

RESOLUTION NO. 2019-008

A RESOLUTION OF THE ARTESIA CEMETERY DISTRICT BOARD OF TRUSTEES APPROVING A PUBLIC RECORDS REQUEST POLICY CONSISTENT WITH THE CALIFORNIA PUBLIC RECORDS ACT TO ENSURE PUBLIC ACCESS TO THE DISTRICT'S PUBLIC RECORDS IN THE INTEREST OF PROMOTING THE DISTRICT'S POLICY AND PRACTICE OF PUBLIC TRANSPARENCY

WHEREAS, the Artesia Cemetery District (the "District") is a special district duly organized and existing under and by virtue of the California Public Cemetery District Law, codified in Health and Safety Code Sections 9000 *et seq.*; and

WHEREAS, Health and Safety Code Section 9020 provides that the Board of Trustees (the "Board") shall serve as the legislative body of the District, govern the District, and establish policies for the operation of the District; and

WHEREAS, the purpose of the California Public Records Act, codified in Government Code section 6250 *et seq.*, is to provide access to information that enables the public to monitor the functioning of their government; and

WHEREAS, the California State Legislature declared that the right of access to information about the conduct of the people's business is a fundamental and necessary right of every person in the state; and

WHEREAS, the general policy of the Public Records Act favors disclosure, and a refusal to disclose information must be justified by the exemptions enumerated in the Public Records Act; and

WHEREAS, in 2004, the voters approved Proposition 59, an amendment to the California Constitution incorporating the public's right of access to information concerning the conduct of the people's business; and

WHEREAS, the Board has determined it is good public policy to adopt a Public Records Request Policy that ensures that the Public Records Act is properly implemented in a manner that ensures that members of the public have access to inspect the District's public records that are not exempt from disclosure for the purpose of promoting the District's policy and practice of public transparency.

NOW, THEREFORE, be it resolved by the Board of Trustees of the District as follows:

Section 1. Recitals.

That the Recitals set forth above are true and correct.

Section 2.

That the attached Public Records Request Policy is hereby approved which all District employees, consultants and independent contractors who perform services on behalf of the District shall comply the California Public Records Act to reinforce the District's longstanding policy and practice of promoting public transparency.

Section 3. Severability.

That the Board of Trustees declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution shall remain in full force and effect.

Section 4. Repeal of Conflicting Provisions.

That all the provisions heretofore adopted by the Board of Trustees that are in conflict with the provisions of this Resolution are hereby repealed.

Section 5. Effective Date.

That this Resolution shall take effect immediately upon its adoption.

Section 6. Certification.

That the Secretary of the Board of Trustees shall certify to the passage and adoption of this Resolution, enter the same in the book for original resolutions of the District, and make a minute of passage and adoption thereof in the records of the proceedings of the Board of Trustees, in the minutes of the meeting at which this Resolution is passed and adopted.

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ATTACHMENT
PUBLIC RECORDS REQUEST POLICY
2019

PASSED, APPROVED AND ADOPTED by the Board of Trustees of the Artesia Cemetery District at a regular meeting duly held on the 10th day of October 2019, by the following vote:

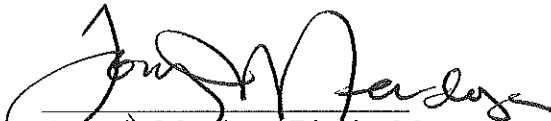
AYES: 3

NAYS: 0

ABSENT: 0


ABSTAIN: 0

ATTEST:



Antonio Mendoza, District Manager

APPROVED:



Rene Trevino, Acting Chair

APPROVED AS TO FORM:

Steven B. Quintanilla, General Counsel