the estimate, staff will contact the applicant for authorization to continue research. Any additional charges must be paid prior to release of the records/information. The City will refund any unused portion of any prepayment.
6. For additional information or questions, please contact Kathy Nelson, City Recorder at 541-323-5213 or knelson@ci.sisters.or.us



SISTERS CITY COUNCIL
520 E. Cascade Avenue
Sisters, OR 97759

APRIL 23, 2015

6:00 P.M. CITY COUNCIL WORKSHOP

1. City Council Candidate Interviews – *Tentative*
2. Other Business – *A. Gorayeb/Council*

7:00 P.M. CITY COUNCIL REGULAR MEETING

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

II. VISITOR COMMUNICATION

- A. Jackson Brook – Sisters Outdoor Leadership Experience

III. CONSENT AGENDA

- A. Minutes
- B. Bills to Approve
 1. April Accounts Payable

IV. STAFF REPORTS

- A. Deschutes County Sheriff's Office

V. COUNCIL BUSINESS

- A. **Public Comment and Consideration of Resolution No. 2015-06: A RESOLUTION OF THE CITY OF SISTERS ADOPTING CHANGES TO THE MASTER FEE SCHEDULE –**
L. Fujita-Conrads
- B. **Discussion and Consideration of a Motion to Approve Policy CMO 103 Related to Public Records Requests –**
K. Nelson
- C. **Discussion and Consideration of a Motion to Approve a Business Owner Questionnaire –**
P. Davenport

VI. OTHER BUSINESS

This agenda is also available via the Internet at www.ci.sisters.or.us

*The meeting location is accessible to persons with disabilities. Requests for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by calling Kathy Nelson, City Recorder, at the number below.
520 E. Cascade Ave. – P.O. Box 39, Sisters, OR 97759 – 541-323-5213*

VII. MAYOR/COUNCILOR BUSINESS

VIII. ADJOURN

DRAFT