

# NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

Board Minutes

March 22, 2016

Item 1 President Springer called the meeting to order at 6:07 and asked everyone to stand and recite the Pledge of Allegiance.

**Roll Call:** All of the Directors were Present.

Also Present: General Manager Le Hayes, District Treasurer Kerri Zurcher, Fire Department Asst. Chief Corey Rogers, Training Officer Steve Miller and members of the public.

Item 2 **Review and Approval of the Agenda:** Motion Shaw, seconded Deel, Clark-Yea, Springer-Yea, Vasseur-Nay. To accept the agenda as presented.

Item 3 **Public Comments:** Veronica Shaw spoke.

Item 4 **Representative of other Agencies in Attendance:** Supervisor Lovingood's Field Representative Ron Frame, Sheriff's Lt. Mendoza.

Item 5 **Approval of the Minutes:** Director Shaw moved to accept the minutes with the correction of the date from November 24, 2015 to January 26, 2016. Director Clark seconded, Directors Springer and Deel voted Yea, Director Vasseur voted Nay.

Item 6 Lt. Mendoza gave the Sheriff's Report.

GM Le Hayes updated the Board on the Ball Field Bleachers, the Desert Garden and noted they were unable to find any minutes from 2005-06 fiscal year. He also noted that the minutes of October 2012 said people had entered the GM office while it was closed and removed a number of documents.

Treasurer Kerri Zurcher updated the Board on the financial status of the District. She also requested that we set a meeting date in April for the beginning of the new budget.

Board minutes

3-22-16 pg 2

Assistant Chief Rogers updated the Board on their calls and training.

Item 7 **Pay bills and approve the bills already paid.** Motion Director Shaw, Seconded by Director Clark. Vote unanimous.

President Springer called for a 10 minute break at 7:25. Back in session at 7:36

Item 8 **Authorization of spending Kiewitt funds:**

Director Deel discussed the original letter to the District from Kiewitt.

Item 9 **Should the District Policy Handbook be published on the District website?**

After some discussion Director Vasseur moved that we table this item to the next meeting. Seconded Director Shaw, vote unanimous.

Item 10 **Closed session Annual Staff Evaluation General Manager.**

The Board entered into closed session at 8:10 pm.

Item 11 **Employee review of evaluation – General Manager.**

The Board came out of closed session at 8:58. The General Manager reviewed the forms and had no comment.

Item 12 **Old and New business:**

President Springer and Director Vasseur noted that we need to place updating policy 1050 on the next agenda.

Item 13 **Adjournment:** President Springer adjourned the meeting at 9:04pm.

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General Manager

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President Springer

# Newberry Community Services District

Established 1958

**Robert Springer**  
President/Director

April 2016

**Paula Deel**  
Vice President/Director

American Legion Post 751

**Larry Clark**  
Director

P.O. Box 247

Newberry Springs CA 02365

**Robert Shaw**  
Director

Greetings:

**Robert Vasseur**  
Director

The Board of Directors of Newberry CSD, the Staff and the citizens of Newberry Springs want to extend our sincerest THANKS to the members of the Legion for providing the labor and machines to sand, repair and repaint the Ball Field bleachers.

**Le Hayes**  
General Manager

Without your help it probably would not have been done.

Sincerely,

**Jodi Howard**  
Board Secretary  
Office Administrator

\_\_\_\_\_  
Robert Springer, Board President

**Kerri Zurcher**  
Treasurer

\_\_\_\_\_  
Paula Deel, Vice President

\_\_\_\_\_  
Larry Clark, Member

**Daphne Lanier**  
Fire Chief

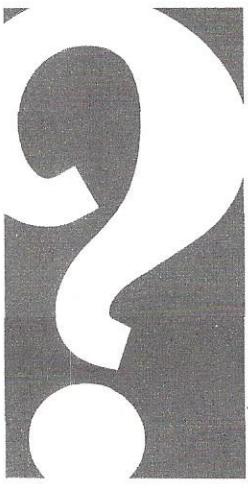
\_\_\_\_\_  
Robert Shaw, Member

\_\_\_\_\_  
Robert Vasseur, Member

**Cory Rogers**  
Assistant Fire Chief



Item #9



# Ask the Experts

We have a board member who is interested in teaching a class for us. The total amount paid would amount to \$3,000 for an hour. We have not received any other applications for instructors of this class. Is this a conflict of interest/legal? Are there any concerns for consideration?



California has a strong public policy against public officials having any conflicts of interest, which is intended to protect the public from situations in which an official could be tempted to consider personal interests while carrying out public business. Even when an official has good intentions or is offering a good deal, the action is prohibited if it runs afoul of the strict letter of the law.

The primary conflict laws are the Political Reform Act of 1974 ("PRA") and Government Code Section 1090 et seq., which prohibit officials from participating in government decisions in which they are personally financially interested. The rules are applied strictly with the goal of avoiding even the appearance of impropriety. The consequences for violations are harsh, including criminal penalties and a ban on future office holding, so it is important to understand these restrictions and err on the side of caution.

## Section 1090

Essentially, Section 1090 prohibits public officials from being personally financially interested in contracts made in their public capacity. Clearly a government agency

hiring a teacher is making a contract with the instructor, so hiring a board member immediately raises the specter of Section 1090. Since the board member would be paid \$3,000 for teaching, s/he indisputably has a personal financial interest in the contract.

Some exceptions allow a contract to be made if the personal interest comes within a specific list of "remote interests" or "non-interests." Some of these exceptions apply to income from another government entity, but not to situations involving a contract with the official's own agency. With no applicable exception, the contract to hire a board member to teach is prohibited.

## Abstention

One unique aspect of Section 1090 is that board members are conclusively presumed to have "made" all contracts executed by their board or an agency under their jurisdiction. This means that abstaining from negotiating or voting on the contract does not solve the conflict. The entire board is prohibited from making the contract. (Complete abstention by an interested public employee may resolve a conflict.)

**Do you have a question for any of our CSDA experts?**

If so, send your question to Nicole Zajic, editor, at [nicolez@csda.net](mailto:nicolez@csda.net).

### *Rule of Necessity*

With no other applicants to teach the course, it is tempting to assume the board member should be allowed to teach the class. A limited rule of necessity ensures that essential government functions can be performed despite a conflict, but this rule applies only to essential services – such as nighttime service station services and mortuary services – when no other source is available. Teaching this class would not be a “necessity” that overcomes the conflict prohibition. Because the proposal violates Section 1090, analysis under the PRA is unnecessary (but would have the same result).

Complying with conflict prohibitions can be difficult and even limit an agency’s ability to take certain actions, offer particular services, or get the best price. However, protecting the public from possible self-interest by public officials has been deemed more important than these potential inconveniences. Conflict rules are technical and fact-based, so it is vital to consult a conflict expert as soon as an issue arises. There are situations in which early steps such as making a record of the official’s

personal interest and abstention from any involvement in the proceedings may resolve an otherwise prohibited conflict. ■

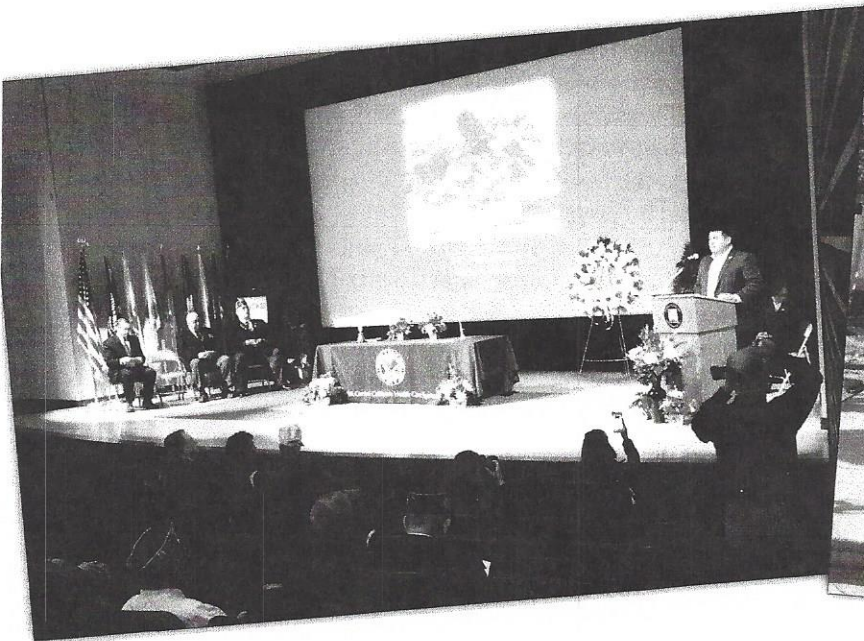
*Davina Harden is senior counsel with Atkinson, Andelson, Loya, Ruud & Romo. Ms. Harden represents California public entities in all aspects of employment law. Her areas of expertise include public employee rights, conflicts of interest, employment discrimination and sexual harassment, and transactional matters, including negotiating, drafting, and reviewing agreements. Ms. Harden also conducts investigations into allegations of employee wrongdoing on behalf of employers, as well as advising employers on the conduct of their own investigations.*



For more information on this topic be sure to check out the upcoming webinar “Abstentions and Disqualifications – Conflicts of Interest and When One Must or Should Step Aside” on Thursday, March 24. Visit [www.csd.net](http://www.csd.net) to register.

## District Snapshots

Clovis Veterans Memorial District commemorated the events of December 7, 1941 with its 74th Pearl Harbor Remembrance Ceremony. The event paid tribute to the victims and survivors of the attack. Three Pearl Harbor survivors were present at the event.



Action Item

Item # 10

[codes.findlaw.com](http://codes.findlaw.com)

## California Government Code - GOV § 54957 | FindLaw

(a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions with the Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities.

(b)(1) Subject to paragraph (2), nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

Null & void.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another

Evaluation form Null & void.

person or employee, the employee shall be given written notice of his or her right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. Nothing in this subdivision shall limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

FindLaw Codes are provided courtesy of Thomson Reuters Westlaw, the [industry-leading online legal research system](#). For more detailed codes research information, including annotations and citations, please visit [Westlaw](#).

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Agenda Item -

# Newberry Community Services District

## POLICY HANDBOOK

POLICY TITLE: Code of Ethics  
POLICY NUMBER: 4010

4010.1 The Board of Directors of Newberry Community Services District is committed to providing excellence in legislative leadership which results in the provision of the highest quality services to its constituents and to comply with State laws including AS 1234 (Salinas) approved in 2006. In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness and attentive listening in communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors. When a Director believes he/she may have a conflict of interest, they shall not discuss the item and shall abstain from any vote.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to the General Manager.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues must be avoided.

4010.1.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, See Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager or legal counsel.

4010.1.9 If approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor or General Manager. The chain of command should be followed.

4010.2 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to the General Manager.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress and personnel in attaining its goals and objectives, while pursuing its mission.

# Newberry Community Services District

## **POLICY HANDBOOK**

**POLICY TITLE: Members of the Board of Directors**  
**POLICY NUMBER: 4050**

**4050.1** Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

**4050.1.1** Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

**4050.2** **Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.**

Item # 13



UNITED STATES MARINE CORPS  
MARINE CORPS LOGISTICS BASE  
BOX 110100  
BARSTOW, CALIFORNIA 92311-5050

MCLBB  
11320  
B820

NSCSD  
11320  
CSD

MUTUAL AID, AUTOMATIC AID AND TRAINING AGREEMENT  
BETWEEN  
MARINE CORPS LOGISTICS BASE BARSTOW  
AND  
NEWBERRY SPRINGS COMMUNITY SERVICE DISTRICT

Subj: NEWBERRY SPRINGS MUTUAL AID, AUTOMATIC AID AND TRAINING AGREEMENT

Ref: (a) U.S.C. 42, Section 1856a  
(b) Mutual Aid, Automatic Aid and Training Agreement between Marine Corps Logistics Base, Barstow and Newberry Springs Fire Protection District dtd 27 Feb 2013

1. Objective. This Mutual Aid, Automatic Aid and Training Agreement is made per the authority granted by reference (a) by and between the Marine Corps Logistics Base (MCLB) Barstow and Newberry Springs Community Service District. This Mutual Aid, Automatic Aid and Training Agreement supersedes and cancels reference (b).

2. Purpose. This Agreement is not a realignment of existing boundaries currently provided. The purpose of this Agreement is to furnish fire protection through mutual aid to specific areas within the boundaries of Newberry Springs Community Service Protection District and MCLB Barstow. Such protection includes four personnel, equipment, materials and supplies, and such other fire assistance as may be necessary to assist the other Party.

3. Facts. It is Department of Defense (DoD) policy, Department of the Navy policy, and the policy of the districts and their governing bodies, to enter into such mutual aid agreements whenever practicable and when it is mutually deemed sound, desirable, practical, and beneficial for the Parties to this Agreement to render assistance to one another in accordance with the terms, and when the Parties agree that fire protection training is essential in order to maintain an effective and efficient fire department.

4. Problem. The goal of the Parties hereto is to maximize the fire protection training to enhance mutual aid and assistance to maximize efficiency and minimize injuries. The Parties recognize that reciprocal fire protection training can assist both departments' ability to work together on fire ground emergencies as required to support/enhance mutual assistance. This Agreement is not a substitute for requests for defense support to civil authorities made pursuant to Federal Emergency Management Agent (FEMA) Region IX procedures.

Subj: NEWBERRY SPRINGS MUTUAL AID, AUTOMATIC AID AND TRAINING AGREEMENT

5. Scope. The lands or districts of the Parties are in the proximity, adjacent or contiguous so that mutual assistance in a fire or other emergency is deemed practicable. In the event of large fires, conflagration, mass casualty incidents, aircraft mishaps, major disasters, weapons of mass destruction or other emergencies, and the parties hereto desire to augment fire protection, rescue (low angle, confined space, rescue vehicle), hazardous material response or emergency medical response, basic life support capabilities are available.

6. Agreement/Understanding

a. Requests for Assistance. The senior officer of a fire department of one of the Parties, or the senior officer actually present at the fire, or any such fire department is authorized to request fire fighting assistance under the terms of this Agreement.

b. Duties of the Party Receiving a Request for Assistance. The senior officer on duty of the fire department receiving the request for assistance shall, immediately, take the following action:

(1) Determine what fire department equipment and personnel are available and will be dispatched. The Party receiving the request for assistance shall, as soon as possible, inform the requesting Party if assistance can/cannot be rendered.

(2) The requested apparatus from Newberry Springs Community Service District, engine, rescue and/or water tender, for mutual aid assignment will be manned by journeyman-trained career or volunteer firefighters. Explorers are not at the journeyman level. At a minimum, they must meet the Firefighter Level I or comparable volunteer level. All personnel must have safety gear (turnout pants, turnout coat, helmet, gloves, boots, hood and self-contained breathing apparatus) for entry into structures. Neither Party, in rendering aid to the other, shall be required to reduce its own resources to the extent that it may be detrimental to its own jurisdiction.

(3) Determine the exact mission to be assigned to the requested fire department personnel. The Incident Commander or Operations Chief will give equipment assignments.

(4) Dispatch fire department equipment and personnel as in that officer's judgment should be sent, with complete instructions as to the assigned mission.

c. Supervision of Joint Operations

(1) The senior officer of the fire department requesting the assistance shall assume full charge of the combined fire fighting operations; in essence, be the Incident Commander.

(2) If the requesting agency specifically requests to pass command to the department rendering aid, it does not relieve the requesting department of the responsibility for the operation.

Subj: NEWBERRY SPRINGS MUTUAL AID, AUTOMATIC AID AND TRAINING AGREEMENT

(3) In incidents where deemed appropriate, MCLB Barstow Fire Department will request and assume Unified Command to ensure the safety of its personnel.

d. Reciprocal Training in Support of Mutual Aid and Assistance

(1) Whenever either Party hosts fire protection training for its own fire department which would serve to enhance the capability of either department to render mutual assistance ("Host Department"), it may offer such training to members of the other Party ("Guest Department"). The Guest Department and/or its members will bear any and all costs incurred to attend any training provided by the Host Department including, but not limited to, lodging, meals and travel.

(2) Nothing in this Agreement obligates either Party to provide such training to the other or, if offered, to participate in such training.

(3) The Guest Department, when advised of rules, regulations, guidelines, and/or standard operating procedures of the Host Department, is responsible for ensuring compliance by its own personnel.

(4) The Host Department reserves the right to deny training to any member of the Guest Department who does not meet course prerequisites.

(5) The Live Fire Training Facility at MCLB Barstow may be made available to the Guest Department for live fire training. Such use must be scheduled at least one week in advance. All standard operating procedures related to the facility will be adhered to by all Parties and a copy will be provided to the Guest Department. A representative from the Host Department will be on site during guest operations. The Host Department (MCLB Barstow) will ensure the operators are trained in the operation of all simulators and so certified. The training facility will be returned to the condition it was found in before its use.

e. Familiarization Tours. The senior officers and engine company personnel of the fire department of both Parties are invited and encouraged, on a reciprocal basis, to frequently visit each other's activities for guided familiarization tours consistent with local security requirements and, as feasible, to jointly conduct pre-fire planning inspections and drills.

f. Liability and Claim for Expenses

(1) The receiver of the aid shall bear complete and exclusive responsibility to any third party for any liability, claims, suit, or judgment arising from services, training, or use of training facilities provided under this Agreement.

Subj: NEWBERRY SPRINGS MUTUAL AID, AUTOMATIC AID AND TRAINING AGREEMENT

(2) Each party waives any and all claims, on its own behalf or on behalf of its employees, against the other party, for compensation for any loss, damage, personal injury or death occurring in consequence of the performance of this agreement.

(3) In connection with this agreement, service performed by MCLBB and Newberry Springs Community Service District personnel shall constitute service rendered in the line of duty in such office, employment or force. The performance of such service by any other individual shall not constitute an individual as an officer or employee of the United States for any purpose.

(4) Neither party shall be obligated to reimburse the other for action taken or aid rendered hereunder, or for any use of materials, damage to equipment, liability, or claim, which may result from rendering assistance under this agreement.

7. Effective Date. The terms of this agreement shall become effective upon the date of signature of both parties. This agreement shall remain effective until a mutually agreed upon termination; unless the Commanding Officer of MCLBB otherwise terminates the agreement due to: national emergency, mission requirements, or other reasons related to national defense, at any time prior to such mutually agreed upon date. In the event that the parties fail to establish a mutually agreeable termination date, either party may terminate this agreement by providing the other party with at least a thirty (30) day written notice of the termination date. This agreement may be reviewed periodically for modifications and reviewed and updated at least every three years in accordance with MCO 11000.11. Modifications shall be submitted in writing to the Commanding Officer of MCLBB for consideration. No modification of this agreement shall be effective unless reduced to writing and signed by both parties.

\_\_\_\_\_  
ROBERT SPRINGER  
President  
Newberry Spring Community Service District  
Date

\_\_\_\_\_  
S.S. KAREGA  
Colonel, USMC  
Commanding Officer  
Marine Corps Logistics Base Barstow  
Date

**Policy 1050 Amendment's/changes**

1050.1 - Any member of the public may request copies of public documents from this agency pursuant to the California Public records Act (*Government Code Section 6250 et seq.*) using different means of communication. Phone call, internet website, email, and in person are all acceptable means to initiate a request.

1050.2 - Fees for copies of documents will be limited to \$0.15 per page. 2 sided copies printed will be counted as 2 pages printed. Information requested or only available in electronic form will be charged \$5.00per CD used. Copies printed to be placed onto a CD by request will be charged \$0.15 per page

1050.3 - Original document copy will be made on available printer equipment. Color may or may not be available at time of request.

1050.4 - Items will normally be picked up at District office. Postage or shipping charges will be applied at actual cost.

1050.5 – CSD information request form will be generated for each request. Information will be asked of requester for reasons of tracking, validation of request, and contact in the event that further assistance or contact may be required to complete the request.

1050.6 – In the event requester refuses or otherwise declines to provide information for the request form, one will be filled out by office personnel for request validation and completion status.



## WHAT'S NOT COVERED

- Employees' private papers, unless they "relat[e] to the conduct of the public's business [and are] prepared, owned, used, or retained by the agency." (§ 6252(e))
- Computer software "developed by a state or local agency ... includ[ing] computer mapping systems, computer programs, and computer graphic systems." (§§ 6254.9(a),(b))
- Records not yet in existence: The PRA covers only records that already exist, and an agency cannot be required to create a record, list, or compilation. "Rolling requests" for future-generated records are not permitted.

## RECORDS EXEMPT FROM DISCLOSURE

The Act exempts certain records from disclosure in whole or in part. This does not mean they are not public records or that disclosure is prohibited. An agency may withhold the records, but can allow greater access if it wishes. (§ 6253(e)). However, "selective" or "favored" access is prohibited; once it is disclosed to one requester, the record is public for all. (§ 6254.5) Many categories of records are exempt, some by the Act itself (§§ 6254(a)-(z)) and some by other laws (§§ 6275-6276.48). These include:

- **Attorney-Client discussions** are confidential, even if the agency is the client, but the agency (not the lawyer) may waive secrecy. (§§ 6254(k), 6254.25, 6276.04)
- Appointment calendars and applications, phone records, and other records which impair the **deliberative process** by revealing the thought process of government decision-makers may be withheld only if "the public interest served by not making the record[s] public clearly outweighs the public interest served by disclosure of the record[s]." (§ 6255; *Times Mirror v. Superior Ct.*, 53 Cal.3d 1325 (1991); *CFAC v. Superior Ct.*, 67 Cal.App.4th 159 (1998); *Rogers v. Superior Ct.*, 19 Cal.App.4th 469 (1993)) If the interest in secrecy does not clearly outweigh the interest in disclosure, the records must be disclosed, "whatever the incidental impact on the deliberative process." (*Times Mirror v. Superior Ct.*) The agency must explain, not merely state, why the public interest does not favor disclosure.

- **Preliminary drafts, notes and memos** may be withheld only if: (1) they are "not retained...in the ordinary course of business" and (2) "the public interest in withholding clearly outweighs the public interest in disclosure." Drafts are not exempted if: (1) staff normally keep copies; or (2) the report or document is final even if a decision is not. (§ 6254(a)) Where a draft contains both facts and recommendations, only the latter may be withheld. The facts must be disclosed. (*CBE v. CDFR*, 171 Cal.App.3d 704 (1985))
- **Home Addresses** in DMV, voter registration, gun license, public housing, local agency utility and public employee records are exempt, as are addresses of certain crime victims. (§§ 6254(f),(u), 6254.1, 6254.3, 6254.4, 6254.16, 6254.21)
- **Records concerning agency litigation** are exempt, but only until the claim is resolved or settled. The complaint, claim, or records filed in court, records that pre-date the suit (e.g., reports about projects that eventually end in litigation), and settlement records are public. (§§ 6254(b), 6254.25; *Register Div. of Freedom Newspapers, Inc. v. County of Orange*, 158 Cal. App. 3d 893 (1984))
- **Personnel, medical and similar files** are exempt only if disclosure would reveal intimate, private details. (§ 6254(c)) Employment contracts are not exempt. (§ 6254.8)
- **Police Incident reports, rap sheets and arrest records** are exempt (Penal Code §§ 11075, 11105, 11105.1), but information in the "police blotter" (time and circumstances of calls to police; name and details of arrests, warrants, charges, hearing dates, etc.) must be disclosed unless disclosure would endanger an investigation or the life of an investigator. Investigative files may be withheld, even after an investigation is over. (Gov. Code § 6254(f); *Williams v. Superior Ct.*, 5 Cal. 4th 337 (1993); *County of L.A. v. Superior Ct.*, 18 Cal. App. 4th 588 (1994). Identifying data in police personnel files and misconduct complaints are exempt, but disclosure may be obtained using special procedures under Evidence Code section 1043.
- **Financial data** submitted for licenses, certificates, or permits, or given in confidence to agencies that oversee insurance, securities, or banking firms; **tax, welfare, and family/adoption/birth** records are all exempt. (§§ 6254(d),(k),(l), 6276)

# A POCKET GUIDE TO THE CALIFORNIA PUBLIC RECORDS ACT

A SERVICE OF  
**THE FIRST AMENDMENT PROJECT  
SOCIETY OF PROFESSIONAL  
JOURNALISTS (Nor. Cal.)**

## HOW TO USE THIS GUIDE

This pocket guide is intended to be a quick reference and provide general information to journalists and citizens. It addresses some common public records problems, but does not substitute for research or consultation with a lawyer on detailed questions. This guide current as of December 3, 2003.

## FOR MORE INFORMATION OR HELP:

FIRST AMENDMENT PROJECT.....510/208-7744  
[www.thefirstamendment.org](http://www.thefirstamendment.org)

California First Amendment Coalition.....415/460-5060  
[www.cfac.org](http://www.cfac.org)

Funding provided by the Sigma Delta Chi Foundation  
of the Society of Professional Journalists

## California Public Records Act

GOVT. CODE §§ 6250 - 6276.48

### THE BASICS

The Public Records Act is designed to give the public access to information in possession of public agencies: "public records are open to inspection at all times during the office hours of the...agency and every person has a right to inspect any public record, except as . . . provided, [and to receive] an exact copy' of an identifiable record unless impracticable. (§ 6253). Specific exceptions to disclosure are listed in sections 6253.2, 6253.5, 6253.6, 6254, 6254.1-6254.22, 6255, 6267, 6268, 6276.02-6276.48; to ensure maximum access, they are read narrowly. The agency always bears the burden of justifying nondisclosure, and "any reasonably segregable portion . . . shall be available for inspection... after deletion of the portions which are exempt." (§ 6253(a))

### WHO'S COVERED

- **All state and local agencies**, including: (1) any officer, bureau, or department.; (2) any "board, commission or agency" created by the agency (including advisory boards); and (3) nonprofit entities that are legislative bodies of a local agency. (§ 6252(a),(b)). Many state and regional agencies are required to have written public record policies. A list appears in § 6253.4.

### WHO'S NOT COVERED

- Courts (except itemized statements of total expenditures and disbursement). (§§ 6252(a), 6261)
- The Legislature. (§ 6252) See Legislative Open Records Act, Govt. Code §§ 9070-9080.
- Private non-profit corporations and entities.
- Federal agencies. See Federal Freedom Of Information Act, 5 U.S.C. § 552.

**ACCESS TIP** ☞ Look to access laws (e.g. Legislative Open Records Act, IRS rules, court cases) that permit inspection and copying of records of agencies not subject to the Public Records Act. Many local jurisdictions also have "Sunshine" laws that grant greater rights of access to records.

### WHAT'S COVERED

- "Records" include all communications related to public business "regardless of physical form or characteristics, including any writing, picture, sound, or symbol, whether paper, . . . , magnetic or other media." (§ 6252(e)) Electronic records are included, but software may be exempt. (§§ 6253.9(a),(g), 6254.9 (a),(d))

### WHAT MUST HAPPEN

- **Access is immediate** and allowed at all times during business hours. (§ 6253(a)) Staff need not disrupt operations to allow immediate access, but a decision whether to grant access must be prompt. An agency may not adopt rules that limit the hours records are open for viewing and inspection. (§§ 6253(d); 6253.4(b))
- **The agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1)
- **An agency has 10 days to decide if copies will be provided** In "unusual" cases (request is "voluminous," seeks records held off-site, OR requires consultation with other agencies), the agency may, upon written notice to the requesters, give itself an additional 14 days to respond. (§ 6253(c)) These time periods may not be used solely to delay access to the records. (§ 6253(d))
- **The agency may never make records available only in electronic form.** (§ 6253.9(e))
- **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)
- **Copy costs are limited to "statutory fees"** set by the Legislature (not by local ordinance) or the "direct cost of duplication", usually 10 to 25 cents per page. Charges for search, review or deletion are not allowed. (§ 6253(b); North County Parents v. D.O.E., 23 Cal.App.4th 144 (1994)) If a request for electronic records either (1) is for a record normally issued only periodically, or (2) requires data compilation, extraction, or programming, copying costs may include the cost of the programming. (§ 6253.9(a),(b))
- **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§ 6255)

**ACCESS TIP** ☞ Always ask for both copies and access; after inspection you can reduce the copy request (and associated costs) to the materials you need.

### REQUESTING PUBLIC RECORDS

- Plan your request; know what exemptions may apply.
- Ask informally before invoking the law. If necessary, use this guide to state your rights under the Act.
- Don't ask the agency to create a record or list.
- A written request is not required, but may help if your request is complex, or you anticipate trouble.
- Put date limits on any search.
- If the agency claims the records don't exist, ask what files were searched; offer any search clues you can.
- Limit pre-authorized costs (or ask for a cost waiver), and pay only copying charges.
- Demand a written response within 10 days.

### IF YOUR REQUEST IS DENIED

- Keep a log of to whom you speak and the stated reason for the denial.
- Employ the following six-step DENIAL strategy:
  - D = Discretionary:** Exemptions are permissive, never mandatory. Ask the agency if it will waive the exemption and release the record.
  - E = Explanation:** Insist that the agency explain in a written denial why the exemption applies to the requested record.
  - N = Narrow Application:** The Act favors access. Exemptions must be narrowly construed.
    - I = Isolate:** Request the release of any non-exempt portions of the record.
    - A = Appeal:** State your rights, using this guide, and ask to speak to a higher agency official.
    - L = Lawsuit:** File suit to enforce your rights. If you win, the agency must pay your costs and legal fees. (§ 6259(d)); Belth v. Garamendi 232 Cal.App.3d 896 (1991).
- Write a news story or Letter to the Editor about the denial.
- Consult your supervisor or lawyer, or contact one of the groups listed on this brochure.

Davis, Donald M.  
to csda-listserv@mail-list.com

Wed, Jan 20 9:12 AM

RE: [CSDA-listserv] CPRA

Bob,

Thanks for the opportunity to alert listserv readers to the CSDA's new Public Records Act Compliance Manual. The document can be downloaded through the link below:

New Resource for Members: California Public Records Act Compliance Manual

The newest addition to CSDA's collection of free, downloadable publications is a guide to understanding the California Public Records Act (CPRA). This 35-page manual includes a summary of CPRA and how it applies to special districts, as well as dozens of helpful compliance tips. CSDA thanks contributor Donald Davis, Esq. and the firm of Burke, Williams and Sorensen. Download the California Public Records Act Compliance Manual now or visit the free Resources/Publications section of our website for this and other valuable resources. For a hard copy of the manual, contact CSDA Member Services at [cassandras@csda.net](mailto:cassandras@csda.net).

The link to the document is here:

[\\_http://www.csda.net/wp-content/uploads/2016/01/2015-Public-Records-Act-Guide.pdf\\_](http://www.csda.net/wp-content/uploads/2016/01/2015-Public-Records-Act-Guide.pdf) -

<<http://cirrus.mail-list.com/csda-listserv/31760369.html>>

With respect to your question as to how CPRA requests can be made, you are correct that the Act does not specify a particular request procedure, which means that requests can be made in any format.

In the case [\\_of Los Angeles Times v. Alameda Corridor Transportation Authority\\_](#) (2001) 88 Cal.App.4th 1381, 1392, which is cited in the Manual, the court held that a request need not be in writing:

" The California Public Records Act does not require a request for records to be in writing.

In support of its ruling that the Times was not the prevailing party, the trial court said that Government Code section 6253 contemplates a written request for records. The court apparently took the view that the Times's oral request caused "much needless work for all" and thus supported a denial of attorney fees. That likewise was error.

The act requires that records not exempt from disclosure be made available "upon a request for a copy of records that reasonably describes an identifiable record or records ...." (Gov. Code, § 6253, subd. (b).) It is clear from the requirements for writings in the same and other provisions of the act that when the Legislature intended to require a writing, it did so explicitly. (E.g., Gov. Code, §§ 6253, subd. (c), 6255, subd. (b).)

The California Public Records Act plainly does not require a written request."

Nevertheless, as a best practice, districts should develop a request form for the reasons stated in the compliance tip on page 9.

Page 9: Compliance Tip

Although the CPRA does not require that request be in writing, 28 districts should, to the extent possible, insist that requests

be in writing or provided on a district- developed form in order to identify the information sought, the date of the request, and to obtain contact information on the requester if necessary to seek clarification or to provide follow-up assistance. If a requester refuses, a member of the district should fill out a form on behalf of the requesting party to maintain consistent recordkeeping practices.

Regards,

Don

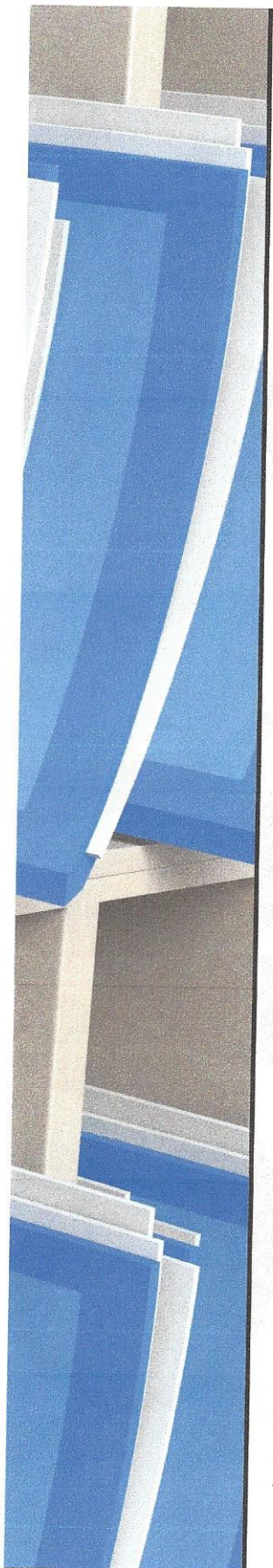
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<<http://cirrus.mail-list.com/csda-listserv/24375733.html>>



## Initial Agency Receipt and Review of Public Records Requests

### **Types of requests.**

Members of the public may gain access to public records by (a) requesting to inspect records or (b) receiving a copy of identifiable records.<sup>27</sup>

### **Manner of making requests.**

Public records requests may be made in writing (paper or electronic), and may be mailed, emailed, faxed, or personally delivered. Records requests may also be made orally, in person or by phone.

### **Content of requests.**

A request need only indicate that a public record is sought and be focused enough to describe an existing, identifiable record. There is no duty under the CPRA to comply with requests that prospectively seek records (i.e., records that do not currently exist). Requests may describe writings by their content and do not require precise identification of the documents themselves.<sup>29</sup>



### **Compliance Tip**

The CPRA pertains to records and not “questions” that members of the public may have. The CPRA does not impose a duty to respond to questions, although if an identifiable record would answer a question or the information can readily be provided, the best transparency practice is to provide the record or answer the question.



### **Compliance Tip**

Although the CPRA does not require that request be in writing,<sup>28</sup> districts should, to the extent possible, insist that requests be in writing or provided on a district-developed form in order to identify the information sought, the date of the request, and to obtain contact information on the requester if necessary to seek clarification or to provide follow-up assistance. If a requester refuses, a member of the district should fill out a form on behalf of the requesting party to maintain consistent recordkeeping practices.



Although the fundamental precept of the CPRA is access to records, the CPRA exempts certain records from disclosure and requires agencies to keep certain other records confidential.

## Application of CPRA to Special Districts

All special districts are subject to the CPRA, which refers to them as a "local agency."<sup>12</sup> This includes all boards and commissions of a special district, including advisory boards. Private non-profit entities delegated legal authority by a district to carry out public functions are also subject to the CPRA if they are funded with public money.<sup>13</sup>

### ***Is a district required to adopt its own procedures or guidelines for complying with the CPRA?***

No, however, the adoption of local procedures consistent with the CPRA can be helpful in educating the public about the process.

#### ***Can a district adopt guidelines or requirements that differ from the CPRA?***

Yes. The provisions of the CPRA are **minimum standards.** Districts are free to adopt procedures that allow for faster or greater access to records than those prescribed in the CPRA.<sup>14</sup>



JRM H17

Newberry Springs Community Service District  
Proposed FY 2016/17 Budget

4000.0 FIRE DEPARTMENT	2015/16 B	2015/16 A	2016/17 P	Notes
4001.0 Apparatus Lease/Purchase	\$0.00	\$0.00	\$0.00	
4002.0 Capital Improvements				
4002.1 Station	\$3,000.00	\$0.00	\$3,000.00	
<b>Capital Improvements Sub-Total</b>	\$3,000.00	\$0.00	\$3,000.00	
4003.0 Equipment Expense, Vehicle				
4003.1 Equip Exp, Vehicle, Fuel	\$5,500.00	\$2,897.70	\$5,500.00	
4003.2 Equip Exp, Vehicle, Maint/Repair	\$5,500.00	\$4,949.70	\$10,000.00	
4003.3 Equip Exp, Vehicle, SDRMA, Ins	\$7,700.00	\$0.00	\$7,700.00	
<b>Equipment Expense Sub-Total</b>	\$18,700.00	\$7,847.40	\$23,200.00	
4004.0 Equip Exp, Non-Vehicle				
4004.1 Equip Exp, Non-Vehicle, Purchase	\$7,000.00	\$2,402.04	\$15,000.00	
4004.2 Equip Exp, Non-Vehicle, Maint/Repair	\$1,000.00	\$1,785.37	\$5,000.00	
4004.3 Equip Exp, Non-Vehicle, First Aid Supplies	\$1,000.00	\$420.66	\$2,000.00	
4004.4 Equip Exp, Non-Vehicle, Equip Fuel	\$200.00	\$69.05	\$300.00	
<b>Equipment Exp, N-V Sub-Total</b>	\$9,200.00	\$4,677.12	\$22,300.00	
4005.0 Dispatching Expense				
4005.1 Equipment Purchase	\$1,000.00	\$0.00	\$1,000.00	
4005.2 Equipment Maint/Repair	\$1,500.00	\$105.91	\$2,000.00	
4005.3 Cal Fire Dispatching	\$7,000.00	\$6,765.00	\$7,000.00	
<b>Dispatching Expense Sub-Total</b>	\$9,500.00	\$6,870.91	\$10,000.00	
4006.0 Station Expenses				
4006.1 Internet Service	\$600.00	\$399.60	\$600.00	
4006.2 Station, Maint/Repair	\$2,000.00	\$746.42	\$3,000.00	
4006.3 Office Supplies	\$1,000.00	\$268.41	\$1,000.00	
4006.4 Pest Control	\$600.00	\$501.50	\$600.00	
4006.5 Subscriptions/Memberships	\$2,100.00	\$0.00	\$2,100.00	
4006.6 Station, Electric	\$1,800.00	\$1,515.20	\$2,000.00	
4006.7 Drinking Water	\$300.00	\$91.50	\$300.00	
<b>Station Expenses Sub-Total</b>	\$8,400.00	\$3,522.63	\$9,600.00	

<b>4007.0 Firefighter Personnel Expenses</b>			
4007.1 Fire Department Office Administrator	\$7,800.00	\$6,000.00	\$7,800.00
4007.2 Payroll Taxes (Dist Contribution)	\$2,000.00	\$0.00	\$0.00
4007.4 Firefighter Appreciation	\$2,000.00	\$1,130.86	\$3,000.00
4007.5 Firefighter Callout Stipend	\$7,000.00	\$5,304.00	\$7,200.00
4007.6 Training Exp, Certification/Books/Tuition	\$2,500.00	\$646.30	\$2,500.00
4007.8 Dept of Justice, Live Scan	\$300.00	\$118.00	\$300.00
4007.10 Uniform Expense	\$400.00	\$52.47	\$400.00
<b>Personnel Sub-Total</b>	<b>\$22,000.00</b>	<b>\$13,251.63</b>	<b>\$21,200.00</b>
<b>4008.0 Public Relations</b>			
4008.1 Prevention	\$200.00	\$0.00	\$200.00
<b>Public Relations Sub-Total</b>	<b>\$200.00</b>	<b>\$0.00</b>	<b>\$200.00</b>
<b>TOTAL</b>	<b>\$71,000.00</b>	<b>\$36,169.69</b>	<b>\$89,500.00</b>



Newberry Springs Community Service District  
Proposed FY 2016/17 Budget  
Vs. 2015/16 Budgeted/Actual (4/15/16)

5000.0 INCOME	2015/16 B	2015/16 A	2016/17 P	Notes
<b>5001.0 Interest</b>				
5001.1 Checking Interest	\$250.00	\$542.80	\$250.00	15/16 Includes LAIF Interest from 2012 to Current
5001.2 CD Interest	\$400.00	\$356.88	\$500.00	
5001.3 Savings Interest	\$36.00	\$29.59	\$62.00	
<b>Interest Total</b>	<b>\$686.00</b>	<b>\$929.27</b>	<b>\$812.00</b>	
<b>5002.0 Rental Income</b>				
5002.1 Building Rental	\$500.00	\$160.00	\$500.00	
5002.2 Equipment Rental	\$0.00	\$0.00	\$0.00	
<b>Rental Income Total</b>	<b>\$500.00</b>	<b>\$160.00</b>	<b>\$500.00</b>	
<b>5003.0 Fire Department Income</b>				
5003.1 FD, Burn Permits	\$2,500.00	\$1,928.00	\$2,500.00	
5003.2 FD, Response Charges	\$300.00	\$0.00	\$300.00	
5003.3 FD, Grant Income	\$0.00	\$0.00	\$0.00	
5003.4 FD, Donations	\$0.00	\$0.00	\$0.00	
<b>Fire Department Income Total</b>	<b>\$2,800.00</b>	<b>\$1,928.00</b>	<b>\$2,800.00</b>	
<b>5004.0 Other Income</b>				
5004.1 Kiewitt Fund Transfer for Public Events	\$0.00	\$0.00	\$0.00	
5004.2 Purchase Card Rebate	\$100.00	\$237.69	\$100.00	
5004.3 Copies	\$20.00	\$8.00	\$20.00	
5004.4 Fireworks Donations	\$2,500.00	\$3,580.00	\$2,500.00	
5004.5 Misc. Income	\$0.00	\$0.00	\$0.00	
<b>Other Income Total</b>	<b>\$2,620.00</b>	<b>\$3,825.69</b>	<b>\$2,620.00</b>	
<b>5005.0 San Bernardino County Tax Share</b>	<b>\$202,394.00</b>	<b>\$139,243.91</b>	<b>\$220,268.00</b>	
<b>TOTAL</b>	<b>\$209,000.00</b>	<b>\$146,086.87</b>	<b>\$227,000.00</b>	

EXPENSE TOTALS	2015/16 B	2015/16 A	2016/17 P	Notes
1000.0 Administration	\$87,700.00	\$43,092.67	\$83,900.00	
2000.0 Park and Recreation	\$44,300.00	\$25,560.87	\$47,600.00	
3000.0 Street Lights	\$6,000.00	\$3,935.13	\$6,000.00	
4000.0 Fire Department	\$71,000.00	\$36,169.69	\$89,500.00	
<b>TOTAL</b>	<b>\$209,000.00</b>	<b>\$108,758.36</b>	<b>\$227,000.00</b>	

Newberry Springs Community Service District  
Proposed FY 2016/17 Budget  
Vs. 2015/16 Budgeted/Actual (4/15/16)

1000.0 ADMINISTRATION	2015/16 B	2015/16 A	2016/17 P	Notes
1001.0 Advertising	\$500.00	\$65.00	\$500.00	
1003.0 Auditor	\$15,000.00	\$787.50	\$10,000.00	
1004.0 Bank Fees	\$100.00	\$25.00	\$100.00	
1005.0 Director Stipends	\$8,000.00	\$2,525.85	\$5,000.00	
1006.0 Education Expenses				
1006.1 Education, Tuition	\$3,000.00	\$1,650.00	\$5,000.00	
1006.2 Education, Books	\$200.00	\$86.69	\$500.00	
1006.3 Education, Lodging	\$1,000.00	\$2,530.00	\$4,000.00	
1006.4 Education, Mileage	\$500.00	\$153.64	\$500.00	
Education Sub-Total	\$4,700.00	\$4,420.33	\$10,000.00	
1007.0 Election Expenses	\$4,000.00	\$2,119.55	\$0.00	*Only billed by County when we have Director Election
1008.0 LAFCO	\$100.00	\$68.37	\$100.00	
1009.0 Legal Expenses	\$5,000.00	\$0.00	\$5,000.00	
1010.0 Office Expenses				
1010.1 Office Supplies	\$1,800.00	\$504.06	\$1,500.00	
1010.2 Office Equipment, Maint/Repair	\$700.00	\$1,007.66	\$2,200.00	Copier Lease/Maintenance
1010.3 Office Equipment, Purchases	\$500.00	\$0.00	\$500.00	
1010.4 Postage/Shipping	\$500.00	\$223.58	\$500.00	
1010.5 Office Telephone	\$300.00	\$201.17	\$300.00	
1010.6 Subscriptions/Membership Fees	\$2,000.00	\$1,511.47	\$3,000.00	QuickBooks Payroll Subscription, CSDA, Streamline Web Hosting
1010.7 Office Internet	\$800.00	\$592.18	\$1,100.00	Est \$90x12 months
Office Expenses Sub-Total	\$6,600.00	\$4,040.12	\$9,100.00	
1012.0 Administrative Personnel Expenses				
1012.1 Salary, Board Secretary	\$2,000.00	\$1,000.00	\$2,000.00	
1012.2 Salary, General Manager	\$9,600.00	\$7,500.00	\$9,600.00	
1012.3 Salary, Office Assistant	\$7,800.00	\$6,000.00	\$7,800.00	
1012.4 Salary, Treasurer	\$4,800.00	\$4,025.00	\$4,800.00	
1012.5 Payroll Taxes (Dist Contribution)	\$3,000.00	\$3,336.31	\$5,000.00	
1012.7 Dept of Justice-Live Scan	\$200.00	\$0.00	\$200.00	
1012.8 Workers Comp Insurance	\$10,600.00	\$6,972.00	\$10,000.00	
1012.9 Staff Mileage	\$2,000.00	\$82.64	\$1,000.00	
Admin Personnel Expenses Sub-Total	\$40,000.00	\$28,915.95	\$40,400.00	
1013.0 SDRMA Insurance, Liability/Bonding	\$3,700.00	\$125.00	\$3,700.00	
Administrative Total	\$87,700.00	\$43,092.67	\$83,900.00	

Newberry Springs Community Service District  
Proposed FY 2016/17 Budget  
Vs. 2015/16 Budgeted/Actual (4/15/16)

<b>2000.0 PARK &amp; RECREATION</b>	<b>2015/16 B</b>	<b>2015/16 A</b>	<b>2016/17 P</b>	<b>Notes</b>
<b>2001.0 Community Events</b>				
2001.1 Community Events, Advertising	\$300.00	\$0.00	\$300.00	
2001.2 Community Events, Expenses	\$12,000.00	\$0.00	\$12,000.00	
<b>Community Events Sub-Total</b>	<b>\$12,300.00</b>	<b>\$0.00</b>	<b>\$12,300.00</b>	
<b>2002.0 Community Center Expenses</b>				
2002.1 Consumable Supplies	\$400.00	\$29.64	\$400.00	
2002.2 CSD Electric	\$4,000.00	\$2,472.87	\$4,000.00	
2002.3 CSD Propane	\$2,300.00	\$1,051.23	\$2,000.00	
2002.4 Contract Labor, Cleaning	\$3,600.00	\$3,300.00	\$3,600.00	
2002.5 Health Permits	\$1,300.00	\$1,065.00	\$1,300.00	
2002.6 CSD Building, Maint/Repair	\$1,500.00	\$1,487.33	\$3,500.00	
2002.7 Pest Control	\$700.00	\$501.51	\$700.00	
<b>Community Center Sub-Total</b>	<b>\$13,800.00</b>	<b>\$9,907.58</b>	<b>\$15,500.00</b>	
<b>2003.0 Grounds Expenses</b>				
2003.1 Contract Labor, Landscaping	\$4,800.00	\$4,710.27	\$4,800.00	
2003.2 Disposal Services	\$3,000.00	\$1,490.92	\$2,500.00	
2003.3 Maint/Repair, Equipment	\$1,700.00	\$814.87	\$2,000.00	
2003.4 Maint/Repair, Grounds	\$3,500.00	\$4,050.05	\$4,500.00	
2003.5 Maint/Repair, Well	\$2,000.00	\$3,290.85	\$3,000.00	
2003.6 Mojave Water Agency Fees	\$200.00	\$66.00	\$200.00	
2003.7 Park, Capital Improvements	\$0.00	\$0.00	\$0.00	
2003.8 Park, Electric	\$2,000.00	\$940.01	\$2,000.00	
2003.9 Water Testing	\$500.00	\$270.00	\$500.00	
1002.2 Parking Lot Lights	\$500.00	\$20.32	\$300.00	
<b>Grounds Expenses Sub-Total</b>	<b>\$18,200.00</b>	<b>\$15,653.29</b>	<b>\$19,800.00</b>	
<b>TOTAL</b>	<b>\$44,300.00</b>	<b>\$25,560.87</b>	<b>\$47,600.00</b>	

<b>3000.0 STREET LIGHTS</b>	<b>2015/16 B</b>	<b>2015/16 A</b>	<b>2016/17 P</b>	<b>Notes</b>
3001.0 Street Lights	\$6,000.00	\$3,935.13	\$6,000.00	

**Product Synopsis • Pyrotechnic Proposal**  
**Newberry Community Services District**  
**PROGRAM A – July 3, 2016**  
**\$10,000.00**

**Main Body - Aerial Shells**

<u>Description</u>	<u>Quantity</u>
◆ 3" Souza Designer Selections	150 Shots
◆ 4" Souza Designer Selections	90 Shots
<b>Total of Main Body - Aerial Shells</b>	<b>240</b>

**Pyrotechnic Devices**

<u>Description</u>	<u>Quantity</u>
◆ Sousa Gold Line Custom Multishot Device	500 Shots
◆ Sousa Sapphire Line Custom Multishot Device	100 Shots
◆ Sousa Emerald Line Custom Multishot Device	135 Shots
<b>Total of Pyrotechnic Devices</b>	<b>735</b>

**Grand Finale**

<u>Description</u>	<u>Quantity</u>
◆ 2.5" Souza Designer Bombardment Shells	72
◆ 3" Souza Designer Bombardment Shells	45
◆ 4" Souza Designer Bombardment Shells	30
<b>Total of Grand Finale</b>	<b>147</b>

**Grand Total 1,122**



**Product Synopsis • Pyrotechnic Proposal**  
**Newberry Community Services District**  
**PROGRAM B – July 3, 2016**  
**\$9,000.00**

**Main Body - Aerial Shells**

<u>Description</u>	<u>Quantity</u>
◆ 3" Souza Designer Selections	150
◆ 4" Souza Designer Selections	90
<b>Total of Main Body - Aerial Shells</b>	<b>240</b>

**Pyrotechnic Devices**

<u>Description</u>	<u>Quantity</u>
◆ Sousa Gold Line Custom Multishot Device	500 Shots
◆ Sousa Sapphire Line Custom Multishot Device	100 Shots
◆ Sousa Ruby Line Custom Multishot Device	30 Shots
◆ Sousa Emerald Line Custom Multishot Device	135 Shots
<b>Total of Pyrotechnic Devices</b>	<b>765</b>

**Grand Finale**

<u>Description</u>	<u>Quantity</u>
◆ 2.5" Souza Designer Bombardment Shells	72
◆ 3" Souza Designer Bombardment Shells	50
<b>Total of Grand Finale</b>	<b>122</b>

**Grand Total 1,127**

