



Office of
AGRICULTURAL COMMISSIONER

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**AGRICULTURAL COMMISSIONER
COUNTY OF VENTURA
GUIDELINES FOR INSPECTION OF PUBLIC RECORDS**

All records of the Agricultural Commissioner which are subject to disclosure under the California Public Records Act (Government Code Section 6250 et seq.) are open to inspection by members of the public during the normal business hours of this office. However, some records of the Agricultural Commissioner's Office are confidential, e.g., certain medical records, personnel records, trade secret data, preliminary drafts prepared for use by this Office, reports relating to an investigation still in progress, and the like. The Commissioner, by statute, may not release such records to the public. (The relevant statutes are available for public review upon request to the legal staff of the California Department of Food & Agriculture.)

Any person who wishes to inspect a public record subject to disclosure under the Public Records Act may present his or her request to the clerical staff of this office. A particular record, or the particular type or class of records, may be requested. All requests for copies are subject to compilation, copying, and mailing fees which may include charges for staff time, as stated below. Where the request is for a large number of documents or copies, the Commissioner may require payment in advance. The Commissioner may not be able to provide copies of large or voluminous records. In such cases, the requesting party may be required to provide his or her own copying equipment or service to handle such a request.

A request for a copy of an identifiable public record, information produced from such a record, or a certified copy of a record must be accompanied by payment of the amount set by the Board of Supervisors of the County of Ventura for providing paper copies of such records (currently, the rate is set at three (3) cents for each copy of an 8/12 by 11-inch document; the cost of copying larger documents will be provided when a request for documents includes any such documents) and any certification charge. In addition, there may be a charge for staff time spent pulling records and making copies, including time spent making confidentiality determinations.

Employee time spent on requests will be charged at the hourly rate of the employee(s) preparing and copying the documents, which shall not exceed the maximum hourly rate established by the Board of Supervisors for employees producing copies of public records

(currently, \$24.00 per hour). The first two hours of time spent on any request for public records will not be charged, pursuant to an ordinance (Ordinance No. 4339), adopted by the Board of Supervisors on February 14, 2006, regarding fees pertaining to the copying of public records. In no case will the fee charged exceed the actual cost of responding to the request.

Alternatively, and subject to (a) prior approval by the Commissioner, (b) the prohibition on removal of records from the offices of the Commissioner, and (c) the requirement that no record be damaged, a person who requests copies may reproduce a record with his or her own reproduction equipment or by having a copying service duplicate records on the premises.

The Commissioner may **temporarily** deny or restrict inspection of public records under the following circumstances:

- a. The records at the specific time of the request are needed by staff of the Department or other public officials in order to perform their duties.
- b. Supervision of the inspection or copying is, at the specific moment, not possible.
- c. Other members of the public are waiting to inspect those records.

In such cases, the documents will be made available as soon as reasonably practicable.

The following procedures may be imposed at the discretion of the Commissioner.

- a. Appointments may be required for review sessions to inspect public records.
- b. Prior notice may be required as to which records will be requested so that the Department can have the records available for the review session.
- c. Subject to the availability of staff, review sessions may be limited to two hours per day.
- d. A staff member may be required to be present during review sessions.

Government Code Sections 6200-6201 provide that stealing, willfully destroying, mutilating, defacing, altering or falsifying, and/or removing or secreting the whole or any part of a public record is a crime punishable by a fine and/or imprisonment.

Agricultural Commissioner

Date