

**From:** Darline Mix [mailto:de.louise@att.net]  
**Sent:** Tuesday, February 25, 2014 10:36 AM  
**To:** Kek, Michael  
**Cc:** Hom, Donna; DL - City Council; Schaaf, Libby; Santana, Deanna  
**Subject:** Re: information request regarding Wildfire Prevention Assessment District

Mr. Kek:

In light of your response below, please allow me to amend and elaborate on my initial Public Records Request. Understanding that a "draft" of the subject mailer does not exist at this time (assuming draft is to mean final or completed) surely there exist preliminary drafts, sketches, renditions, etc. Additionally, as a price tag of \$30 thousand has been affixed to the projected mailer and approved by the City Council, logic dictates there exists a preliminary work product. Please provide copies of that work product, including all records of activity surrounding that activity, to include all correspondence, (e-mails, inter office memos, phone calls, etc.) a record of meetings and attendees (city and public participants alike) and records and notes of all financial activity and or costs and estimates. In other words, the basis for the \$30 thousand.

As your January 8, 2014 report indicates, "staff has identified the potential need" as part of the close out of the WPAD. My request goes to all activity and material surrounding that identification process.

Your attention to this matter is greatly appreciated,

David E. Mix

P.S. Note! To City Council. It would appear that the Council approved cart blanch, (February 4th) an expenditure of \$30 thousand dollars for an unknown (unseen or reviewed as to contents) public mailer - Am I understanding this correctly???

**From:** "Kek, Michael" <[MKek@oaklandnet.com](mailto:MKek@oaklandnet.com)>  
**To:** [de.louise@att.net](mailto:de.louise@att.net)  
**Cc:** "Hom, Donna" <[DHom@oaklandnet.com](mailto:DHom@oaklandnet.com)>  
**Sent:** Monday, February 24, 2014 3:17 PM  
**Subject:** RE: information request regarding Wildfire Prevention Assessment District

David Mix -

In follow-up to your email below, no draft informational mailer exists at this time and no action has been taken to initiate the mailing of the mailer.

Michael Kolana Kek  
City of Oakland  
City Administrator Officer - Budget Office  
510.238.4906

**From:** Darline Mix [<mailto:de.louise@att.net>]  
**Sent:** Monday, February 10, 2014 10:58 AM  
**To:** Hom, Donna  
**Subject:** Re: information request regarding Wildfire Presentation Assessment District

Donna:

Thank you very much for your follow-up on this.

The January 8th report from your office, (Engineering Services for Assessment Districts) at page 5, proposes an "informational mailing" as part of the "close-out" of the Fire Assessment District. My e-mail to Santana expressed my objections to the seemingly unwarranted expenditures.

My request to Mr. Kek was (is) for a copy of the proposed (approved) informational mailing material.

It would be much appreciated you could send me a copy.

Thanks again,

Dave Mix

**From:** "Hom, Donna" <[DHom@oaklandnet.com](mailto:DHom@oaklandnet.com)>  
**To:** [DE.Louise@ATT.net](mailto:DE.Louise@ATT.net)  
**Cc:** "Kek, Michael" <[MKek@oaklandnet.com](mailto:MKek@oaklandnet.com)>  
**Sent:** Friday, February 7, 2014 7:59 PM  
**Subject:** information request regarding Wildfire Presentation Assessment District

Dear Mr. Mix:

You called on 2/6/2014 and left a message to Mr. Kek and requested information related to the Wildfire Prevention Assessment District. I can't hear your message clearly. I only heard that you sent a letter of concern to the City Administrator and you need ... (can't hear it).

Would you please let me know exactly what you need so we can assist you? thank you.

***Donna Hom***

Donna Hom  
Budget Director/Deputy City Administrator  
1 Frank Ogawa Plaza #301  
Oakland, CA 94612  
(510) 238-2038 (Phone)  
(510) 238-2223 (Fax)  
(510) 238-2007 (TDD)

**From:** Darline Mix [mailto:de.louise@att.net]  
**Sent:** Friday, February 28, 2014 8:38 PM  
**To:** Bondi, James; Kek, Michael; dhom@oaklandnet.copm  
**Cc:** DL - City Council; Schaaf, Libby; Santana, Deanna; Ethics Commission  
**Subject:** Re: Records request, records on process of deciding about \$30K mailing

Mr Bondi:

In all due respect the material you provided clearly does not fulfill my Public Records Request. It is terribly presumptions of you to so state. It is obvious that conversations have taken place, plans are in the works, and decisions have been reached. The simple fact that \$30 thousand dollars has been allocated and approved by Council is a strong indicator of the existence of a "project". Again, I renew my request for "all" material, information, plans, records of plans and conversations relating to said project. In other words, \$30 thousand dollars for what??? Please provide everything pertaining to that approved expenditure.

D. E. Mix  
**From:** "Bondi, James" <[JBondi@oaklandnet.com](mailto:JBondi@oaklandnet.com)>  
**To:** [de.louise@att.net](mailto:de.louise@att.net)  
**Sent:** Friday, February 28, 2014 2:43 PM  
**Subject:** Records request, records on process of deciding about \$30K mailing

Mr. Mix,

On February 25, you sent an email to Mr. Michael Kek of the City of Oakland's Budget Office in which you made a request for public records. The portion of that email pertaining to the records request is copied below for reference.

City Budget Office staff have identified a number of documents as responsive to your request. Those materials have been scanned and are attached to this email in response to your request. Having provided them, the City considers your request to have been fulfilled.

For your future reference, the City of Oakland has an online public records system through which individuals may submit requests and browse requests and responses from others. This request and the response documents have also been posted in that system and can be viewed at <http://records.oaklandnet.com/city/request/2909> . In the future you may also use this system to make new records requests, at <http://records.oaklandnet.com/new> .

Text of your original request follows:

Mr. Kek:

In light of your response below, please allow me to amend and elaborate on my initial Public Records Request. Understanding that a "draft" of the subject mailer does not exist at this time (assuming draft is to mean final or completed) surely there exist preliminary drafts, sketches, renditions, etc. Additionally, as a price tag of \$30 thousand has been affixed to the projected mailer and approved by the City Council, logic dictates there exists a preliminary work product. Please provide copies of that work product, including all records of activity surrounding that activity, to include all correspondence, (e-mails, inter office memos, phone calls, etc.) a record of meetings and attendees (city and public participants alike) and records and notes of all financial activity and or costs and estimates. In other words, the basis for the \$30 thousand.

As your January 8, 2014 report indicates, "staff has identified the potential need" as part of the close out of the WPAD. My request goes to all activity and material surrounding that identification process.

Your attention to this matter is greatly appreciated,

James A. Bondi  
City Administrator Analyst  
Office of the City Administrator  
City of Oakland  
510-238-6654

**From:** Darline Mix [mailto:de.louise@att.net]  
**Sent:** Wednesday, March 05, 2014 12:35 PM  
**To:** Bondi, James; DL - City Council; Hom, Donna; Ethics Commission; Kek, Michael; Schaaf, Libby; Blackwell, Fred  
**Subject:** Re: Records request, records on process of deciding about \$30K mailing

Mr. Bondi,

Clearly, the City has not provided all the information requested and is not in compliance with the applicable law. The Oakland Sunshine Ordinance, at section 2.20.200, expressly provides for the release of "oral" information as well as "inspection" of and "copying" of public records.

While some of the material may not have been reduced to written documents the information nevertheless exists. It is rather apparent and unarguable that plans are "in the works" to produce and mail a district wide (WPAD) "mailer"

("close-out-mailer") with \$30 thousand in Public Funds being allocated to this "partisan political" endeavor.

For City staff to maintain there is no documentation, borders on the absurd. From the e-mails thus provided it is clear that private citizens (Ken Benson) and contractor (Joe Francisco) are involved with city staff in this endeavor. Projects of this sort most certainly do not occur in a vacuum - this project went to Council for approval and financing - and is therefore clearly evidenced that a project does exist.

As with any project, conversations transpire, meetings are scheduled and take place, approval and supervision is sought, plans and drafts are made and approved, etc., etc. A "record" and "paper trail" is consequently created, meeting times and places, phone calls, memos and notes, e-mail messages, et. To pretend otherwise is disingenuous - it is incredulous of staff to maintain that no records of that activity exists.

Once again, my Public Records Request, under the California Public Records Act and the City of Oakland Sunshine Ordinance, goes to all material and information, the "work product" if you will, (written or otherwise) including all oral information regarding the above captioned and described "close-out-mailer".

David E. Mix

**From:** "Bondi, James" <[JBondi@oaklandnet.com](mailto:JBondi@oaklandnet.com)>

**To:** Darline Mix <[de.louise@att.net](mailto:de.louise@att.net)>

**Sent:** Tuesday, March 4, 2014 12:04 PM

**Subject:** RE: Records request, records on process of deciding about \$30K mailing

Hello again Mr. Mix,

I have consulted with a variety of additional City staff since receiving your email yesterday, and the conclusion we have reached is that the City has no further documents to provide in response to this request. We believe that the materials previously provided represent all responsive documents in the City's possession which regard your "request for "all" material, information, plans, records of plans and conversations relating to" the contemplated close-out mailing for the WPAD as included in the City's professional services contract with Francisco and Associates.

Fire Department staff note that they do an annual mailing to residents regarding the inspection requirements, and a copy of that mailing was previously uploaded for you in response to this request. This, however, is NOT the mailing contemplated in the Francisco and Associates contract.

Budget Office staff draw your attention to the fact that this mailing is contemplated in the Professional Services contract with Francisco and Associates, and that you have already received all documents in the possession of staff from that office which discuss this matter. Given that, the City will once again deem your request as having been fulfilled.

Sincerely,

James A. Bondi  
City Administrator Analyst  
Office of the City Administrator  
510-238-6654

**From:** Bondi, James  
**Sent:** Monday, March 03, 2014 11:42 AM  
**To:** Darline Mix  
**Cc:** Schaaf, Libby; Santana, Deanna; Ethics Commission; Hom, Donna; Kek, Michael  
**Subject:** RE: Records request, records on process of deciding about \$30K mailing

Mr. Mix,

Budget Office staff inform me that all documents in their possession have been provided to you, and they have nothing further which is responsive. However, in the interest of thoroughness I have re-opened your request and asked additional staff persons to search for materials, and I will get back in touch with you when I have their answers.

Sincerely,

James A. Bondi  
City Administrator Analyst  
Office of the City Administrator  
510-238-6654

**From:** Darline Mix [<mailto:de.louise@att.net>]  
**Sent:** Friday, February 28, 2014 8:38 PM  
**To:** Bondi, James; Kek, Michael; [dhom@oaklandnet.copm](mailto:dhom@oaklandnet.copm)  
**Cc:** DL - City Council; Schaaf, Libby; Santana, Deanna; Ethics Commission  
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D. E. Mix

**From:** "Bondi, James" <[JBondi@oaklandnet.com](mailto:JBondi@oaklandnet.com)>  
**To:** [de.louise@att.net](mailto:de.louise@att.net)  
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Your attention to this matter is greatly appreciated,

James A. Bondi  
City Administrator Analyst  
Office of the City Administrator

City of Oakland  
510-238-6654

**From:** Darline Mix [mailto:de.louise@att.net]

**Sent:** Friday, March 07, 2014 10:25 AM

**To:** Bondi, James; DL - City Council; Ishaff@oaklandnet.com; Kek, Michael; Crudele, Vincent; Office of the Mayor; officeofthecityadministrator@oaklandnet.com; Deloach Reed, Teresa; Kozak, Rebecca

**Cc:** Ethics Commission; Hom, Donna

**Subject:** Public Records Request - \$30,000 WPAD Public Mailer

Mr. Bondi, All City Council Members, the Fire Chief, the Mayors Office, and the City Administrator's Office:

Please Note! By copy of this "Public Records Request" being direct to your respective Office I am seeking the requested information from you and or your department as well.

This is a follow-up to my recent Public Records Request (March 5, 2014) regarding information on the \$30,000 dollar WPAD public mailer.

I thought it might be helpful for me to be more specific in my request. The information sought is, but not limited thereto:

- 1.) The names of all staff members who are involved in this project.
- 2.) The name of the staff supervisor overseeing the project.
- 3.) The name of the City Official or Department who directed the commencement of the work on the project.
- 4.) The names of all elected officials or their aides who are involved in the project.
- 5.) The names of all "private citizens" (non-city employees) who are involved in the project, to include those who the City has sought input or otherwise contacted and those who likewise have contacted the City regarding same.
- 6.) A record of all meetings (dates, times, places, etc.) scheduled or have taken place regarding the project and a list of all those in attendance.
- 7.) A list of all phone calls (cell, smart, public, etc.) and e-mails, office memos, etc., regarding the project or the scheduling of meeting therefor.



8.) The Francisco contract (copy) detailing the work to be performed on the project, including a cost breakdown of that work.

Note! The "project" being defined as the planning and creation of the WPAD public mailer, termed by staff as the, "close-out mailer".