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OCT 20 2009

OCEANSIDE CITY CLERK DEPARTMENT
PUBLIC RECORDS REQUEST FORM

OCEANSIDE CITY CLERK

Pursuant to the California Public Records Act, Government Code section 6250 et seq., the City must respond to a Public Records Request within ten (10) calendar days. Actual release of the records need not be made within this ten-day period, but should not be unreasonably delayed. The request will be processed and you will be contacted to pick up the completed records. Records are not released until payment is received. If you are requesting a large volume of documents you may be required to post a deposit towards the estimated cost of producing the records at the time of this request. Records may be mailed upon receipt of duplication cost plus postage.

Please Note: Law enforcement, investigative records, litigation-related and personnel records are exempt under the Public Records Act.

COST:	Paper copies	\$.10 per page
	Electronic records	\$.05 per image + \$ 1.00 per CD
	Postage, if applicable	actual cost

Date of Request 10-21-09

Name of Company Requesting Records: CTI NEWS PHOTO BUREAU

Name of Individual Requesting: WOODROW L. HIGDON

Address: 2544 RUDDER RD. City: OCEANSIDE State: CA

Telephone: 754-8423

If requesting e-mail records do you have Microsoft Outlook? X Yes No

SUBJECT OF REQUEST: (Be specific i.e., name(s), timeframe, date(s), event(s), incident(s) etc.):

(1) FINANCIAL INFO. ON THE CURRENT POLICE & FIRE UNION DEMANDS FOR SALARY & BENEFIT INCREASES.

(2) ALL DOCUMENTS, ETC. OF INVESTIGATIONS BY CITY COUNCIL MEMBERS (CONT)

I agree to pay the required deposit if I am requesting records over fifty dollars (\$50). I understand that the records will not be reproduced until my deposit is received. I agree to pay the remaining cost/entire cost of reproducing the records upon notification that the records are available. I acknowledge that the records will not be released until I have paid for the records in full.

DATED: 10-21-09

SIGNATURE: Woodrow L. Higdon

Admonition read and reviewed with requestor. City Employee: _____

Declined to pay deposit.

Staff Use: Routed to City Attorney's Office on: _____

Research to be conducted by: _____

Records Mgt: OK to proceed: _____

Hold for discussion: _____

Date completed: _____ Initials: _____

Comments: _____

IN RESPONSE TO CITIZEN COMPLAINTS ABOUT CORRUPTION & MISCONDUCT, IN THE OCEANSIDE POLICE & FIRE DEPARTMENTS,

Pursuant to the California Public Records Act, Government Code section 6250 et seq., the City must respond to a Public Records Request within ten (10) calendar days. Actual release of the records need not be made within this ten-day period, but should not be unreasonably delayed. The request will be processed and you will be contacted to pick up the completed records. Records are not released until payment is received. If you are requesting a large volume of documents you may be required to post a deposit towards the estimated cost of producing the records at the time of this request. Records may be mailed upon receipt of duplication cost plus postage.

Please Note: Law enforcement, investigative records, litigation-related and personnel records are exempt under the Public Records Act.

COST: Paper copies \$.10 per page
 Electronic records \$.05 per image + \$ 1.00 per CD
 Postage, if applicable actual cost

Date of Request: 10-21-07
 Name of Company Requesting Records: 7-77 NEWS PHOTO BUREAU
 Name of Individual Requesting: Wesley J. Hickman
 Address: 2544 BUNKER RD City: OCEANSIDE State: CA
 Telephone: 761-875-7777

If requesting e-mail records do you have Microsoft Outlook? Yes No
SUBJECT OR REQUEST: (Be specific i.e., name(s), telephone, date(s), event(s), incident(s) etc.)

1) FINANCIAL INFO ON THE CURRENT POLICE & FIRE TRAINING PROGRAMS FOR POLICE & FIRE DEPARTMENT
2) ALL RECORDS OF ALL INVESTIGATIONS BY OCEANSIDE POLICE & FIRE DEPARTMENT

I agree to pay the required deposit if I am requesting records over fifty dollars (\$50). I understand that the records will not be released until my deposit is received. I agree to pay the remaining cost of reproducing the records upon notification that the records are available. I acknowledge that the records will not be released until I have paid for the records in full.

DATE: 10-21-07 SIGNATURE: Wesley J. Hickman
 Admonition read and reviewed with requestor. City Employee
 Declined to pay deposit.

Staff Use:
 Routed to City Attorney's Office on: _____
 Research to be conducted by: _____
 Records Mgt: OK to proceed: _____
 Hold for discussion: _____
 Date completed: _____ Initials: _____
 Comment: _____



CITY OF OCEANSIDE

OFFICE OF THE CITY ATTORNEY

JOHN P. MULLEN
City Attorney

BARBARA L. HAMILTON
Assistant City Attorney

October 26, 2009

TARQUIN PREZIOSI
Senior Deputy City Attorney

LESLIE M. GALLAGHER
Deputy City Attorney

ANNIE M. PERRIGO
Deputy City Attorney

DEBORAH NASH
Deputy City Attorney

Mr. Woodrow L. Higdon
2544 Rudder Road
Oceanside, CA 92054

VIA U.S. MAIL

Re: Public Records Request dated October 21, 2009
Public Records Request No: 2009PR377

The above-referenced Public Records Act request submitted to the City Clerk has been forwarded to this office for response. Your October 21, 2009 request seeks "(1) financial info on the current police & fire union demands for salary & benefit increases, (2) All documents etc. of investigations by city council members in response to citizen complaints about corruption & misconduct, in the Oceanside police & fire departments."

Any responsive documents are being withheld and will not be provided. Specifically, to the extent any documents exist, union "demands" during contract negotiations are exempt from disclosure pursuant to Government Code section 6254 (a), section 6255, and the California Supreme Court case *Haynie v. Superior Court* (2001) 26 Cal.4th 1061. Further, your request seeks documents and information that are exempt from disclosure by the Official Information Privilege set forth in Evidence Code sections 1040 and 1041. The City also objects to the extent that this request seeks documents protected by the Attorney-Client Privilege. Please note, with regard to request number 2, there are no documents responsive to this request.

Sincerely,

JOHN P. MULLEN
City Attorney

By: LESLIE M. GALLAGHER
Deputy City Attorney

cc: Angelina Ehrlich, City Clerk's Office
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