



# Mendocino County

## Legislation Details (With Text)

**File #:** 22-1431      **Version:** 1      **Name:**  
**Type:** Presentations      **Status:** Consent Agenda  
**File created:** 12/19/2022      **In control:** County Counsel  
**On agenda:** 2/7/2023      **Final action:**  
**Title:** Acceptance of Update on County Public Records Act Fees  
**Sponsors:** County Counsel  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 2022-10-05\_PRA Memo with Attachments, 2. 2023-02-02\_PRA Fee Staff Report, 3. Consolidated Correspondence

Date	Ver.	Action By	Action	Result
2/7/2023	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** County Counsel and Executive Office

**Meeting Date:** February 7, 2023

**Department Contact:** Christian Curtis

**Phone:** 707-234-6885

**Department Contact:** Darcie Antle

**Phone:** 707-463-4441

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Acceptance of Update on County Public Records Act Fees

**Recommended Action/Motion:**

Accept update on County Public Records Act fees.

**Previous Board/Board Committee Actions:**

On July 12, 2022, the Mendocino County Board of Supervisors adopted Ordinance No. 4507, creating fees for copies of Public Records when more than one (1) hour of staff time is required.

**Summary of Request:**

Although all fifty (50) states and the federal government have open records laws making government documents available to the public, California is one (1) of six (6) states whose open records statutes limits the costs of recovery to the direct costs of duplication. California, however, allows counties to increase these fees by ordinance, to an amount not exceeding actual costs. Since 2014, a fees ordinance is the only means by which a County can ensure funding to offset the impact of Public Records Act requests on local tax revenues, because the State Constitution was amended to remove state funding for local transparency mandates.

In July of 2022, the Mendocino County Board of Supervisors enacted Ordinance No. 4507, creating fees for

Public Records Act requests using more than one (1) hour of staff time per calendar month. At that time, the Board directed staff to return in six (6) and twelve (12) months with updates on the implementation of the ordinance. The attached staff report details progress on the use and implementation of the ordinance, additional information on the frequency and costs of Public Records Act requests in Mendocino County, and discussion of fee models from other jurisdictions.

**Alternative Action/Motion:**

1. Provide direction to staff on any program changes.
2. Refer item to committee.

**Does This Item Support the General Plan?** N/A

**Strategic Plan Priority Designation:** An Effective County Government

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:** n/a

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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**CEO Liaison:** Executive Office

**CEO Review:** Choose an item.

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Senior Deputy Clerk

Date: February 7, 2023

Final Status:Approved

