

2001-2002 SANTA CLARA COUNTY CIVIL GRAND JURY

**INQUIRY INTO A POSSIBLE VIOLATION OF THE PUBLIC RECORDS ACT
BY THE CITY OF MOUNTAIN VIEW**

INTRODUCTION

The 2001-2002 Santa Clara County Civil Grand Jury received a complaint from a citizen of Mountain View who had requested information from Mountain View City Hall. After several weeks, no response had been received. In September 2001 the Grand Jury opened an inquiry into the matter, pursuant to Penal Code section 925, which provides authority to investigate public agencies.

BACKGROUND

The California Public Records Act (California Government Code 6251) requires that all public agencies provide copies of public records to citizens upon request. It was determined from the complainant's letter and verified with a follow-up telephone call that the complainant had made one request for the desired information. The complainant had requested both specific and general information, via fax, on a particular topic. The Grand Jury explored how the City of Mountain View receives, records, and tracks requests for public information to determine if the city is in compliance with the Public Records Act.

OBSERVATIONS

The Grand Jury determined through personal and telephone interviews that the City of Mountain View had a process for handling citizen requests for public information. Telephone requests are logged and forwarded to the appropriate

department. A copy of this log sheet was provided to the Grand Jury. Written requests are forwarded to the appropriate department and are kept on file after the requested information is sent. The Grand Jury (without identifying itself as the Grand Jury) requested information identical to that requested by the complainant. The information was provided on the next business day.

CONCLUSIONS

The Public Records Act requires that citizen requests for public information be accommodated in a timely and reasonable manner, but it does not specify how each agency should comply with the act. The City of Mountain View has a procedure for handling such requests that is in compliance with the Public Records Act for logging, handling and tracking in a timely manner.

PASSED and **ADOPTED** by the Santa Clara County Civil Grand Jury this 17th day of January, 2002.

Bruce E. Capron
Foreperson

Norman N. Abrahams, DDS
Foreperson Pro Tem

Joyce S. Byrne
Secretary

ADOPTED 1/17/02

Courtesy copies:

1. City Manager, City of Mountain View
2. City Clerk, City of Mountain View