

Stand Up For California!
“Citizens making a difference”

www.standupca.org

P.O. Box 355
Penryn, CA 95663

November 1, 2010

John Lollis, City Manager
City of Porterville
291 North Main Street
Porterville, CA. 93257
Phone: (559) 782-7466
Fax: (559) 715-4013
Email: mgr-office@ci.porterville.ca.us

RE: Public Request Act

Dear Mr. Lollis:

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.) and the California Constitution, as amended by passage of Proposition 59 on November 2, 2004, *Stand Up For California* is writing to request records, which I understand to be in the possession of your City.

The City's response letter dated October 22, 2010, to Messrs. Saleh and Kassab states, "...wherein the City *contemplated potential legal action*. (California Government Code Section 54956.9(c).) The agenda for March 16, 2010, does list this section of code and notes (4) cases in the Closed Session.

- I. We requests copies of any and all correspondence between the City Staff, elected officials and the Tribal representatives that relate to the Tribe's pending Fee to Trust application concerning property within the City with emphasis on any and all documents that identify "*contemplated potential legal action*". From Dec. 23, 2009 to the date of this letter.
- II. We request a record of the vote in close session for the approval of the Cooperation Agreement. A record that includes, any member of the council by name that may have recused themself.
- III. Any documents that details, explains or addresses the dispute between the City and the Tribe which was the subject that initiated the City's "*contemplated potential legal action*".

IV. We request a copy of a Tribal Resolution that supports the Chairman signing the Cooperative Agreement.

V. We request a copy of the Tule River Indian Tribe's Constitution

I ask for a determination on this request within 10 days for your receipt of it, and an even earlier reply if you can make that determination without having to review the records in question. If you nonetheless determine that the requested records are subject to a still-valid exemption, I would further request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption, and (2) that, with respect to records containing both exempt and nonexempt content you redact that exempt content and disclose the rest.

Finally, should you deny part or this entire request; you are required to provide a written response describing the legal authority or authorities on which you reply. I ask that you notify me of any duplication costs exceeding \$50.00, so that I may decide which records I want copied. If possible I request that the information be sent electronically.

Sincerely,



Cheryl Schmit – Director
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CC: Honorable Phil Cline, District Attorney Tulare County, Fax: (559) 730-2658
Tulare County Board of Supervisors, Fax: (559) 733-6898