



CITY OF FILLMORE

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VENTURA COUNTY SUPERIOR COURT

AUG 13 2004

OFFICE OF THE
PRESIDING JUDGE

August 10, 2004

Honorable Bruce A. Clark, Presiding Judge
Superior Court of California, Ventura County
Ventura County Hall of Justice
800 S. Victoria Avenue
Ventura, CA 93009

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AUG 24 2004

VENTURA COUNTY GRAND JURY

RE: Response to the 2003-2004 Ventura County Grand Jury Report entitled *Public Records Act Implementation*

Dear Honorable Judge Clark:

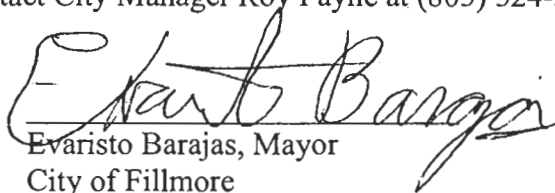
Pursuant to Penal Code Section 933(c), this letter serves as the City of Fillmore's response to the finding and recommendations found in the above-referenced report.

The City fully concurs with the findings contained in the report, *with the exception* of Finding F-24. F-24 states "Most cities report that all requests are treated as requests under the Act even though the request does not mention the Act. Fillmore did not respond to that question." The City disagrees with this finding as the City did provide an answer on this per Question No. 12. For Question No. 12, City staff checked the "No" box in response to the question. Therefore, an answer was provided by the City of Fillmore. A copy of the response provided by the City for Question No. 12 is attached.

The City is required to respond to Recommendation No. 4 in the report, which states: "The mayor or city manager of each of the cities of Camarillo, Fillmore, Moorpark, Port Hueneme and Santa Paula should develop and publish, or review and update, a policy manual addressing implementation of the Public Records Act, with emphasis on proper fee charging, assistance in formulating the public record request, a requirement to maintain logs of requests for compliance audit, counsel review of any proposal to deny a request, timely responses to the requestor, and availability of administrative appeal." **This recommendation will be implemented by the City of Fillmore within 90 days of the date of this letter.**

Should you have any questions, please contact City Manager Roy Payne at (805) 524-3701.

Sincerely,


Evaristo Barajas, Mayor
City of Fillmore

Attachment (Copy of City of Fillmore Response to Question No. 12)

c: Fillmore City Council, Fillmore City Manager

Public Records Act Questionnaire

a. If staff assistance instructions are written, please provide a copy and check this box.

b. Is your agency staff instructed to delete reasonably segregable portions of the Public Record that are exempt from release, in order to make the remainder of the requested Public Record available to the requestor?

1. Yes: ___ No:

2. If such instruction is written, please provide a copy and check this box.

12. Is your staff instructed to treat a Public Record Request as a request under the Act even though the Act is not mentioned in the request?

a. Yes: ___ No:

c. If such instruction is written, please provide a copy and check this box.

13. Is your agency staff instructed not to ask the requestor's purpose for or intended use of any records obtained by the Public Records?

a. Yes: No: ___

b. If such instruction is written, please provide a copy and check this box.

14. Does your agency charge a fee for processing the Public Records Request?

a. Yes: No: ___

b. If "Yes," please describe the fees and how they are computed.

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AND \$1 PER EACH ADDITIONAL PAGE COPIED
