

Ebron, Eugene

From: Martin Truitt <martin117a@gmail.com>
Sent: Monday, July 22, 2019 6:51 PM
To: Bagneris, Michele; Reyes, David; Nunez, Guille; Mermell, Steve; Fuentes, Theresa
Subject: abuse of process
Attachments: 11470 14 day letter.pdf

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

I today received a notice (see attached) from Guille Nunez that she needs 14 additional days to locate a document (a CUP application filed by Integral Associates Dena, LLC).

Ms. Nunez herself has previously reported that she physically received this document on July 9, 2019. Therefore, no search by her is necessary.

Far from being "diligent", Ms. Nunez is abusing the CPRA response period and making false statements regarding the need to search for documents already in her custody.

Neither the 10-day response period for responding to a request for a copy of records nor the additional 14-day extension may be used to delay or obstruct the inspection of public records. (Gov Code Section 6253(d) Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records.)

I demand these records immediately with no further delay.

REQUEST FOR PUBLIC RECORDS (City Request No.: 0011470)

REQUESTOR'S NAME: Martin Truitt

Company:
Address:
City:
Zip Code:
State:

OR Email: martin117a@gmail.com

In response to your Public Records Act request to the City of Pasadena:

- Attached please find documents the City believes are responsive to your request.
- The records you requested are ready for inspection. Please call the phone number below for more information.
- Our search revealed no records responsive to your request.
- Some or all of the records you requested are exempt from disclosure (see reverse).
- We need additional time to search for the records you requested pursuant to *Government Code sections 6253(c)(1) and (2)*. Unless we notify you otherwise, the records will be available for your inspection on or after 8/5/19.
- Please provide us with your telephone, fax number and/or address so we may contact you.
- Your copying charge is \$ _____ based on _____ pages copied.
Our per page charge for copying records is fifteen cents (\$0.15). Payment must be made by check payable to *CITY OF PASADENA* (cash or credit cards cannot be accepted). For certified payroll records (Labor Code Section 1776) there is a \$10.00 charge (check payable to Contractor) plus \$1.00 for the first page and \$0.25 for each page thereafter (check payable to City of Pasadena). Payment must be received no later than the time the copies are given to you.
- Your mailing charge is \$ _____ based on postage and envelope.
- The cost for a CD or other electronic device is \$ _____
- Other:

Date: 7/22/19

By: Guille Nunez

Phone: (626) 744- 7634

- Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, because the public interest in withholding those records clearly outweighs the public interest in disclosure. *Government Code Section 6254(a).*
- Records pertaining to pending litigation to which the public agency is a party, or to claims made under the Governmental Claims Act because the pending litigation or claim has not been finally adjudicated or otherwise settled. *Government Code Section 6254(b).*
- Personnel, medical, or similar files, because the disclosure of which would constitute an unwarranted invasion of personal privacy. *Government Code Section 6254 (c) and Article I, Section 1 of the California Constitution.*
- Records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of the Pasadena Police Department and/or the City of Pasadena. *Government Code Section 6254(f).*
- Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the persons supplying the information. *Government Code Section 6254(i).*
- Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege, including but not limited to the Attorney-Client privilege, Attorney-Work-Product Doctrine and the Official Information privilege. *Government Code Section 6254(k).*
- Statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with the licensing agency to establish his or her personal qualification for the license, certificate, or permit applied for. *Government Code Section 6254(n).*
- On the facts of this particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. *Government Code Section 6255.*
- Other :