
From: Brian Doyle
Sent: Wednesday, May 12, 2010 6:57 AM
To: City Clerk
Cc: PublicRecordsRequest
Subject: Re: Record Request

Hi Tom,

I hereby appeal the denial of access to these records to the Rules and Open Government Committee. The basis for my appeal is that the Mayor has already made numerous statements about cutting pay and staff and that therefore he has revealed his thought process. Moreover, I believe that transparency on how the City has stated its intentions with respect to staffing cuts will better serve the public's understanding of the relationship between the budget situation and the statements being made about the City's bargaining units. In short, I request more sunshine.

Brian Doyle

On Thu, May 6, 2010 at 2:51 PM, PublicRecordsRequest
<PublicRecordsRequest@sanjoseca.gov> wrote:
Hi, Brian:

In my last e-mail, I provided you with documents responsive to your request and indicated that there were remaining responsive documents about which I would soon respond.

Consistent with case law and Government Code Section 6255, the City may withhold a record that is protected by the "deliberative process privilege." The deliberative process privilege is intended to afford a measure of privacy to decision makers. This doctrine permits decision makers to receive recommendatory information from and engage in general discussions with their advisors without the fear of publicity. The Mayor has decided to assert the deliberative process for the remaining documents responsive to your request--documents which are in the custody of his office--because they do contain recommendatory information on the topic. Consequently, we will not be providing you with the remaining records to which I referred in my last e-mail message.

If you believe that you have been denied access to City records inappropriately, you may appeal that denial to the Rules and Open Government Committee by contacting the Office of the City Clerk at cityclerk@sanjoseca.gov or (408) 535-1260. You may also file suit with the Santa Clara County Superior Court.

Best regards,

Tom

Thomas D. Norris, CA
Public Records Manager
Office of the City Manager
City of San Jose, CA
(408) 535-8120

-----Original Message-----

From: Brian Doyle [mailto:PublicRecordsRequest@email.com]
Sent: Tuesday, April 27, 2010 7:06 PM
To: PublicRecordsRequest
Subject: Record Request

Name of Requestor: Brian Doyle

Agency/Company:

Address:

Phone: .

Fax:

Email:

Requested Documents: All documents, including all electronic communications, related to, or relied upon in calculating the \$6.1 million budget reduction target for City Manager, Council Appointees and Mayor and Council budgets as stated on page 26 of the City Manager's PRELIMINARY BUDGET REDUCTION PROPOSALS dated March 29, 2010. We are particularly interested in any documents showing the amounts for each of the office that are part of the total \$6.1 million.

How requestor would like the City to respond: Walk-in/Pick-up