Ref: 27-9694

AGENDA

FINANCE and PERSONNEL COMMITTEE MEETING
LEUCADIA WASTEWATER DISTRICT
Thursday, November 12, 2026 – 11:00 a.m.
1960 La Costa Avenue, Carlsbad, CA 92009

Link to Meeting
Meeting ID: 240 350 235 031 036 7
Passcode: 3TC2up7E

1. **Call to Order**
   Teleconference with Director Roesink at the following location:
   Residence Inn
   2605 South Ocean Boulevard
   Myrtle Beach, SC 29577

2. **Roll Call**

3. **Public Comment**

4. **New Business**
   A. Receive and File the Fiscal Year 2026 (FY26) Annual Comprehensive Financial Report. (Page 2, Enclosure)

   B. Review of the Received Proposals for Legal Services. (Page 3)

   C. Adopt Resolution No. 2447 - LWD's Revised Public Records Act (PRA) Request Policy. (Pages 4-18)

5. **Information Items**
   None.

6. **Directors' Comments**

7. **General Manager's Comments**

8. **Adjournment**

MEMORANDUM

Ref: 27-9696

DATE: November 5, 2026

TO: Finance and Personnel Committee

FROM: Paul J. Bushee, General Manager

SUBJECT: **Fiscal Year 2026 (FY26) Annual Comprehensive Financial Report**

RECOMMENDATION:

Staff requests that the Finance and Personnel Committee (FPC) recommend that the Board of Directors:

1. Receive and file the FY26 Annual Comprehensive Financial Report.
2. Discuss and take other action, as appropriate.

DISCUSSION:

Tactical Goal: Financial / FY26 Audit

State law requires the Leucadia Wastewater District (LWD) to prepare a complete set of financial statements in conformance with generally accepted accounting principles (GAAP). The law also requires that the financial statements be audited in accordance with generally accepted auditing standards. For LWD, these documents collectively take the form of LWD's annual financial audit.

LWD prepares a more comprehensive financial report referred to as the Annual Comprehensive Financial Report (ACFR). This year's ACFR includes the following sections:

- Introductory section which is comprised of the Letter of Transmittal, Organizational Chart, List of Principal Officials, and award for outstanding financial reporting in FY25.
- Financial section that is made up of the Independent Auditor's Report, Management's Discussion and Analysis, Basic Financial Statements with notes, and Supplementary Information.
- Statistical section that includes cost and revenue comparisons and other LWD statistics for the past 10 years.

The accounting firm of Rogers, Anderson, Malody & Scott, LLP has completed its audit of LWD's FY26 Annual Comprehensive Financial Report. Staff is pleased to report that the auditors found that the financial statements present fairly, in all material respects, LWD's financial position and is in conformance with GAAP.

Attached for the committee's review is the Auditor's information letter which reports on any significant audit findings as a result of their audit, and the Auditor's Report on Internal Controls, Compliance, and Other Matters. Also enclosed is a copy of the full ACFR for your review.

Staff along with Scott Manno, CPA of Rogers, Anderson, Malody & Scott, LLP, will present an overview of the ACFR at the upcoming meeting.

reg:PJB

Enclosure

Ref: 27-9655

MEMORANDUM

DATE: November 5, 2026
TO: Finance and Personnel Committee
FROM: Paul J. Bushee, General Manager
SUBJECT: **Review of the Received Proposals for Legal Services**

RECOMMENDATION:

Staff requests that the Finance and Personnel Committee (FPC):

1. Review and discuss the Legal Service proposals rating results.
2. Determine a short-list of legal firms for interviews and further evaluation.

DISCUSSION:

The Leucadia Wastewater District (LWD) has used Worden Williams, LLP since June 10, 1982 to provide legal advice and Wayne Brechtel has served as LWD's General Counsel since 2004. Worden Williams and General Counsel Brechtel have provided excellent service to the District over the past 44 years. General Counsel Brechtel intends to retire at the end of 2026.

On September 14, 2026 LWD advertised and solicited requests for legal services proposals. Staff also held a pre-proposal conference on September 29, 2026 to review the RFP and to answer any questions from prospective legal firms.

As a result, nine legal service proposals were received by the October 9, 2026 deadline.

A team consisting of LWD's Finance and Personnel Committee, General Manager, General Counsel, and Director of Finance and Administration were provided with a copy of each proposal and a professional services rating form. The RFPs were reviewed and the rating forms completed by November 2, 2026. The results of the ratings will be presented at the upcoming meeting.

The purpose of this meeting is to determine the short-list of firms to be interviewed and further evaluated at a Special Board meeting on November 17, 2026.

reg:PJB

Ref: 27-9672

MEMORANDUM

DATE: November 5, 2026

TO: Finance and Personnel Committee

FROM: Paul J. Bushee, General Manager

SUBJECT: **Review of LWD's Revised Public Records Act (PRA) Request Policy**

RECOMMENDATION:

Staff requests that the Finance and Personnel Committee (FPC):

1. Adopt Resolution No. 2447 - Approving LWD's Revised Public Records Act (PRA) Request Policy, and

2. Discuss and take other action as appropriate.

DISCUSSION:

On October 16, 2013, the Board of Directors adopted Resolution No. 2240 approving the District's Public Records Act Request Policy. The policy established guidelines for public access to District records and procedures for responding to requests under the California Public Records Act (PRA). The policy has not been updated since its adoption.

Since 2013, the PRA has been reorganized, recodified, and was moved from former Government Code sections 6250 through 6276.48 to Government Code section 7920.000 et seq. Although the recodification was primarily intended to reorganize and clarify the law without substantive change, subsequent amendments and developments in PRA requirements make it appropriate to update the District's policy so that it reflects the current government code.

Staff reviewed the existing policy and prepared a revised Public Records Act Request Policy. The key revisions include:

- Updating the references to the current Government Code section 7920.000 et seq.;
- Updating the District's office hours;
- Clarifying that requests may be made orally or in writing and that use of the District's request form is not required, however written requests are encouraged;
- Updating the circumstances under which the 10-day determination period may be extended, including qualifying cyberattacks and certain Governor-proclaimed states of emergency under current law;
- Updating provisions governing inspection of records, including a requester's right to use personal equipment to photograph or otherwise reproduce records, subject to reasonable safeguards;
- Updating requirements for electronic records, electronic-format production, and authorized duplication or data-extraction costs; and
- Clarifying procedures for withholding or redacting exempt information, including disclosure of reasonably segregable nonexempt portions and written notice when a written request is denied in whole or in part.

In addition, various minor changes were made throughout the policy to improve clarity and correct grammatical spelling and format inconsistencies. General Counsel Brechtel has reviewed the policy and staff has made revisions based on his recommendations.

The proposed Resolution No. 2447, which amends the Public Records Act Policy, is provided as Attachment 1 and contains the full strikeout text of the proposed policy. A clean version of the proposed policy has also been included.

Staff will provide a brief overview of the attached policy at the upcoming meeting. Staff requests that the FPC recommend that the Board of Directors adopt Resolution No. 2447.

th:PJB
Attachment

RESOLUTION NO. 2447

RESOLUTION OF THE BOARD OF DIRECTORS OF THE LEUCADIA WASTEWATER DISTRICT ADOPTING A REVISED PUBLIC RECORDS ACT REQUEST POLICY

WHEREAS, the Board of Directors adopted the District's Public Records Act (PRA) Request Policy on October 16, 2013, and

WHEREAS, the California Legislature has since recodified and amended the PRA, including renumbering its provisions within Division 10 of Title 1 of the Government Code, and the District desires to update its policy to reflect current law and District practices; and

WHEREAS, the Board of Directors desires to revise the Public Records Act Request Policy and finds that its adoption will facilitate public access to District records while protecting records and information that are exempt from disclosure or confidential under applicable law.

NOW, THEREFORE, it is hereby resolved as follows:

The Board of Directors of the Leucadia Wastewater District does hereby rescind Resolution No. 2240 and adopts in its place the updated Public Records Act Request Policy, attached hereto as Exhibit "A," and directs that it be implemented consistent with all applicable laws and related District policies.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Leucadia Wastewater District held on November 18, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Matthew Brown, President

ATTEST:

_____,

Paul J. Bushee, Board Secretary

LEUCADIA WASTEWATER DISTRICT LEADERS IN ENVIRONMENTAL PROTECTION

~~lw~~ LEUCADIA WASTEWATER DISTRICT | LEADERS IN ENVIRONMENTAL PROTECTION

Ref: ~~14-386~~27-9673

PUBLIC RECORDS ACT REQUEST POLICY

PUBLIC RECORDS ACCESS GUIDELINES

The California Legislature has declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The California Public Records Act (PRA), Government Code ~~S~~sections ~~6250 to 6270~~7920.000 et seq., requires the Leucadia Wastewater District (LWD) to make public records available for inspection by the public and to provide copies upon request, except as otherwise provided by law~~.~~ These guidelines are intended to facilitate prompt public access to LWD records and shall be administered consistent with the PRA and Article I, section 3(b) of the California Constitution. A copy of these guidelines will be provided without charge upon request.~~LWD has established the following guidelines to ensure that all persons understand and are afforded the opportunity to use their right to access public records. A copy of these guidelines will be provided free of charge upon request.~~

DEFINITION OF PUBLIC RECORDS

"Public records" include any writing containing information relating to the conduct of the public's business that is prepared, owned, ~~used~~used, or retained by LWD regardless of physical form or characteristics. "Writing" ~~means~~includes handwriting, ~~typewriting~~, printing, photo~~stating~~graphs, audio or video recordings, ~~photocopying, photographing, transmitting by~~ electronic mail, text or ~~facsimile~~other electronic messages, and every other means of recording any form of communication or representation, ~~upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds or symbols or any combination thereof, and any record thereby created,~~ regardless of ~~the manner in which the record has been stored~~how the record is stored. Records concerning LWD business may be public records even when created, sent, received, or stored on a personal device or personal account. (Government Code section 7920.530, 7920.545.)

AVAILABILITY OF PUBLIC RECORDS

Public records are open to inspection during LWD office hours, ~~generally~~currently 8:00 am – 5:00 pm Monday through ~~Friday~~Thursday, and 8am to 4:30pm Friday, ~~-~~except ~~for state~~ holidays. Advanced notice is not required ~~to inspect public records~~; however, reasonable advance notice is encouraged when records are not readily available or when inspection would require staff to retrieve, review, or prepare records. Inspection will be arranged in a manner that protects records from loss, damage, alteration, or unauthorized disclosure and that does not unreasonably disrupt District operations.~~the inspection of records is subject to a rule of reason and must be consistent with the efficient functioning of LWD office. It is advisable for any person who wishes to inspect public records to contact the LWD to ensure that the records are available. An appointment may be necessary, if the records are not readily available.~~

~~Records available for immediate inspection include the Fair Political Practice Commission (FPPC) forms (Gov. Code Section 81008) of designated LWD employees and Board members and the Public Records~~

~~Access Guidelines. Copies of the Guidelines will be provided without charge upon request. The Guidelines are also available on LWD's website at www.lwwd.org. It is the policy of LWD that records not exempt from disclosure by state law will be open for public inspection with the least possible delay. There is no charge to inspect records. In order to prevent records from being lost, damaged or destroyed during inspection, LWD staff may determine the location of, and may monitor, the inspection.~~
There is no charge to inspect public records. A requester inspecting disclosable records at LWD may use the requester's own equipment to photograph or otherwise copy records without charge, provided the equipment does not physically contact or damage the records, compromise LWD computer systems or secured networks, or create an unreasonable burden on District operations. LWD may impose reasonable limits necessary to protect records, information security, or the orderly functioning of the District (Gov. Code. Section 7922.530).

PUBLIC ACCESS TO PUBLIC RECORDS

A request for access to Public records may be made orally or in writing, and use of LWD's Public Records Request Form is not required. Written requests are encouraged because they can help LWD accurately identify the records sought and document the request. A request should reasonably describe identifiable records. A requester is not required to provide a name or contact information, although contact information may be helpful for clarification, cost estimates, status updates, or delivery of records.

LWD staff will, to the extent reasonable under the circumstances, assist a requester in making a focused and effective request by helping identify responsive records or information, describing the information technology and physical locations in which records may exist. LWD may seek clarification when reasonably necessary to identify the records sought. (Gov. Code section 7922.600).

Requests may be submitted in person, by mail, or email. The Public Requests Form is available on LWD's Forms and Documents webpage: www.lwwd.org/or at:
~~While a written request is not required, LWD prefers that the requestor(s) complete LWD's PRA Request Form. Request for records should be in writing so that LWD can more accurately identify the records sought and process the request more efficiently. LWD's PRA Form is posted on LWD's website www.lwwd.org; under the Publications tab. Requests or the form should be directed to LWD's Office at the following address:~~

Leucadia Wastewater District
1960 La Costa Avenue
Carlsbad, CA 92009
Phone: (760) 753-0155
Fax: (760) 753-~~01553~~3094
Email: info@lwwd.org

~~Please include the following information in your request, so that we may respond to your request in a timely manner:~~

~~1. Whether you are requesting to inspect and/or obtain copies of public records under the PRA.~~

~~2. A clear and specific description of the information you are requesting. If possible, identify dates, subjects, titles and authors of the records requested. If needed, LWD staff will assist you in making a focused and effective request by helping you identify records, describing where they can be located and providing other suggestions for facilitating access. LWD may ask for~~

~~additional information if the request is not specific enough to permit identification of the records sought.~~

~~3. Contact information.~~

RESPONSE TIME

Within ten (10) calendar days after receipt of a request for copies of public records, ~~from the date the request is received~~, LWD will determine whether the request, in whole or in part, seeks copies of disclosable public records ~~that are~~ in LWD's possession and notify the requester of the determination and reasons for it. ~~LWD will notify the requester of such determination~~. If LWD determines that the request seeks disclosable records, LWD will also provide an estimated date and time when the records will be available. The 10-day period is a period for making determination; it is not a deadline for producing all responsive records. Responsive, nonexempt records will be made available promptly.

In unusual circumstances, the 10-day ~~time limit~~determination period may be extended by written notice from the General Manager or designee. The notice will state the reasons for the extension and the date on which the determination is expected to be sent, and the extension will not exceed fourteen (14) additional days. "Unusual circumstances" are limited to those authorized by law and as applicable, include: ~~up to an additional fourteen (14) days by written notice to the requester, setting forth the reason for the time extension. Unusual circumstances include:~~

1. The need to search for and collect the requested records from field facilities or other ~~establishments~~locations ~~that are~~ separate from the office processing the ~~request;~~request;

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records ~~that are demanded~~ in a single ~~request;~~request;

3. The need for consultation, ~~which shall be~~ conducted with all practicable speed, with another agency having a substantial interest in ~~LWD's~~the determination ~~of the request~~ or among two or more LWD components ~~of LWD~~ having substantial subject-matter interest ~~therein; and;~~

4. The need to compile data, write a programming language or a computer program, or construct~~s~~ a computer report to extract data. ~~If LWD determines it will comply with the request, the records will be made available as promptly as possible upon payment of any applicable copying fees.~~
5. The inability, because of a cyberattack, to access electronic servers or systems needed to search for and obtain potentially responsive electronic records, subject to the limitations in Gov. Code section 7922.535; or
~~4.~~6. The need to search for, collect, and appropriately examine records during a Governor-proclaimed state of emergency in LWD's jurisdiction when the emergency currently and directly affects LWD's ability to respond timely due to staffing shortages or closure of facilities where the requested records are located, subject to the limitations Gov. Code section 7922.535.

RECORDS IN ELECTRONIC FORMAT

Unless otherwise prohibited by law, an identifiable, nonexempt public record maintained in electronic format will be made available electronically upon request. ~~Upon request, LWD will provide electronic copies of records if they are still available in an electronic format.~~ -LWD ~~shall~~will make ~~an electronic public recor~~the information~~d~~ available 1) in any electronic format in which it~~LWD~~ holds the information ~~or~~and 2) will provide it in a ~~in the format requested if the~~ requested format if that format is one ~~that~~LWD has ~~been~~ used ~~by LWD~~ to create copies for its own use or for provision to other agencies. LWD is not required to reconstruct a record in electronic format if it is no longer available electronically, and LWD is not required to release an electronic record in a form that would jeopardize or compromise the security or integrity of the original record or proprietary software. (Gov. Code section 7922.580)

FEE FOR COPIES

LWD may charge fees covering the direct cost of duplication or a statuary fee, if applicable. The usual fee for standard paper copies ~~copying records~~ is ten cents ($.10) per standard 8 ½ x 11-inch page. LWD may require payment of applicable duplication costs before providing copies. No fee will be charged merely for searching for, reviewing, or redacting records unless expressly authorized by law. Upon request, an exact copy will be provided unless it is impracticable. (Gov. Code 7922.530)
~~The cost for all other copies is the direct cost of duplication, or a statutory fee if applicable.~~

FEES FOR RECORDS IN ELECTRONIC FORMAT

The cost of duplicating an electronic record is limited to the direct cost of producing the copy. A requester may be required to bear additional costs to construct a record and for programming and computer services when:~~The requestor shall bear the direct costs of producing a copy of a record in electronic format, including the costs to construct a record and the cost of programming and computer services necessary if:~~

1. LWD ~~is required to~~must produce a copy of an electronic record that is otherwise only produced at regularly scheduled intervals; or

2. ~~LWD is required~~The request requires ~~to perform~~ data compilation, extraction, or programming to produce the record. (Gov. Code section 7922.575)

~~3. The usual cost of obtaining electronic copies on a CD is one dollar ($1).~~
LWD will charge media costs when records can reasonably be transmitted electronically without physical media.

LWD'S RESPONSE TO A RECORDS REQUEST INCLUDES

In responding to ~~informationa requests~~ a request, LWD will advise the ~~person submitting the request of the following~~requester, as applicable:

1. Whether LWD has identified dis-closable records responsive to the ~~request;~~request.

2. The location, date, and time at which ~~the requested~~ records may be inspected, if an inspection was ~~requested;~~requested.

3. The amount of any applicable duplication or authorized electronic production costs;~~If copies of records are requested, the cost of providing such copies; and~~

4. Whether any responsive records or portions of records are being withheld or redacted and the legal basis for withholding them; and~~Which of the records requested are exempt from disclosure pursuant to applicable provisions of the California PRA.~~

5. For a written request that is denied in whole or in part, a written denial identifying the name and title or position of each person responsible for the denial. (Gov. Code section 7922.540)

~~4.~~ LWD will disclose any reasonably segregated portion of a record after removing portions that are exempt from disclosure. (Gov. Code section 7922.525)

RECORDS THAT ARE NOT REQUIRED TO BE DISCLOSED

The PRA and other state and federal laws exempt certain records, and portions of records from disclosure or prohibit their disclosure. Depending on the facts and applicable law, exemptions may include, among others, certain personnel, medical, or similar files where disclosure would constitute an unwarranted invasion of personal privacy; records protected by attorney-client privilege or attorney work-product protections; certain pending-litigation records; certain law enforcement or investigatory records; preliminary drafts that meet statutory requirements; trade secrets and other confidential commercial information; certain real-property appraisal and evaluation records; security-sensitive information; and records made confidential by other state or federal law.

LWD may also withhold a record under the PRA's public-interest balancing provision when, on the facts of the particular case, the public interest served by nondisclosure clearly outweighs the public interest served by disclosure. LWD will justify any withholding under an express exemption or this balancing test and will disclose reasonably segregable justify any withholding under an express exemption or this balancing test and will disclose reasonable segregable nonexempt portions. Exemptions will be applied narrowly and, on a case-by-case basis.

~~In balancing the public's right to access public records with other rights and interests, including the individual right of privacy and the need for LWD to be able to competently perform its duties, the Legislature has established certain categories of records that may be exempt from public disclosure under specified circumstances. These include, but are not limited to, certain personnel records, investigative records, drafts, confidential legal advice, records prepared in connection with litigation, real estate appraisals and evaluations made relative to pending acquisition of property, Native American graves, cemeteries and sacred places, archaeological site information, trade secrets, communications with the Governor's Office, and information that is confidential pursuant to other state or federal statutes.~~

~~PERSONS~~PERSON WITH DISABILITIES

Persons with disabilities who require reasonable accommodation to request, inspect, or ~~for~~ obtain~~ing access to~~ LWD public records should notify LWD of their accommodation needs in the~~ir~~ request or ~~by~~ contact LWD at ~~calling~~ (760) 753-0155 or info@lwwd.org. LWD will provide reasonable accommodation consistent with applicable laws.

LEUCADIA WASTEWATER DISTRICT | LEADERS IN ENVIRONMENTAL PROTECTION

1960 La Costa Avenue
Carlsbad, CA 92009

Date of Completion: _____
Date of Pick Up: _____
Employee Initials: _____

PUBLIC RECORDS REQUEST

Date:_____

I, _____, representing_____
(Name) (Firm, Company, etc.)

respectfully request copies of the following ~~certain~~ public records pursuant to the California Public Records Act (Government Code Sec. 7920.000 et seq.). ~~Requests for copies of public records may take up to ten (10) days to complete. You will be notified by telephone and/or email when your request is ready for pick up.~~

TITLE/DOCUMENT	NUMBER/ DESCRIPTION	DATE/ PERIOD	PAGES	TOTAL COPIES

The District will promptly respond to your request. However, the time for a response may differ depending on the scope and complexity of a request. In all instances, the District shall within ten (10) days of a request for copies of public records determine whether it seeks disclosable public records and provide copies of disclosable documents. In certain instances, the District may extend the time for its determination by an additional fourteen (14) days. You will be notified by telephone and/or email of the District's determination of availability and when copies of disclosable records are available. The District reserves the right to delete any portion of the material requested that is exempt by applicable ~~P~~provisions of law but shall provide the remainder of the information as requested.

I understand that the District ~~LWD~~ may charge for the actual cost of providing copies. The standard fee for copies of documents is $.10 per page. ~~and of mylars or plans is $ per page.~~ ~~reproduction of all materials that I request and~~ I agree to pay for all materials received.

Name: _____ Title: _____

Address: _____

Home Phone: _____ Cell/Work: _____

Email: _____

Signature: _____

~~**FEES:** $.10 photocopying $2.00 per Blueline Paper Copy *Shipping and/or handling varies~~

****

For District Use Only:

No. of Pages	Description	Unit Price	Total Amount

Shipping and/or Handling Fee:			
Total:			

LEUCADIA WASTEWATER DISTRICT | LEADERS IN ENVIRONMENTAL PROTECTION

Ref: 27-9697

PUBLIC RECORDS ACT REQUEST POLICY

PUBLIC RECORDS ACCESS GUIDELINES

The California Legislature has declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The California Public Records Act (PRA), Government Code sections 7920.000 et seq., requires the Leucadia Wastewater District (LWD) to make public records available for inspection by the public and to provide copies upon request, except as otherwise provided by law. These guidelines are intended to facilitate public access to LWD records and shall be administered consistent with the PRA and Article I, section 3(b) of the California Constitution. A copy of these guidelines will be provided without charge upon request.

DEFINITION OF PUBLIC RECORDS

"Public records" include any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by LWD regardless of physical form or characteristics. "Writing" includes handwriting, printing, photographs, audio or video recordings, electronic mail, text or other electronic messages, and every other means of recording any form of communication or representation, regardless of how the record is stored. Records concerning LWD business may be public records even when created, sent, received, or stored on a personal device or personal account. (Government Code section 7920.530, 7920.545.)

AVAILABILITY OF PUBLIC RECORDS

Public records are open for inspection during LWD office hours, currently 8:00 am – 5:00 pm Monday through Thursday, and 8am to 4:30pm Friday, except holidays. Advanced notice is not required; however, reasonable advance notice is encouraged when records are not readily available or when inspection would require staff to retrieve, review, or prepare records. Inspection will be arranged in a manner that protects records from loss, damage, alteration, or unauthorized disclosure and that does not unreasonably disrupt District operations.

There is no charge to inspect public records. A requester inspecting disclosable records at LWD may use the requester's own equipment to photograph or otherwise copy records without charge, provided the equipment does not physically contact or damage the records, compromise LWD computer systems or secured networks, or create an unreasonable burden on District operations. LWD may impose reasonable limits necessary to protect records, information security, or the orderly functioning of the District (Gov. Code. Section 7922.530).

PUBLIC ACCESS TO PUBLIC RECORDS

A request for access to Public records may be made orally or in writing, and use of LWD's Public Records Request Form is not required. Written requests are encouraged because they can help LWD accurately identify the records sought and document the request. A request should reasonably describe identifiable records. A requester is not required to provide a name or contact information, although contact information may be helpful for clarification, cost estimates, status updates, or delivery of records.

LWD staff will, to the extent reasonable under the circumstances, assist a requester in making a focused and effective request by helping identify responsive records or information, describing the information technology and physical locations in which records may exist. LWD may seek clarification when reasonably necessary to identify the records sought. (Gov. Code section 7922.600).

Requests may be submitted in person, by mail, or email. The Public Requests Form is available on LWD's Forms and Documents webpage: http://www.lwwd.org/ or at:

Leucadia Wastewater District
1960 La Costa Avenue
Carlsbad, CA 92009
Phone: (760) 753-0155
Fax: (760) 753-3094
Email: info@lwwd.org

RESPONSE TIME

Within ten (10) calendar days after receipt of a request for copies of public records, LWD will determine whether the request, in whole or in part, seeks copies of disclosable public records in LWD's possession and notify the requester of the determination and reasons for it. If LWD determines that the request seeks disclosable records, LWD will also provide an estimated date and time when the records will be available. The 10-day period is a period for making determination; it is not a deadline for producing all responsive records. Responsive, nonexempt records will be made available promptly.

In unusual circumstances, the 10-day determination period may be extended by written notice from the General Manager or designee. The notice will state the reasons for the extension and the date on which the determination is expected to be sent, and the extension will not exceed fourteen (14) additional days. "Unusual circumstances" are limited to those authorized by law and as applicable, include:

1. The need to search for and collect the requested records from field facilities or other locations separate from the office processing the request;

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records in a single request;

3. The need for consultation, conducted with all practicable speed, with another agency having a substantial interest in the determination or among two or more LWD components having substantial subject-matter interest;

4. The need to compile data, write a programming language or a computer program, or construct a computer report to extract data.

5. The inability, because of a cyberattack, to access electronic servers or systems needed to search for and obtain potentially responsive electronic records, subject to the limitations in Gov. Code section 7922.535; or

6. The need to search for, collect, and appropriately examine records during a Governor-proclaimed state of emergency in LWD's jurisdiction when the emergency currently and directly affects LWD's ability to respond timely due to staffing shortages or closure of facilities where the requested records are located, subject to the limitations Gov. Code section 7922.535.

RECORDS IN ELECTRONIC FORMAT

Unless otherwise prohibited by law, an identifiable, nonexempt public record maintained in electronic format will be made available electronically upon request. LWD will make the information available 1) in any electronic format in which it holds the information and 2) will provide it in the requested format if that format is one LWD has used to create copies for its own use or for provision to other agencies. LWD is not required to reconstruct a record in electronic format if it is no longer available electronically, and LWD is not required to release an electronic record in a form that would jeopardize or compromise the security or integrity of the original record or proprietary software. (Gov. Code section 7922.580)

FEE FOR COPIES

LWD may charge fees covering the direct cost of duplication or a statuary fee, if applicable. The usual fee for standard paper copies is ten cents ($.10) per standard 8 ½ x 11inch page. LWD may require payment of applicable duplication costs before providing copies. No fee will be charged merely for searching for, reviewing, or redacting records unless expressly authorized by law. Upon request, an exact copy will be provided unless it is impracticable. (Gov. Code 7922.530)

FEES FOR RECORDS IN ELECTRONIC FORMAT

The cost of duplicating an electronic record is limited to the direct cost of producing the copy. A requester may be required to bear additional costs to construct a record and for programming and computer services when:

1. LWD must produce a copy of an electronic record that is otherwise only produced at regularly scheduled intervals; or

2. The request requires data compilation, extraction, or programming to produce the record. (Gov. Code section 7922.575)

LWD will charge media costs when records can reasonably be transmitted electronically without physical media.

LWD'S RESPONSE TO RECORDS REQUEST INCLUDES

In responding to a request, LWD will advise the requester, as applicable:

1. Whether LWD has identified disclosable records responsive to the request;

2. The location, date, and time at which records may be inspected, if an inspection was requested;

3. The amount of any applicable duplication or authorized electronic production costs;

4. Whether any responsive records or portions of records are being withheld or redacted and the legal basis for withholding them; and

5. For a written request that is denied in whole or in part, a written denial identifying the name and title or position of each person responsible for the denial. (Gov. Code section 7922.540)

LWD will disclose any reasonably segregated portion of a record after removing portions that are exempt from disclosure. (Gov. Code section 7922.525)

RECORDS THAT ARE NOT REQUIRED TO BE DISCLOSED

The PRA and other state and federal laws exempt certain records, and portions of records from disclosure or prohibit their disclosure. Depending on the facts and applicable law, exemptions may include, among others, certain personnel, medical, or similar files where disclosure would constitute an unwarranted invasion of personal privacy; records protected by attorney-client privilege or attorney work-product protections; certain pending-litigation records; certain law enforcement or investigatory records; preliminary drafts that meet statutory requirements; trade secrets and other confidential commercial information; certain real-property appraisal and evaluation records; security-sensitive information; and records made confidential by other state or federal law.

LWD may also withhold a record under the PRA's public-interest balancing provision when, on the facts of the particular case, the public interest served by nondisclosure clearly outweighs the public interest served by disclosure. LWD will justify any withholding under an express exemption or this balancing test and will disclose reasonably segregable justify any withholding under an express exemption or this balancing test and will disclose reasonable segregable nonexempt portions. Exemptions will be applied narrowly and, on a case-by-case basis.

PERSON WITH DISABILITIES

Persons with disabilities who require reasonable accommodation to request, inspect, or obtain LWD public records should notify LWD of their accommodation needs in the request or contact LWD at (760) 753-0155 or info@lwwd.org. LWD will provide reasonable accommodation consistent with applicable laws.

LEUCADIA WASTEWATER DISTRICT
LEADERS IN ENVIRONMENTAL PROTECTION

1960 La Costa Avenue
Carlsbad, CA 92009

PUBLIC RECORDS REQUEST

Date:_____

I, _____, representing_____
(Name) (Firm, Company, etc.)

respectfully request copies of the following public records pursuant to the California Public Records Act (Government Code Sec. 7920.000 et seq.).

TITLE/DOCUMENT	NUMBER/ DESCRIPTION	DATE/ PERIOD	PAGES	TOTAL COPIES

The District will promptly respond to your request. However, the time for a response may differ depending on the scope and complexity of a request. In all instances, the District shall within ten (10) days of a request for copies of public records determine whether it seeks disclosable public records and provide copies of disclosable documents. In certain instances, the District may extend the time for its determination by an additional fourteen (14) days. You will be notified by telephone and/or email of the District's determination of availability and when copies of disclosable records are available. The District reserves the right to delete any portion of the material requested that is exempt by applicable provisions of law but shall provide the remainder of the information as requested.

I understand that the District may charge for the actual cost of providing copies. The standard fee for copies of documents is $.10 per page. I agree to pay for all materials received.

Name: _____ Title: _____

Address: _____

Home Phone: _____ Cell/Work: _____

Email: _____

Signature: _____

****

For District Use Only:

No. of Pages	Description	Unit Price	Total Amount
		Shipping and/or Handling Fee:	
		Total:	