

DATE: March 6, 1990

TO: Councilmember Henderson via Chief of Staff  
James Sills  
FROM: City Attorney  
SUBJECT: Compliance with Public Records Request for  
Councilmember's Appointment Calendar

On February 14, 1990, we advised the City Clerk by memorandum, with a copy directed to you, of the requirements under the Public Records Act for responding to a citizen's request for a Councilmember's appointment calendar. The City Clerk's question arose because of a citizen's request for your calendar. A copy of our memorandum with its attachments is enclosed for your convenience.

Dave Thompson was the citizen making the request. On or about February 26, 1990, he lodged a complaint with this office that you were not complying with the terms and requirements of the Public Records Act, because you were providing him with typewritten excerpts of your calendar, rather than photocopies of your calendar with personal information deleted. Your Chief of Staff James Sills confirmed the information by telephone that your staff was preparing typewritten excerpts rather than photocopies. In support of his complaint, Mr. Thompson provided a copy of the court order signed by Judge J. Perry Langford in the case of San Diego Newslite v. City of San Diego, et al. (San Diego Superior Court Case No. 478990, filed February 11, 1982.) A copy of Judge Perry's order was attached to our February 26 correspondence and a copy is again enclosed.

In light of the statutory phrasing and the language contained in Judge Perry's order, you are hereby advised that the law requires you to provide Mr. Thompson with photocopies of your

calendar pages with personal material deleted, as soon as possible, in lieu of providing typewritten excerpts. If you have any questions, please feel free to call.

JOHN W. WITT, City Attorney

By

Cristie C. McGuire

Deputy City Attorney

CCM:jrl:015(x043.2)

Enclosures

cc City Clerk

ML-90-34