



Las Vegas

Agenda Item No.: 5.

**AGENDA SUMMARY PAGE**  
**RECORDS MANAGEMENT COMMITTEE MEETING OF: MAY 6, 2008**

DEPARTMENT: CITY CLERK  
DIRECTOR: BEVERLY K. BRIDGES

Consent  Discussion

**SUBJECT:** Discussion and possible action regarding a fee schedule associated with written record requests in accordance with Nevada Revised Statutes Chapter 239 and the City of Las Vegas Public Records Access Policy and Procedure.

**Fiscal Impact**

- No Impact  Augmentation Required
- Budget Funds Available

**Amount:**  
**Funding Source:**  
**Dept./Division:**

**PURPOSE/BACKGROUND:**

Nevada Revised Statutes Chapter 239 permits recovery of costs associated with public records requests and reproduction. The City of Las Vegas Public Records Access Policy and Procedures addresses this on page eight of the procedure. Further discussion is required to update the policy or develop a separate policy and procedure along with a fee schedule.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

1. Page 8 from the December 2001 Public Records Access Policy and Procedure
2. Fee Issues
3. Fee Scenario

Minutes:  
No action required.

MEMBER REDLEIN had no problem with the fees charged to cover staff retrieval of documents from the Records Retention Center in order to comply with extraordinary requests; however, he expressed concern regarding the automatic dollar per page fee for readily accessible information. He commented that the news media are notorious for complaining about public records issues and fees.

MEMBER BRIDGES explained that there are numerous requests for information that require research. MEMBER REDLEIN replied that that particular situation is based on someones request for information, not a public record. MEMBER BRIDGES replied that since the City Clerks Office is the official keeper of the records, the ability to research the information remains solely with the Clerks Office. However, she also noted that there are instances when the Public Information Office becomes involved as an intermediary between the media and the Clerks Office.

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MEMBER VINCENT agreed that the issues mentioned are valid particularly media-related matters. He noted that his office receives numerous requests, many of which are research requests. He remarked that if research is required, his staff will routinely quote a price which in some cases will defer the request altogether. An alternate solution would be to provide the records if they are readily accessible and enabling the requestors to conduct their own research.

MEMBER REDLEIN restated the process that was established years ago delegating the City Clerk's Office with the task of identifying which department would be responsible for providing the requested information and related fees in order to respond to the request within the mandatory response time. With regard to media requests, he mentioned that the media on numerous occasions will side step the established procedures sending their request directly to the Public Information Office. He commented that if the Public Information Office has the time and resources to provide that information, he did not foresee any problems; however, when the media by-passes the proper custodian of records and routes their requests to the Public Information Office, that office often will not charge a fee and in most cases the response time is compromised. MEMBER REDLEIN stated that the solution would be for the receiving office to state that the request cannot be processed because they are not the custodian of record further directing the requestor to either the correct department with the Clerk's Office.

MEMBER REDLEIN asked whether there was information available on the fees charged by other municipalities for filling records requests. Having that information would be helpful in circumstances where someone objects to the dollar rate. MEMBER VINCENT remarked that people have no concept as to what a simple records request entails and that it is not just a matter of copying a piece of information.

