

RESOLUTION 148

A RESOLUTION DECLARING THE POLICY OF THE CITY OF QUINTER, KANSAS, REGARDING OPEN PUBLIC RECORDS; DELEGATING AUTHORITY AND RESPONSIBILITY TO THE QUINTER CITY ADMINISTRATOR/CLERK FOR ASSURING THE CITY'S COMPLIANCE WITH K.S.A. 45-215 ET SEQ., KANSAS OPEN RECORDS ACT, AS AMENDED; RESCINDING RESOLUTION NO. 105

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF QUINTER, KANSAS:

SECTION 1. Policy.

It is hereby declared to be the policy of the City of Quinter that all public records which are made, maintained or kept by or are in the possession of the City, its officers and employees, shall be open for public inspection, abstracting or copying, as provided by, and subject to the restrictions imposed by K.S.A. 45-215 et seq., the Kansas Open Records Act (KORA), as amended, and other pertinent Kansas and federal laws.

SECTION 2.

Delegation of Authority and Responsibility.

The City Administrator / Clerk of the City of Quinter is hereby authorized and directed to represent the City of Quinter as Freedom of Information Officer, or to designate a record custodian for each City department housing public records, to establish guidelines as required to assure full compliance by the City with the KORA, and to establish fees for providing access to or furnishing copies of open public records. The fees shall be subject to Governing Body approval.

SECTION 3.

Resolution No. 105 is hereby rescinded.

SECTION 4.

Response time. The Freedom of Information Officer shall respond to the request as soon as possible, but no less than within 3 days shall the inquiry be acknowledged by the City's designee. If the request appears to take some time to provide, the FoI officer shall notify the person who inquired (within 3 days) a determination of the delivery of the data.

SECTION 5.

Fees for Search, Compilation, Access, Inspection and Copying.

Fees for searching for, compiling, providing access to, overseeing inspection of and copying of open public records are as follows:

1. BASIC CHARGES:

- \$0.10 cents per page printed
- Emailed copies of the past and current official Annual approved City Budget and Annual Approved City Audit are free of charge.

The basic charge is principally assessed to reimburse the City for routine costs of retrieving and copying records which are requested with specificity and are held within the City's current file system. It does not include the cost of more than five minutes (one-twelfth of an hour) of staff time needed to determine the location of records not readily accessible, to determine what records meet request criteria, to segregate public from non-public records, to compile records, to retrieve records from archives, to actively oversee the inspection of records, to actively operate computers needed to retrieve records, to actively operate computers needed to print records in hard copy or to copy records in electronic format, to actively operate video cassette recorders, DVD recorders and audio tape recorders needed to locate and copy the records in those formats, and to perform other similar necessary services.

2. HOURLY CHARGES:

Most records can be retrieved and made available for inspection and copying within the initial five minute (one-twelfth hour) increment; however, records requests which take longer than five minutes (one-twelfth hour) to fulfill will incur a per hour charge based on the hourly rate of compensation and benefits of the City employee performing the necessary services. Hourly charges will be billed by the twelfth of an hour.

ADOPTED by the Governing Body of the City of Quinter, Kansas, this 11th day of January, 2016, to be effective on and after the publication of this resolution

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ATTEST: Dwight Tummons, Mayor

(seal)

Ericka Nicholson, City Administrator, Clerk