

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.

CATEGORY/ITEM	STATUS	LEGAL AUTHORITY
Agenda materials distributed to a legislative body relating to an open session item	Open	Gov. Code, § 54957.5.
Audit Contracts	Open	Gov. Code, § 6253.31.
Auditor Records	Partially Open	Gov. Code, § 36525(b).
Automated Traffic Enforcement System (red light camera)	Exempt	Veh. Code, § 21455.5(e)(1).
Autopsy Reports	Exempt	Gov. Code, § 6254(f); <i>Dixon v. Superior Court</i> (2009) 170 Cal.App.4th 1271.
Calendars of Elected Officials	Exempt	See <i>Times Mirror Co. v. Superior Court</i> (1991) 53 Cal.3d 1325 and <i>Rogers v. Superior Court</i> (1993) 19 Cal.App.4th 469 . See also, 87 Ops.Cal.Atty.Gen. 181 (2004); 88 Ops.Cal. Atty.Gen. 16 (2005); 89 Ops.Cal.Atty.Gen. 204 (2006).
Contact information – Names, addresses, and phone numbers of crime victims or witnesses	Exempt	Gov. Code, § 6254(f)(2).
Citizen complaint information – names, addresses, and telephone numbers	Exempt	<i>City of San Jose v. San Jose Mercury News</i> (1999) 74 Cal.App.4th 1008.
Claims for damages	Open	<i>Poway Unified School District v. Superior Court</i> (1998) 62 Cal.App.4th 1496.
Election petitions (initiative, referendum and recall petitions)	Exempt	Gov. Code, § 6253.5; Elec. Code, §§ 17200, 17400, and 18650; Evid. Code, § 1050. (Open only to proponents if petition found to be insufficient).
Emails between government staff	Partially Open	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 <i>Times Mirror v. Superior Court</i> (1991) 53 Cal.3d 1325; <i>Rogers v. Superior Court</i> (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.)
Employment Agreements/Contracts	Open	Gov. Code, §§ 6254.8 and 53262(b).
Expense Reimbursement Report Forms	Open	Gov. Code, § 53232.3(e).
Form 700 (Statement of Economic Interests) and Campaign Statements	Open	Gov. Code, § 81008.
Grading documents including geology reports, compaction reports, and soils reports submitted in conjunction with an application for a building permit	Open	89 Ops.Cal.Atty.Gen. 39 (2006); but see Gov. Code, § 6254(e).

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Legal billing statements	Partially Open	See, Gov. Code, § 6254(b); Gov. Code, § 6254(k); Evid. Code, § 950, et seq.; <i>Smith v. Laguna Sun Villas Community Assoc.</i> (2000) 79 Cal.App.4th 639; <i>United States v. Amlani</i> , 169 F.3d 1189 (9th Cir. 1999); <i>Clarke v. American Commerce National Bank</i> , 974 F.2d. 127 (9th Cir. 1992) (Only as to total amounts unless otherwise subject to the attorney-client privilege).
Library Patron Use Records	Exempt	Gov. Code, §§ 6254(j) and 6267.
Medical Records	Exempt	Gov. Code, § 6254(c).
Mental Health detentions (5150 reports)	Exempt	Welf. & Inst. Code, § 5328.
Minutes of Closed Sessions	Partially Open	Exempt until released as Open by City Attorney Alameda Municipal Code Section 2-91.8
Notices/Orders to property owner re: housing/building code, violations	Open	Gov. Code, § 6254.7(c).
Official Building Plans (architectural drawings and plans)	Partially Open	Health & Saf. Code, § 19851; see also 17 U.S.C. §§ 101 and 102. (Inspection only. Copies provided under certain circumstances).
Personal Financial Records	Exempt	Gov. Code, §§ 7470, 7471, 7473; see also Gov. Code, § 6254(n).
Personnel - Investigatory reports	Exempt	<i>Sanchez v. County of San Bernardino</i> (2009) 176 Cal.App.4th 516; <i>BRV, Inc. v. Superior Court</i> (2006) 143 Cal.App.4th 742.
Personnel - Names and salaries (including performance bonuses and overtime) of public employees, including peace officers	Partially Open	<i>International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, et al. v. Superior Court</i> (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)).
Personnel - Names of pensioners and amounts received	Open	<i>Sacramento County Employees' Retirement System (SCERS) v. Superior Court</i> (2011) 195 Cal.App.4th 440; <i>San Diego County Employees Retirement Association v. Superior Court</i> (2011) 196 Cal.App.4th 1228.
Personnel - Test Questions, scoring keys, and other examination data	Exempt	Gov. Code, § 6254(g).
Police - Arrest Information	Partially Open	Gov. Code, § 6254(f)(1); <i>County of Los Angeles v. Superior Court (Kusar)</i> (1993) 18 Cal.App.4th 588. (Daily arrest log, if one is maintained is open).
Police - Citizen complaint policy	Open	Pen. Code, § 832.5(a)(1).
Police - Criminal history	Exempt	Pen. Code, § 13300 et seq.; Pen. Code, § 11105 et seq.
Police - Criminal investigative reports including booking photos, audio recordings, dispatch tapes, 911 tapes and in-car video	Exempt	Gov. Code, § 6254(f); <i>Haynie v. Superior Court</i> (2001) 26 Cal.4th 1061.
Police - Gang intelligence information	Exempt	Gov. Code, § 6254(f); 79 Ops.Cal.Atty Gen. 206 (1996).
Police - Juvenile records	Exempt	<i>T.N.G. v. Superior Court</i> (1971) 4 Cal.3d 767; Welf. & Inst. Code, §§ 827 and 828.
Police - Concealed weapon permit holders	Partially Open	Gov. Code, § 6254(u)(1); <i>CBS, Inc. v. Block</i> (1986) 42 Cal.3d 646.
Police - Mental health detentions (5150 reports)	Exempt	Welf. & Inst. Code, § 5328.
Police - Officer's personnel file	Exempt	This information can only be disclosed through a Pitchess motion. Pen. Code, §§ 832.7 and 832.8; Evid. Code, §§ 1043-1045.

CATEGORY/ITEM	STATUS	LEGAL AUTHORITY
Police - Peace officer's name, employing agency and employment dates	Partially Open	<i>Commission on Peace Officer Standards and Training v. Superior Court</i> (2007) 42 Cal.4th 278.
Police - Names of officers involved in critical incidents	Partially Open	<i>Commission on Peace Officer Standards and Training v. Superior Court</i> (2007) 42 Cal.4th 278; <i>New York Times v. Superior Court</i> (1997) 52 Cal.App.4th 97; 91 Ops. Cal.Atty.Gen. 11 (2008).
Police - Traffic accident reports	Partially Open	Veh. Code, § 16005 [only disclose to specific parties such as insurance companies, and the individuals involved].
Public Contracts - Bid Proposals, RFP proposals	Partially Open	<i>Michaelis v. Superior Court</i> (2006) 38 Cal. 4th 1065; but see Gov. Code, § 6255 and Evid. Code, §1060. (After negotiations complete).
Public Contracts - Financial information submitted for bids	Exempt	Gov. Code, §§ 6254(a),(h) and (k), 6254.15 and 6255; <i>Schnabel v. Superior Court of Orange County</i> (1993) 5 Cal.App.4th 704, 718.
Public Contracts - Trade secrets	Exempt	Evid. Code, § 1060; Civ. Code, § 3426, et seq.
Public Contracts - Purchase price of real property	Partially Open	Gov. Code, § 7275. (After acquisition complete).
Real Estate - City owned property information (such as selling assessed value, square footage, number of rooms)	Open	88 Ops.Cal.Atty.Gen. 153 (2005).
Real Estate - City owned property, appraisals and offers to purchase	Partially Open	Gov. Code, § 6254(h). (After negotiations complete).
Settlement Agreements	Partially Open	<i>Register Division of Freedom Newspapers v. County of Orange</i> (1984) 158 Cal.App.3d 893; Gov. Code, § 6255.
Software, including Geographic Information System (GIS) mapping systems	Partially Open	Gov. Code, § 6254.9; 88 Ops.Cal.Atty.Gen. 153 (2005); <i>County of Santa Clara v. Superior Court</i> (2009) 170 Cal.App.4th 1301 for GIS basemap as public record; <i>Sierra Club v. Superior Court</i> (2011) 195 Cal.App.4th 1537.
Speaker Cards	Open	Gov. Code, § 6255.
Tax Return Information	Exempt	Gov. Code, § 6254(k); IRS Code, § 6103.
Taxpayer information received in connection with collection of local taxes	Exempt	Gov. Code, § 6254(i).
Telephone Records of Elected Officials	Partially Open	See <i>Rogers v. Superior Court</i> (1993) 19 Cal.App.4th 469. (Expenses).
Utility usage data	Partially Open	Gov. Code, § 6254.16.
Voter information	Exempt	Gov. Code, § 6254.4.