

Is your request solely for a commercial purpose? _____ **YES** _____ **NO**

A. If you marked “yes”, then what reason do you assert, if any, that disqualifies the City from assessing a search fee for your request? Check any of the following that may apply. Please understand that you may be required to provide documentary evidence or further written explanation of your claim for exemption from search fees for requests made with a solely commercial purpose.

_____ Publication in a newspaper, or broadcast by news media, for news purposes;

_____ Because the release of records is in the public interest, including but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the City government are honestly, faithfully and competently performing their duties as public servants.

B. The City Clerk has determined that the following search fee(s) and deposit term(s) will apply to this records request:

EXEMPT RECORDS: Federal and State law(s) provide that certain records are confidential and are not subject to an Open Records request. Those records include, but may not be limited to, the following. There may be a reasonable delay in the processing of your request as the appropriate departments screen your requests and make a determination regarding applicable restrictions. Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions.

- A. records protected by a state evidentiary privilege such as the attorney-client privilege, the work product immunity from discovery and the identity of informer privileges;
- B. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes;
- C. personal information within driver records as defined by the Driver’s Privacy Protection Act, 18 United States Code, Sections 2721 through 2725;
- D. a public body may keep personnel records confidential:
 - 1. Which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or
 - 2. Where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, employment applications submitted by persons not hired by the public body;
 - 3. Except as may otherwise be made confidential by statute, an employee of a public body shall have a right of access to his own personnel file;
 - 4. The City shall keep confidential the home address, telephone numbers and social security numbers of any person employed or formerly employed by the City.

- E. Except for the following listed records, and those made open by other laws, law enforcement agencies may deny access to law enforcement records except where a court finds that the public interest or the interest of an individual outweighs the reason for denial. Law enforcement agencies shall make available for public inspection, if kept, the following records:
1. An arrestee description, including the name, date of birth, address, race, sex, physical description, and occupation of the arrestee;
 2. Facts concerning the arrest, including the cause of arrest and the name of the arresting officer;
 3. A chronological list of all incidents, including initial offense report information showing the offense, date, time, general location, officer, and a brief summary of what occurred;
 4. Radio logs, including a chronological listing of the calls dispatched;
 5. Conviction information, including the name of any person convicted of a criminal offense;
 6. Disposition of all warrants, including orders signed by a judge of any court commanding a law enforcement officer to arrest a particular person;
 7. A crime summary, including an agency summary of crimes reported and public calls for service by classification or nature and number; and
 8. Jail registers, including jail blotter data or jail booking information recorded on persons at the time of incarceration showing the name of each prisoner with the date and cause of commitment, the authority committing the prisoner, whether committed for a criminal offense, a description of the prisoner, and the date or manner of discharge or escape of the prisoner.
- F. Prior to taking action, including making a recommendation or issuing a report, a public official may keep confidential his or her personal notes and personally created materials other than departmental budget requests of a public body prepared as an aid to memory or research leading to the adoption of a public policy or the implementation of a public project.
- G. If disclosure would give an unfair advantage to competitors or bidders, a public body may keep confidential records relating to:
1. Bid specifications for competitive bidding prior to publication by the public body; or
 2. Contents of sealed bids prior to the opening of bids by a public body; or
 3. Computer programs or software but not data thereon; or
 4. Appraisals relating to the sale or acquisition of real estate by a public body prior to award of a contract; or
 5. The prospective location of a private business or industry prior to public disclosure of such prospect except for records otherwise open to inspection such as applications for permits or licenses.

- H. Although they must provide public access to their records, including records of the address, rate paid for services, charges, consumption rates, adjustments to the bill, reasons for adjustment, the name of the person that authorized the adjustment, and payment for each customer, public bodies that provide utility services to the public may keep confidential credit information, credit card numbers, telephone numbers, social security numbers, bank account information for individual customers, and utility supply and utility equipment supply contracts for any industrial customer with a connected electric load in excess of two thousand five hundred (2,500) kilowatts if public access to such contracts would give an unfair advantage to competitors of the customer; provided that, where a public body performs billing or collection services for a utility regulated by the Corporation Commission pursuant to a contractual agreement, any customer or individual payment data obtained or created by the public body in performance of the agreement shall not be a record for purposes of this act.

- I. A public body may keep confidential library, archive, or museum materials donated to the public body to the extent of any limitations imposed as a condition of the donation and any information which would reveal the identity of an individual who lawfully makes a donation to or on behalf of a public body including, but not limited to, donations made through a foundation operated in compliance with Sections 5-145 and 4306 of Title 70 of the Oklahoma Statutes. If library, archive, or museum materials are donated to a public body and the donation may be claimed as a tax deduction, the public body may keep confidential any information required as a condition of the donation except the date of the donation, the appraised value claimed for the donation, and a general description of the materials donated and their quantity.

- J. Except as otherwise provided by state or local law, the office of the municipal attorney of any municipality may keep its litigation files and investigatory reports confidential.

- K. Records coming into the possession of a public body from the federal government or records generated or gathered as a result of federal legislation may be kept confidential to the extent required by federal law.

- L. Except for the fact that a communication has been received and that it is or is not a complaint, a public official may keep confidential personal communications received by the public official from a person exercising rights secured by the Constitution of the State of Oklahoma or the Constitution of the United States. The public official's written response to this personal communication may be kept confidential only to the extent necessary to protect the identity of the person exercising the right.

- M. An intergovernmental self-insurance pool may keep confidential proprietary information, such as actuarial reports, underwriting calculations, rating information and records that are created based on conclusions of such information that are developed through the operation of the intergovernmental self-insurance pool.

- N. Any public utility shall keep confidential vulnerability assessments of critical assets in both water and wastewater systems. Public utilities may use the information for internal purposes or allow the information to be used for survey purposes only.

- O. Health Care Records. The City shall not disclose any records which pertain to the health care of any individual in any manner which violates state and/or federal law.

Office Record:

Date/Time Request Made: _____ Date/Time Information Released: _____

Total Number of Copies Made/Fee Charged: _____

Copy Fee Payment Type: _____

Signature of Person Who Received the Copies/Information: _____

City Clerk or Other Department Employee Signature _____

Due to the type of records requested from the Police Department, Fire Department, Utility and Court Clerk Offices, those requests should be made to that particular department who will keep their own records *or* complete a form to be submitted to the City Clerk's Office for recordkeeping purposes.

Requests from other City departments may be made through the City Clerk's Office, however, if other departments receive record requests and information is released, a form must be completed and submitted to the City Clerk's Office.

The mailing address for all City of Miami offices and departments is: P O Box 1288
Miami, OK 74355

The central City offices are located at 129 5th Avenue NW.

The phone number to the City Clerk's Office is 918-542-6685.