

Timely Public Access to Traffic Study Data Petition

City Council

December 6, 2022





Petition Purpose

- Staff received a petition on 11/15/22 requesting “*City Council establish a policy requiring Staff to provide Traffic Study data to the public within 15 days of any request, or at least 7 days prior to any meeting (e.g. City Council, Transportation or Planning and Zoning Commission, etc.) set to discuss the findings and allow the public to present their interpretation of the data.*”



Current City Processes

- If the request is related to public records requests, we already have an established process managed by the City Clerk's Office and governed by Arizona Public Records Law.
- If the request is for the creation of new data, reports, or spreadsheets, this is not required by the Arizona Public Records Law.



Issues Raised by Petition

- Administrative burden with two separate processes governing public records.
- Staff and public confusion on which process to use.
- The petition as drafted is very broad and includes traffic data from private developments as well, which may be outside the City's control.



Arizona Public Records Law

- The City of Flagstaff must abide by the **Arizona Public Records Law**.
- A.R.S. 39-121.03 states that any person may submit a request to examine or be furnished with copies of public records, and that the responding agency shall promptly respond to such requests.
- The time it takes to respond to the request will depend on the complexity of the request, volume of responsive documents, and other factors.
- Under Arizona Public Records Law, public agencies are **not required** to create new documents in order to respond to a request.



Staff Recommendation



- Staff does not recommend approving the petition.