## FREQUENTLY REQUESTED INFORMATION AND RECORDS

Please note: Where an item is listed as open, the Sunshine Ordinance requires "immediate disclosure." However, citizens should be advised that some City records are stored off-site and require retrieval. Where this is the case, the records will be immediately disclosed upon their retrieval. Items that are listed as "partially open" may be subject to disclosure - City staff may elect to review and redact such items.

<table>
<thead>
<tr>
<th>CATEGORY/ITEM</th>
<th>STATUS</th>
<th>LEGAL AUTHORITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agenda materials distributed to a legislative body relating to an open session item</td>
<td>Open</td>
<td>Gov. Code, § 54957.5.</td>
</tr>
<tr>
<td>Audit Contracts</td>
<td>Open</td>
<td>Gov. Code, § 6253.31.</td>
</tr>
<tr>
<td>Auditor Records</td>
<td>Partially Open</td>
<td>Gov. Code, § 36525(b).</td>
</tr>
<tr>
<td>Contact information – Names, addresses, and phone numbers of crime victims or witnesses</td>
<td>Exempt</td>
<td>Gov. Code, § 6254(f)(2).</td>
</tr>
<tr>
<td>Election petitions (initiative, referendum and recall petitions)</td>
<td>Exempt</td>
<td>Gov. Code, § 6253.5; Elect. Code, §§ 17200, 17400, and 18650; Evid. Code, § 1050. (Open only to proponents if petition found to be insufficient).</td>
</tr>
<tr>
<td>Emails between government staff</td>
<td>Partially Open</td>
<td>Emails deleted by administrative policy and not retained in the ordinary course of business are subject to the deliberative process privilege. (See § 6254(a)). See also <em>Times Mirror v. Superior Court</em> (1991) 53 Cal.3d 1325; <em>Rogers v. Superior Court</em> (1993) 19 Cal.App.4th 469; Emails may also be subject to the attorney-client privilege and/or work product doctrines. (See, Evid. Code, § 950, et seq.)</td>
</tr>
<tr>
<td>Employment Agreements/Contracts</td>
<td>Open</td>
<td>Gov. Code, §§ 6254.8 and 53262(b).</td>
</tr>
<tr>
<td>Expense Reimbursement Report Forms</td>
<td>Open</td>
<td>Gov. Code, § 53232.3(e).</td>
</tr>
<tr>
<td>Form 700 (Statement of Economic Interests) and Campaign Statements</td>
<td>Open</td>
<td>Gov. Code, § 81008.</td>
</tr>
<tr>
<td>Grading documents including geology reports, compaction reports, and soils reports submitted in conjunction with an application for a building permit</td>
<td>Open</td>
<td>89 Ops.Cal.Atty.Gen. 39 (2006); but see Gov. Code, § 6254(e).</td>
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<tr>
<td>Legal billing statements</td>
<td>Partially Open</td>
<td>See, Gov. Code, § 6254(b); Gov. Code, § 6254(k); Evid. Code, § 950, et seq.; Smith v. Laguna Sun Villas Community Assoc. (2000) 79 Cal.App.4th 639; United States v. Amlani, 169 F.3d 1189 (9th Cir. 1999); Clarke v. American Commerce National Bank, 974 F.2d. 127 (9th Cir. 1992) (Only as to total amounts unless otherwise subject to the attorney-client privilege).</td>
</tr>
<tr>
<td>Library Patron Use Records</td>
<td>Exempt</td>
<td>Gov. Code, §§ 6254(j) and 6267.</td>
</tr>
<tr>
<td>Mental Health detentions (5150 reports)</td>
<td>Exempt</td>
<td>Gov. Code, § 6254(c).</td>
</tr>
<tr>
<td>Minutes of Closed Sessions</td>
<td>Partially Open</td>
<td>Exempt until released as Open by City Attorney Alameda Municipal Code Section 2-91.8</td>
</tr>
<tr>
<td>Notices/Orders to property owner re: housing/building code, violations</td>
<td>Open</td>
<td>Gov. Code, § 6254.7(c).</td>
</tr>
<tr>
<td>Personnel - Investigatory reports</td>
<td>Exempt</td>
<td>International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, et al. v. Superior Court (2007) 42 Cal.4th 319 (Unique, individual circumstances may warrant withholding). (Other personal information such as social security numbers, home telephone numbers and home addresses are generally exempt from disclosure per Gov. Code, § 6254(c)).</td>
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<tr>
<td>Personnel - Test Questions, scoring keys, and other examination data</td>
<td>Exempt</td>
<td>Gov. Code, § 6254(g).</td>
</tr>
<tr>
<td>Police - Arrest Information</td>
<td>Partially Open</td>
<td>Gov. Code, § 6254(f)(1); County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588. (Daily arrest log, if one is maintained is open).</td>
</tr>
<tr>
<td>Police - Criminal investigative reports including booking photos, audio recordings, dispatch tapes, 911 tapes and in-car video</td>
<td>Exempt</td>
<td>Gov. Code, § 6254(f); Haynie v. Superior Court (2001) 26 Cal.4th 1061.</td>
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<tr>
<td>Police - Officer’s personnel file</td>
<td>Exempt</td>
<td>This information can only be disclosed through a Pitchess motion. Pen. Code, §§ 832.7 and 832.8; Evid. Code, §§ 1043-1045.</td>
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<td>employment dates</td>
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<tr>
<td>Police - Traffic accident reports</td>
<td>Partially Open</td>
<td>Veh. Code, § 16005 [only disclose to specific parties such as insurance companies, and the individuals involved].</td>
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<tr>
<td>Public Contracts - Purchase price of real property</td>
<td>Partially Open</td>
<td>Gov. Code, § 7275. (After acquisition complete).</td>
</tr>
<tr>
<td>Real Estate - City owned property information</td>
<td>Partially Open</td>
<td>Gov. Code, § 6254(h). (After negotiations complete).</td>
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<td>mapping systems</td>
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<tr>
<td>Speaker Cards</td>
<td>Open</td>
<td>Gov. Code, § 6255.</td>
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<tr>
<td>Tax Return Information</td>
<td>Exempt</td>
<td>Gov. Code, § 6254(k); IRS Code, § 6103.</td>
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<tr>
<td>Taxpayer information received in connection with</td>
<td>Exempt</td>
<td>Gov. Code, § 6254(i).</td>
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<td>local taxes</td>
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<tr>
<td>Utility usage data</td>
<td>Partially Open</td>
<td>Gov. Code, § 6254.16.</td>
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<tr>
<td>Voter information</td>
<td>Exempt</td>
<td>Gov. Code, § 6254.4.</td>
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