

January 14, 1987

REPORT TO THE COMMITTEE ON PUBLIC SERVICES AND SAFETY
SANDER - Rules Committee Action of December 15, 1986

The Rules Committee directed the City Manager and City Attorney to report to the Public Services and Safety Committee on January 21, 1987 concerning a request by Mr. Simmons that the City not support the application for confidentiality of the Draft Service Agreement requested by Signal Environmental Systems, Inc.

On December 10, 1986, a letter was sent to Stephen M. Rhoads, Executive Director of the California Energy Commission expressing the City's position that the draft Service Agreement was not a public document and should not be disclosed until such time as the City Manager had fully negotiated the agreement and was prepared to make recommendations to Council and the appropriate committees. This letter was sent in response to a deadline of December 17, 1986 set by Mr. Rhoads.

The City Manager with the participation of this office continues to negotiate with Signal Environmental Systems concerning the Service Agreement. The Commission has been advised, however, that there is an adequate waste stream available for the project and that the City has the ability and the authority to guarantee delivery as required.

Until the final details are worked out, public disclosure of the negotiations being conducted by the Manager's office are not required under the Public Records Act, Government Code sections 6254 and 6255. Once it is concluded that release is in the public's interest, the draft documents may be released.

Respectfully submitted,
JOHN W. WITT
City Attorney

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