



City Attorney

August 28, 2014

Sent via Email and
U.S Mail

Ray Lutz
1010 Old Chase Ave.
El Cajon, CA 92020
raylutz@citizenoversight.org

RE: Public Records Act request received on August 18, 2014

Dear Mr. Lutz:

This letter is in response to your request made pursuant to the California Public Records Act ("CPRA"), California Government Code section 6250 et seq., for copies of the following records:

- 1) A word document, namely a letter proposal dated January 29, 2014 from the Rock Church to City Manager, Douglas Williford, which was converted from PDF format attached to an email dated 02/06/2014.
- 2) Proposals submitted by the Rock Church and CCT.

In accordance with California Government Code §6253(c), we have determined that your request seeks copies of public records that are in the City's possession. However, one record, the above-referenced word version of the letter proposal of January 29, 2014, is not being disclosed.

Notations were added to that document, *which was created expressly for purposes of confidential discussions among staff and members of the City Council during the closed session held in conjunction with the City Council meeting of February 25, 2014.* At the end of the closed session, all copies of the documents were collected and destroyed. Since the document consisted of notes used for confidential discussion points only, and was not retained by the City in the ordinary course of business, the public interest in withholding this record clearly outweighs the public interest in disclosure. (California Government Code §6254(a).) In any case, no copies of that document still exist.

Although there are not a large number of documents involved, due to the holiday, we are still compiling and reviewing the documents. The remainder of the responsive, non-exempt documents will be made available to you early next week.

Ray Lutz
Citizens Oversight Projects
August 28, 2014
Page 2 of 2

Note: Regarding the proposal from Rock Church in landscape/bullet format submitted to the City; City staff discussed the individual parts of this proposal with representatives of Rock Church and it was agreed that none of Rock Church's proposals from page 2 would be part of the final proposal. Further, City staff added several City conditions. These changes to the initial proposal are reflected in the staff report for this item presented to the City Council at meeting held on August 12, 2014.

Thank you for your patience in this matter. Please contact our office if you have any questions.

Sincerely,



Barbara C. Luck
Staff Attorney

cc: Douglas Williford, City Manager
Morgan L. Foley, City Attorney
Belinda Hawley, City Clerk