

RESOLUTION NO. 6209

A RESOLUTION ADOPTING THE "F-05-08, PUBLIC RECORDS REQUEST POLICY" AND FORM AND REPEALING RESOLUTION NO. 6204.

WHEREAS, the Public Records Request Policy was adopted by the City Council by Resolution No. 6204; and

WHEREAS, the fees for public records requests are listed on the back of the City of Albany Public Records Request Form; and

WHEREAS, Oregon public records laws allow for agencies to establish fees reasonably calculated to reimburse the public body for the public body's actual cost of making public records available; and

WHEREAS, on March 13, 2013, the Form was adopted as an Exhibit A to Resolution No. 6204 to incorporate a change to the fee structure in order to recover costs; and

WHEREAS, a new fee to certify records as a true copy has been proposed; and

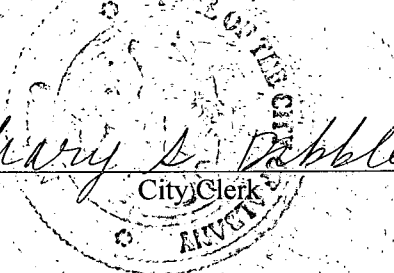
WHEREAS, it is also necessary to revise the Form to clarify language associated with the new fee structure.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany City Council hereby adopts the Public Records Request Form (Exhibit A); and

ALSO BE IT RESOLVED that Resolution No. 6204 is repealed.

DATED AND EFFECTIVE THIS 10th DAY OF APRIL 2013.

ATTEST:


Mary S. Dabble
City Clerk


Mayor



PUBLIC RECORDS REQUEST FORM

City of Albany
City Clerk's Office

For Police Dept. public records contact: 541.917.7680. For Fire Dept. public records contact 541.917.7700.

Notice: Public Records laws are addressed in ORS Sections 192.420, 192.440, and 192.501. City of Albany Policy F-05-08, Public Record Requests, outlines the City's procedures. Fees are listed on the back of this form. Prepayment and confirmation to proceed will be required for requests that exceed \$25.

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

Signature: _____ Date: _____

Requestor Information:

_____		_____	
Name		Mailing Address	
_____		_____	
City	State	Zip Code	
_____		_____	
Daytime Phone Number	Fax Number	E-mail address	

Document Information:

Describe the information/records you are requesting. Be specific enough for the City to determine the nature, content, and department where the records you are requesting may be located. Provide specific dates whenever possible. Use additional sheets of paper if necessary.

Return Form To: Mail or drop off: City Hall, Finance Dept, 333 Broadalbin Street SW, Albany, OR 97321
Fax: 541.917.7511 E-mail: cityclerk@cityofalbany.net

For Staff Use

Date Received: _____	Date Notification Provided: _____	Date Completed: _____
RIM Coordinator: _____	Notification Method: <input type="checkbox"/> Copy of Form	Total Fees: _____
Dept: _____	<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Fax	Send copy of this form to City Clerk

Mandatory Notification Statement per ORS 192.440 (2)(a-f)

Dear Requestor, thank you for your public records request. Your request:

- (a) was unable to be completed because the City does not possess or is not the custodian of the records.
- (b) is attached/enclosed.
- (c) will require more time to process (estimated date) _____ and will require a deposit of \$ _____.
- (d) will require more time to process. An estimate will be provided within a reasonable time.
- (e) has been forwarded to the _____ Dept to determine if the record exists; you will be contacted shortly.
- (f) was unable to be completed because the records are exempt under state or federal law: _____
- Other: requires additional or more specific information: _____

PUBLIC RECORDS FEE SCHEDULE

City of Albany
City Clerk's Office

1. **Copies of Public Records:** For 8.5 x 11 black and white, copies will be .25 cents per page and .50 cents per page for duplexed copies. For 11 x 17 black and white, copies will be .50 cents per page; and \$1.00 per page for duplexed. For 8.5 x 11 color, copies will be .50 cents per page; and \$1.00 per page for duplexed. For 11x17 color, copies will be \$1.00 per page; and \$2.00 per page for duplexed. Photo quality paper will be an additional charge. For the Fire Department, a \$7.00 research fee includes up to ten single-sided copies. To certify as a true copy the fee is \$5.00 in addition to the copy charges.
2. **Electronic Formats:** Electronic documents may include sound recordings, video recordings, and electronic documents. Copies of records already in CD or DVD format will be provided for \$5.00 each. Copies of records that are already in audio tape format will be provided for \$15.00 for the first tape and \$5.00 for each additional tape. Copies of records already on video tape will be provided for the actual cost to reproduce the tape. For records that are not already in electronic format and need to be converted a Research Fee will be required as stated in this policy.
3. **Copies of Maps and other Nonstandard Documents:** Charges for maps, large documents, or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the City to reproduce them.
4. **Inspection Fees and Research Fees:** Inspection means official records that are inspected by the public while in the presence of a staff member. Research includes locating, collating, and copying public records. Staff may waive inspection or research fees for not more than **five** Level 1 public records requests from the same requestor in a calendar year.

Level 1: Up to 30 minutes	Copy cost plus \$10 (flat fee)
Level 2: 30 minutes to 2 hours	Copy cost plus \$25 per hour (prorated)
Level 3: Over 2 hours	Employee costs plus overhead (prorated)
5. **Written Notification:** Requests with fees that are estimated to exceed \$25 require written notification of the estimated amount followed by confirmation from the requestor to proceed with the public records request. Prepayment in full is required for requests that are estimated to exceed \$25. If the actual time and cost are less than estimated, the excess money shall be refunded to the requestor. If the actual cost and time are in excess of the estimated cost, the difference shall be paid at the time the records are produced.
6. **Archived Scanned Copies:** Scanned copies archived in the City of Albany Laserfiche system and readily available to the Records Officer, may be sent to an e-mail address provided by the requestor for the cost of the applicable research fee only.
7. **Electronic Searches:** For non-exempt public record requests including e-mails or other electronic files stored on any City network and not readily available to the Records Officer, the information shall be provided on CD/DVD. The cost will be \$5.00 per CD/DVD plus \$100 per hour for the research and copying time with a minimum one- hour charge.
8. **Additional Charges:** If a request is of such magnitude and nature that compliance would disrupt the City's normal operation, the City may impose such additional charges as necessary to reimburse the City for its actual costs of producing the records, including but not limited to excessive postage fees.
9. **Reduced Fee or Free Copies:** Whenever the City determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the City may so authorize per ORS 192.440(5).

Copies per page		Electronic Formats	
.25 (.50 for duplexed)	8.5 x 11 black & white	5.00	Each DVD or each CD
.50 (1.00 for duplexed)	11 x 17 black & white	15.00	First audio tape
.50 (1.00 for duplexed)	8.5 x 11 color	5.00	Each add'l audio tape
1.00 (2.00 for duplexed)	11 x 17 color	Actual cost to reproduce	Video tape
Additional charge	Photo quality paper	Additional charge	See 8.
Inspection Fees and Research Fees		Maps & Nonstandard	To Certify as a True Copy
Up to 30 minutes	Copy costs plus \$10	Actual cost for reproduction	\$5.00 in addition to copy charges
30 minutes to 2 hours	Copy cost plus \$25 an hr	Electronic Searches	
Over 2 hours	Employee cost plus overhead	\$100 per hour	One hour minimum
Police Department		Fire Department	
Refer to Police Department Records Request Form		7.00 research fee includes up to 10 single-sided copies	