

External Message

Mr [REDACTED]

The County has reviewed your Public Records Act request and has determined that it seeks copies of disclosable public records. Pursuant to Mendocino County Code section 5.190.010, the County charges fees to account for the cost of duplicating records, as well as the cost of staff time in locating, retrieving, providing and refiling records, as well as staff and/or attorney time spent reviewing records to determine if any are exempt from disclosure under the Public Records Act.

Section 5.190.010 of the Mendocino County Code requires the County to provide a good faith estimate of the amount of the fee for each request where it anticipates that there will be a fee of over \$50. This good faith estimate must be paid by the requester before the County commences working on providing documents in response to the request.

Based on its evaluation of the scope of your request and the records sought, the County estimates the following as a good faith deposit for your request:

Specialized Search/Review Fees: 26 hours at \$50/hr/staff, based on an estimate of 10 minutes of redacting per case.

Good Faith Deposit amount: \$1,300

Please note that the above good faith deposit amount is only an estimate. If the County expends the good faith deposit but has not completed processing your request, the County will provide you with an updated good faith estimate, which must be paid to the County before it resumes processing your request. Any overpayment or underpayment of fees will be reconciled at the time of final provision of documents.

From our prior conversations, I believe you are interested in utilizing the County's PRA Fee

Subsidy program. Please upload the subsidy request form to your PRA request. If you would like to discuss how to handle this request in the context of other requests you may have pending with the County, please feel free to contact me at the below contact information.

Based on the above estimate of the amount of staff time processing your request will take, and if payment of the good faith deposit is made promptly, the County currently anticipates that documents would be available by Monday, November 14. This anticipated delivery date is subject to revision depending on the actual date of payment and staff availability.

If you have any questions about the estimated fee amount or about the County's initial review of the scope of your request, please contact myself or the Mendocino County Executive office at ceo@mendocinocounty.org. Otherwise, please send your deposit to the Mendocino County Executive Office, Attn. PRA Deposit, 501 Low Gap Rd., Room 1010, Ukiah, CA 95482.

Until the deposit is made or we have otherwise discussed moving forward with your request, I will place your request on pause within the NextRequest system.

Please let me know if you have any questions.

Sincerely,

Matthew Kiedrowski

Deputy County Counsel

707-234-6885

October 24, 2022, 5:21 pm by Matthew Kiedrowski (Staff)

CHRISTIAN M. CURTIS
County Counsel

CHARLOTTE E. SCOTT
Assistant County Counsel



Deputies
BRINA A. BLANTON
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JOSHUA D. ROSENFELD

OFFICE OF THE COUNTY COUNSEL

October 28, 2022

[REDACTED]
Via NextRequest

Re: NextRequest #22-860

Dear Ms. [REDACTED]

We are writing in response to your October 4, 2022, request under the California Public Records Act, in which you sought various categories of records from a number of different County officials and staff containing the word “signal.” The County has determined that the request seeks copies of public records.

A preliminary search of the County’s records has identified at least forty-three thousand six hundred and seventy eight (43,678) potentially responsive emails. This count was obtained by searching for the term “signal” for the time period identified in your request, January 1, 2020, to the present.

Given the volume of emails, we estimate that this request would require approximately four hundred eighty-five (485) hours of staff time to review, locate and identify the responsive records.¹ Under ordinance No. 4507, the fee for staff time is estimated to be nine thousand seven hundred and six dollars and twenty-two cents (\$9,706.22). The records will also need specialized review to determine if any of the emails contain privileged, confidential or otherwise exempt material. We estimate that review of these emails will require approximately forty-nine (49) hours of specialized review, forty-seven (47) hours of which we estimate to be attorney time, amounting to an estimated cost of seven thousand one hundred and fifty dollars (\$7,150.00) for specialized review. Thus, the total estimated cost for this request is sixteen thousand eight hundred and fifty-six dollars and twenty-two cents (\$16,856.22). If you would like to proceed with this request, please respond to this letter and make arrangements for a deposit.²

However, for media requesters, thirty (30) hours of general review time and (10) hours of specialized review time are subsidized. You may qualify for this subsidy. If you do, this subsidy would reduce your total cost. Therefore, I have provided a copy of Mendocino County PRA Fee

¹ The estimate is based on an assumption that staff can review 90 emails per hour. Review rates can vary significantly based on the density of the materials.

² If fees were unavailable in this case, the County would likely conclude that this request was unduly burdensome under Government Code section 6255. We are mindful, however, that the ability to charge fees to pay for additional staff reduces the burden for the purposes of this analysis. *State Bd. of Equalization v. Superior Court*, 10 Cal. App. 4th 1177 (1992).

Subsidy Request for Representatives of the News Media form. If this request is approved, you would need to let us know if you wish to apply any portion of your subsidized hours to this request.

Alternatively, if you would like to narrow the request, suggest alternative search terms, or otherwise find ways to reduce the staff time needed, we are happy to discuss. The County can run searches of search terms you suggest without charge, in order to assist in finding a set of documents that meets your needs at minimal expense. Part of the reason that the number of emails is so large is that with one exception, the County does not have a way to limit an email search by a particular department. The only exception is the Sheriff's Office. We can do an email search limited to Sheriff's Office emails, however, this search would be limited to individuals employed by the Sheriff's Office as of May 2022. A search for the term "signal" limited to only Sheriff's Office emails would require review of at least four thousand two hundred and nine (4,209) emails. If you are interested in exploring these options, please contact us to arrange a meeting at cocosupport@mendocinocounty.org or (707) 234-6885.

With regard to the portion of your request seeking text messages, the County is working on determining if any responsive records exist. This process is lengthy because we must access, or ask individuals to access, each phone to search for responsive texts. With regard to your request for text messages associated with the Sheriff's Office and Executive Office, we would like to get clarification as to whether you are requesting texts from the staff of each entire department. Both departments have multiple different functions/divisions, for example the Sheriff's Office has corrections, patrol and administrative functions, and the Executive Office includes clerk of the board, information services, risk management, and health benefits and emergency services and other functions. In order to evaluate this portion of your request, the County needs additional details as to its scope.

As for other categories of records identified in your request, the County would need additional information on what types of records you are requesting. The County does not have a way to generally search all County records for a key word. Additionally, the County does not have the ability to search all types of records with a key word search.

Although it may be possible to clarify in writing, we believe that a brief dialog may be most productive in answering these questions. If you would please contact us at cocosupport@mendocinocounty.org or (707) 234-6885, we would be happy to arrange a meeting time to discuss this more specifically. Additionally, if you have any questions about the County's response, please reach out to us at the same contact.

Sincerely,

CHRISTIAN M. CURTIS
COUNTY COUNSEL



BRINA A. BLANTON
Deputy County Counsel

BAB/ut

CHRISTIAN M. CURTIS
County Counsel

CHARLOTTE E. SCOTT
Assistant County Counsel



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JOSHUA D. ROSENFELD

OFFICE OF THE COUNTY COUNSEL

October 28, 2022

[REDACTED]
Via NextRequest

Re: NextRequest #22-828

Mr. [REDACTED]

We are writing in response to your September 22, 2022, request under the California Public Records Act, in which you sought twenty (20) categories of records in the County's possession. The County has determined that the request seeks copies of disclosable public records, many of which have been uploaded and are available in the NextRequest portal. Some records, however, are not available at this time, for reasons discussed below.

Records in NextRequest

Much of the information that you have requested resides within the County's NextRequest portal. The public can make requests directly through the portal, and the County routinely uploads Public Records Act requests received by other means as well. The County has provided an Excel spreadsheet with a report of all requests in that system. Although your request generally only sought records from the last two years, several categories could not meaningfully be responded to without a more complete data set. For example, the recent increase in requests cannot be seen without reference to the prior numbers, and at least one of your categories appeared to reference specific requests more than two years old. We have also included a handful of specific PRA requests that had previously been saved for demonstrative and training purposes, as these also appear to be responsive to your request.

At present, however, the report tool available to the County is not able to extract communications between County employees and the requester. Several of your categories, including requests for communications under Government Code section 6253.1 and requests showing undue burden under Government Code section 6255, seek information contained in this category. The County has reached out to the software vendor to inquire about extracting these records but has not yet obtained an answer. If extraction requires additional cost for compilation, extraction, or programming, we will inform you of the estimated costs pursuant to Government Code section 6253.9(b)(2) before any expense is incurred.

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Additional Records Outside of NextRequest

A few of the categories of records you requested seek materials that exist primarily, but not exclusively, in the NextRequest system. Although the County uploads requests into the portal when received via email or other means, we are aware that there are occasional deviations from the process. As a result, some of the relevant records related to the requested Public Records Act requests may exist only in email form. Similarly, while the NextRequest platform is typically used for correspondence under Government Code section 6253.1, email or other communication may be utilized based on the preference and convenience of the requester.

A preliminary search of the County's records have identified at least thirty-two thousand eight hundred and eleven (32,855) potentially responsive emails. This count was obtained by searching for the terms "Public Records Act" and "PRA" in the last two years. The search excluded purely internal communication—one party to the email had to have a non-County email address. This count does not include potentially responsive records from the Mendocino County Sheriff's Office (which has a separate email system) or paper correspondence.

Given the volume of emails, we estimate that this request would require approximately three hundred sixty-five (365) hours of staff time to review, locate and identify the responsive records.¹ Because of the nature of the request, we estimate that zero (0) hours of attorney time would be needed to review the responsive records.² Under ordinance No. 4507, the fee for these materials is estimated to be seven thousand three hundred and one dollars and eleven cents (\$7,301.11). If you would like to proceed with this request, please respond to this letter and make arrangements for a deposit.³

Alternatively, if you would like to narrow the request, suggest alternative search terms, or otherwise find ways to reduce the staff time needed, we are happy to discuss. The County can run searches of search terms you suggest without charge, in order to assist in finding a set of documents that meets your needs at minimal expense. Alternatively, it may be possible to provide a set of recent examples of some of the document types you are seeking. If you are interested in exploring these options, please contact us to arrange a meeting at cocosupport@mendocinocounty.org or (707) 234-6885.

Time Studies and Policies

Lastly, your requests seek records pertaining to policies and time studies related to public records. We are providing those materials that we have located now but would like to ask for clarification as to the scope of these two categories. For policies, we have attached those County documents we understand to be directly relevant but need a bit more information before we are able to provide a more detailed search. Your request, as phrased, could be read as seeking a very

¹ The estimate is based on an assumption that staff can review 90 emails per hour. Review rates can vary significantly based on the density of the materials.

² Responsive records should exist exclusively of non-exempt communication.

³ If fees were unavailable in this case, the County would likely conclude that this request was unduly burdensome under Government Code section 6255. We are mindful, however, that the ability to charge fees to pay for additional staff reduces the burden for the purposes of this analysis. *State Bd. of Equalization v. Superior Court*, 10 Cal. App. 4th 1177 (1992).

broad range of documents, including state statutes, collective bargaining agreements (for personnel records), internal computer file structures, resolutions authorizing document destruction, and state directives regarding the use of confidential file systems (e.g., “CLETS,” records of summary criminal history information, or the “CWS” computer system for child welfare investigations). Given the overall purpose of the request, we are guessing this is not what was intended, but we would like to confirm and establish a clearer scope before proceeding with a search that may be infeasible.

With respect to time studies, the County does not have the sorts of studies or analysis that we believe this request to be seeking, but there is some data that is potentially responsive to this request. Specifically, County employees maintain timesheets that reflect the number of hours worked by time codes. Time codes, however, track the fund to be billed, not the activity. As a result, in many cases an employee’s entire workday may be tracked under a single time code, with no breakdown between time spent working on records requests and other work. We are aware of one example of time being tracked by request, and have attached that instance, but this practice is not typical. There might be some information that can be gleaned from these records, but it is not clear whether this is the type of data which you are seeking or, if so, what types of searches might be most appropriate. For that reason, we would like some clarification on the scope of your request.

Although it may be possible to clarify in writing, we believe that a brief dialog may be most productive in answering these questions. If you would please contact us at cocosupport@mendocinocounty.org or (707) 234-6885, we would be happy to arrange a meeting time to discuss this more specifically. Additionally, if you have any questions about the County’s response, please reach out to us at the same contact.

Sincerely,



CHRISTIAN M. CURTIS
COUNTY COUNSEL

CMC/jc

CHRISTIAN M. CURTIS
County Counsel

CHARLOTTE E. SCOTT
Assistant County Counsel



Deputies
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JOSHUA D. ROSENFELD

OFFICE OF THE COUNTY COUNSEL

November 15, 2022

[REDACTED]

Via NextRequest

Re: NextRequest #22-896

Dear Ms. [REDACTED]

We are writing in response to your October 18, 2022, request under the California Public Records Act, in which you sought various categories of records from a number of different County officials and staff containing "CAMP" or "Campaign Against Marijuana Planting" between January 1, 2015 and the present. The County has determined that the request seeks copies of public records.

A preliminary search of the County's records has identified at least one hundred and seventy three thousand and eighty eight (173,088) potentially responsive emails containing the term "CAMP," between January 1, 2015 and the present. Given the volume of emails, we estimate that this request would require approximately one thousand nine hundred twenty three (1,923) hours of staff time to review, locate and identify the responsive records. Under ordinance No. 4507, the fee for these materials is estimated to be thirty-eight thousand four hundred and sixty dollars (\$38,460.00). The records will also need specialized review to determine if any of the emails contain privileged or confidential material. We estimate that the review of these emails will require approximately one hundred ninety-two (192) hours of specialized review, one hundred eighty-six (186) hours of which we estimate to be attorney time, amounting to an estimated cost of twenty-eight thousand two hundred dollars (\$28,200.00) for specialized review. Thus, the total estimated cost to review emails for the "CAMP" request is sixty-six thousand six hundred and sixty dollars (\$66,660.00).

A preliminary search for the County email archive for the name "Campaign Against Marijuana Planting," between January 1, 2015 and the present, has identified at least one thousand one hundred thirty five (1,135) potentially responsive emails. We estimate that this second group of emails will require approximately thirteen (13) hours of staff time to review and one and one half (1.5) hours of specialized review which we expect to be attorney time. The total estimated cost for the "Campaign Against Marijuana Planting" request amounts to four hundred eighty-five dollars (\$485.00). If you would like to proceed with this request, please respond to this letter and make arrangements for a deposit.

As an additional note, the County tested a couple of possible ways to narrow your search, and a search was conducting adding word “marijuana” and eliminating emails containing the name of a County employee whose name includes “camp.” However, even with this limitation at least twenty-nine thousand nine hundred eighty-one emails (29,981) emails were identified. Additionally we conducted a search limited to Sheriff’s Office emails (this search is limited to individuals employed by the Sheriff’s Office as of May 2022) and that search still returned eighty-five thousand one hundred fifty eight (85,158) emails.

For media requesters, thirty (30) hours of general review time and (10) hours of specialized review time are subsidized. I believe you likely would qualify for this subsidy. If you do, this subsidy would reduce your total cost. Therefore, I have provided a copy of Mendocino County PRA Fee Subsidy Request for Representatives of the News Media form. If this request is approved, you would need to let us know if you wish to apply any portion of your subsidized hours to this request

Alternatively, if you would like to narrow the request, suggest alternative search terms, or otherwise find ways to reduce the staff time needed, we are happy to discuss. The County can run searches of search terms you suggest without charge, in order to assist in finding a set of documents that meets your needs at minimal expense. If you are interested in exploring these options, please contact us to arrange a meeting at cocosupport@mendocinocounty.org or (707) 234-6885.

With regard to the portion of your request seeking text messages, conducting a County-wide text message search would be unduly burdensome. Therefore, the County objects to the production of these text messages pursuant to California Government Code section 6255 on the basis that the benefits of withholding the records outweigh the benefits of disclosure. *See* Cal. Gov’t. Code § 6255. The reason for this is that we must access, or ask individuals to access, each phone to search for responsive texts. The County currently has between 700-800 cell phones issued to its employees. The decision to withhold text messages on the basis that a county-wide search would be unduly burdensome was made by Mendocino County CEO, Darcie Antle. If you can provide some additional details regarding the records that you are requesting, we may be able to help you to identify individuals who would most likely have responsive text messages and help you to narrow this request.

As for other categories of records identified in your request, the County would need additional information on what types of records you are requesting. The County does not have a way to generally search all County records for a key word.

Although it may be possible to clarify in writing, we believe that a brief dialog may be most productive in answering these questions. If you would please contact us at cocosupport@mendocinocounty.org or (707) 234-6885, we would be happy to arrange a meeting time to discuss this more specifically. Additionally, if you have any questions about the County’s response, please reach out to us at the same contact.

Sincerely,

CHRISTIAN M. CURTIS
COUNTY COUNSEL



BRINA A. BLANTON
Deputy County Counsel

BAB/ut

External Message

The Assessor's office can provide you with a Platt map of this parcel, cost is \$4.00 per map; and a property characteristic sheet for \$10.

You can call our office at 707 234-6800 or come in to purchase these items - we are located at 501 Low Gap Rd, Rm 1020 Ukiah

Thank you,

November 29, 2022, 12:16pm by Katrina Bartolomie (Staff)

From: [Brina Blanton](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Records Request
Date: Thursday, December 1, 2022 10:04:00 AM

Mr. [REDACTED],

The Sheriff's Office has identified records responsive to your request and is in the process of retrieving and reviewing said records. We anticipate that it will take approximately 30 days to review potentially responsive records in order determine what exemptions may apply and what redactions may be needed.

Additionally, there may be fees associated with the production of responsive records pursuant to Mendocino County Ordinance No. 4507. If fees are required we will provide you with an estimate of the fee amount.

Brina A. Blanton
Deputy County Counsel
Mendocino County Counsel Office, Administration Center
501 Low Gap Rd., Rm. 1030, Ukiah, CA 95482
Main Office Line: (707) 234-6885; Fax: (707) 463-4592
Email: blantonb@mendocinocounty.org

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From: [REDACTED]
Sent: Friday, November 18, 2022 9:49 AM
To: Brina Blanton <blantonb@mendocinocounty.org>
Subject: Re: Records Request

When I say audio I mean all audio related to all incidents that were given to me within the incident log please and thanks and once again let me know if I can help clarify what's being asked for. Seems a bit excessive your guyses lack of reading comprehension, but I do appreciate someone who is unsure making sure One is enlightened before embarking on any journey. Good job and thank you very much

On Nov 17, 2022 1:57 PM, [REDACTED] wrote:

It's OK I just got that information on my own. I know where he works. See you guys in federal

court and I need all the incidents from this year in physical form not just the incident number and date I need all information pertaining to all incidents meaning all audio from all officers on all incidents and all written reports and all other corresponding public information and private information that I am entitled to FOIA. Time is of the essence and I have already asked for this request previously over 10 days ago and have been put on the back burner it feels like. I would like confirmation of receiving this email and confirmation that what I am requesting is being understood fully... thanks for your services time and energies. As always stay blessed sincerely

On Nov 17, 2022 1:37 PM, Brina Blanton <blantonb@mendocinocounty.org> wrote:

Mr. [REDACTED],

I am writing in response to your request for the name of an inmate who was incarcerated at the Mendocino County Jail. The individual whose name you have requested has been released from jail, time served. Therefore, the information you have request is exempt from production under the California Government Code section 6254(c) and 6255, on the basis that the information you have requested would an unreasonable invasion of the individual's privacy as a part of his criminal history and the benefits of withholding the information outweigh the benefits of disclosure. The decision to withhold these records under the Public Records Act was made by Captain Joyce Spears of the Mendocino County Sheriff's Office.

However, if you are making this request in relation to any of your pending lawsuits, you may submit the request as a discovery request and the information can be provided to you. I understand that this may seem like an unnecessary hurdle, however, if we disclose the information to you outside of the discovery process, the County would waive its ability to claim exemptions for withholding this information if another member of the public were to request the same information in the future.

Brina A. Blanton

Deputy County Counsel

Mendocino County Counsel Office, Administration Center

501 Low Gap Rd., Rm. 1030, Ukiah, CA 95482
Main Office Line: (707) 234-6885; Fax: (707) 463-4592
Email: blantonb@mendocinocounty.org

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