



August 24, 2022

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit Department

Subject: Administration of Public Record Act Requests, Internal Audit Report No. 22-510

Overview

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of the administration of Public Record Act requests. Based on the audit, public record requests are handled in accordance with the California Public Records Act policy and procedures. The Internal Audit Department offered one recommendation to update procedures and the Orange County Transportation Authority website to address all available methods for submitting a request, and times available for in-person viewing of records.

Recommendation

Direct staff to implement one recommendation related to the Administration of Public Record Act Requests, Internal Audit Report No. 22-510.

Background

The California Public Records Act (CPRA) is a series of laws designed to guarantee that the public has access to public records of governmental bodies in California. The Orange County Transportation Authority (OCTA) Public Access to Records Policy and Procedure states OCTA will provide access to its records to the fullest extent required by the CPRA. The policy allows for the inspection of public records during OCTA business hours. Once a request is received, the Clerk of the Board (COB) Department is responsible for contacting the appropriate department to obtain the records and shall notify the requesting party of the date and time for the inspection to take place. The notification should occur in writing and be within ten calendar days of the receipt of the request. If

OCTA is unable to decide within the ten calendar days as to if the request, in whole or in part, seeks copies of disclosable public records, the COB shall work with general counsel to obtain an extension of time, in writing, for up to fourteen calendar days. If the record is deemed to be exempt from disclosure pursuant to state or federal law, OCTA shall not disclose the record to the public and the COB, in conjunction with general counsel, will notify the requestor in writing of such decisions and the reasons. All charges and fees for the duplication of records are set forth within the policy. Records emailed, viewed in person, or made available through the Public Record Act (PRA) system, GovQA, are free of charge.

The OCTA website includes a link with information on filing a request and a link to the GovQA system used for administration of public record requests. Requests are typically made directly through the GovQA system and requests received by mail and/or by phone are entered into the system by COB staff.

Discussion

OCTA's website does not provide information on all available methods for making a PRA request such as by phone, email, or in writing. Written procedures also do not outline handling of requests received outside of the GovQA system. In addition, the website states that hours for inspection are limited to between 10:00 a.m. and 2:00 p.m. due to the coronavirus pandemic. The Internal Audit Department (Internal Audit) recommended management update the website to offer requestors information on all available methods for making a request and revise the hours during which records may be viewed to business hours. Written procedures should be updated to include steps for processing requests received outside the system and require documentation of the date and time that the request was received. Management agreed and indicated that the website has been updated and procedures will be updated and implemented by August 12, 2022.

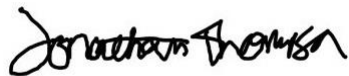
Summary

Internal Audit has completed an audit of the administration of PRA requests and has offered one recommendation.

Attachment

- A. Administration of Public Record Act Requests, Internal Audit Report No. 22-510

Prepared by:



Jonathan Thompson
Staff Internal Auditor
714-560-5930

Approved by:



Janet Sutter
Executive Director, Internal Audit
714-560-5591