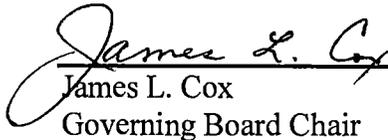


GOVERNING BOARD POLICY
Mojave Desert Air Quality Management District

Policy No: 93-2
Amended: April 23, 2018


James L. Cox
Governing Board Chair


Brad Poiriez
Executive Director/APCO

SUBJECT: PROVISION AND RETENTION OF PUBLIC RECORDS

POLICY:

It is the policy of the Governing Board of the Mojave Desert Air Quality Management District (District) to ensure that the District maintains records and to provide for an orderly system of retention and disposition of records as provided for by law. Records which are retained and not otherwise exempted from disclosure by state law are open for public inspection and will be provided with the least possible delay and expense to the requesting party. All officers, employees, and members of District Boards or committees are required to comply with the provisions of this policy and the Standard Practices established pursuant to same.

AMPLIFICATION OF POLICY:

A. General:

The District, pursuant to the provisions of Government Code §§60200 et seq may authorize the retention and disposition of its records. Since the specifics for retention of particular records or types of records may vary according to law, regulation or necessity to conduct the business of the District, the APCO is hereby authorized to develop and adopt Standard Practice 4-5 containing specific procedures regarding the retention of documents.

The District is also required, pursuant to the provisions of the California Public Records Act (Government Code §§6250 et seq.) to allow the public to have access to and demand copies of, non-confidential public information including that information stored on computer files. The APCO is also authorized to develop and adopt Standard Practice 4-12 containing specific procedures to be followed when making records available to the public pursuant to the Public Records Act

If any provision of this Policy or the Standard Practices developed pursuant to this Policy is in conflicts with current State or federal law, the law shall take precedence.

B. Disclosable Public Records:

The California Public Records act defines the types of information that must be made available upon request and that which is confidential and may not be released. Some records are specifically exempt from disclosure pursuant to statutory law. A partial listing of records exempt from disclosure may be found in Standard Practice 4-12.

C. Public Right to Inspect/Obtain Copies:

Disclosable public records of the District are open to inspection by any person at all times during the normal business hours of the District offices in accordance with this policy and Standard Practice 4-12. Copies of disclosable public records may be obtained by any person in accordance with n this Policy and Standard Practice 4-12. Any disclosable portion of a record that can be reasonably separated from any portions of the record that are exempt by law shall be made available for inspection and/or copying after the exempt portions have been deleted. Any request for records and any responding documents may be subject to review by the District's legal counsel prior to any inspection of the records or delivery of copies.

D. Fees for Provision of Public Records:

The District may charge fees and recover costs for the provision of public records as provided by law. The amount and method of charging fees shall be set forth in the applicable Standard Practice 4-12. In addition, fees for certain designated District publications shall be as set forth in Standard Practice 4-9.

Revision History:

Adopted:	July 1, 1993
Amended:	June 24, 1996
	February 23, 2004
	January 23, 2012

Last Review: April 23, 2018