

GRAMA Notice of Appeal to State Records Committee

Note: Utah Code § 63G-2-403 (GRAMA) provides that any person may further appeal the chief administrative officer's denial of an appeal by filing a notice of appeal with the State Records Committee. This notice must be filed within 30 days of the response from a governmental entity's chief administrative officer or no later than 45 days after the records request was made if the following occur: the governmental entity claims extraordinary circumstances, and the chief administrative officer failed to make a determination.

Requester's information

Name: Douglas Sagers Date: March 4, 2019

Address: [REDACTED] City/State/Zip: _____

Daytime telephone number: [REDACTED]

Make request to

SRC Executive Secretary
346 South Rio Grande Street
Salt Lake City, Utah 84101
gproctor@utah.gov

Explanation of Relief Sought

Note: Relief can relate to conflicts over denial of access to records (Utah Code § 63G-2-402) as well as disputes over fees (Utah Code § 63G-2-203(6)) or extraordinary circumstances (Utah Code § 63G-2-402)).

The State Records Committee can also use the weighing provision to order the release of records that are properly restricted if it determines that the interests favoring access are greater than or equal to the interests favoring restriction (Utah Code § 63G-2-203(11)).

Pursuant to Utah Code § 63G-2-402, I am appealing the decision of the Tooele County Commission dated February 15, 2019, refusing to provide records in response to my request, dated January 16, 2019, for certain records related to the Tooele County-owned Motorsports Park.

The commission claims it cannot provide budgets, leases, purchase orders, invoices, or contracts and agreements because the documents are retained by Utah Motorsports Campus (UMC). However, the County must provide these records because: (1) the County should possess a copy of UMC's budget, (2) the County has access to the other records, and (3) the records are public (see attached Statement of Facts, Reasons and Legal Authority).

Therefore, I respectfully request that Tooele County provide the 2016 budget and the other records I requested.

Inclusions for notice of appeal

The State Records Committee requires documentation and has specific appeals procedures which are outlined in Administrative Rule: Title R35. Administrative Services, Records Committee, and should be reviewed by a petitioner.

This petition to appeal to the State Records Committee requires the following attachments or inclusions:

- _____ Statement of facts, reasons, and legal authority in support of this appeal
(see Utah Code § 63G-2-403(3)(b)).
- _____ Original GRAMA request
- _____ Notice of denial from the governmental agency's records officer
- _____ Notice of appeal to the governmental entity's chief administrative officer (Optional)
- _____ Notice of decision from the governmental entity's chief administrative officer

This notice of appeal must, **on the same day**, also be forwarded to the governmental entity to which the records request was made (Utah Code § 63G-2-403(3)).

- _____ Notice of appeal sent to agency

Request assistance

A petitioner may request assistance from the government records ombudsman. The ombudsman's responsibility is to serve as a resource for a person who is filing an appeal relating to a records request. The ombudsman may also attempt to mediate disputes between requesters and responders (Utah Code § 63A-12-111(2)).

Rosemary Cundiff
346 South Rio Grande Street
Salt Lake City, Utah 84101
rcundiff@utah.gov
(801) 531-3858