

ROBERT A. BERNHEIMER

A PROFESSIONAL LAW CORPORATION

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August 5, 2015

City of Oakland, California
Attn: City Clerk
One Frank H. Ogawa Plaza, 2nd Fl
Oakland, CA 94612

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2015 AUG - 7 AM 10:05

Re: REQUEST FOR INFORMATION AND INSPECTION PURSUANT TO:
California Public Records Act; and
City of Oakland "Sunshine Act"

Dear Sir or Madam:

Pursuant to the California Public Records Act (Govt. C. §6250 et seq.) and Chapter 2.20, Article III, of the Oakland Municipal Code (hereinafter, "OMC" or the "Ordinance"), request is hereby made for the following public information, including oral information, and for inspection of written information. Please advise this office at the earliest possible date when this information will be made available for inspection.

A. Definitions.

As used in this request, the following definitions apply:

1. The term "ORDINANCE" means and refers to the Oakland Sunshine Ordinance, Chapter 2.20, Article III of the Oakland Municipal Code.
2. The term "OMC" means and refers to the Oakland Municipal Code.
3. The term PUBLIC RECORDS includes: (i) All non-exempt "public information" obtainable under the Ordinance, including all "public records" as defined in the California Public Records Act (Govt. C. § 6250 et seq.) "whether contained in public records or in oral communications," (OMC 2.20.180, §C); and (ii) "Any WRITING containing information relating to the conduct of the public's business prepared, owned, used, or retained by YOU regardless of physical form or characteristics" (Govt. C. §6252 (e)), including but not limited to all completed preliminary and draft versions maintained in the ordinary course of business or pursuant to law or agency policy, even if later superceded or amended by other writings. (OMC 2.20.220 (A).)

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4. The term WRITING means and includes any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail (including email) or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Govt. C. §6252 (g).)

5. The term "DOCUMENTS" includes WRITINGS and refers to all written or graphic matter of every kind or description, however produced or reproduced, in your actual or constructive possession, custody, care or control, including but not limited to, originals (or copies where originals are unavailable) of: minutes, agenda, staff reports, recordings, transcriptions, public comments, computer files, computer printouts, computer or other electronic data, correspondence, email, social media postings, memoranda, notes, ledgers, journals, drawings, papers, books, letters, photographs, objects, microfilms, telegrams, notes of sound recordings of conferences, interoffice communications, brochures, reports, studies, written forecasts, projects, analysis, contracts, licenses, agreements, vouchers, bank checks, invoices, charge slips, expense account reports, receipts, working papers, drafts, statistical records, stenographers' notebooks, calendars, appointment books, diaries, time sheets or logs, job or transaction files, computer printouts, transcripts of depositions or other proceedings, or materials similar to the foregoing, however denominated, and including any marginal or interlinear comments appearing on all such documents.

6. The term REQUESTOR means and includes Glass King, LLC, a California limited liability company, as well as Property King, LLC, a California limited liability company, *also known as* Glass King, Property King, Alliance Recycling, Alliance Metals and/or Alliance Metals & Scrap.

7. The terms "YOU" and "YOUR" shall mean and refer to the City of Oakland, California and all agencies, committees, commissions, departments, persons or entities operating under its direction or subject to its control, including but not limited to its agents, employees, officers, deputies, independent contractors, managers, attorneys, representatives, staff, commissioners and council members.

8. As used herein, "and" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such a dual construction will serve to

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bring a writing or other information within the scope of a category documents or information which would not otherwise be within its scope.

9. As used herein, COMMUNICATE, COMMUNICATED and COMMUNICATION shall refer to the giving or exchanging of information by talk, gestures, writings, emails, oral reports, or any other means, or to any request for information by such means.

10. The terms CONCERN and/or CONCERNING shall include not only its commonly understood meaning, but the following meanings as well, where applicable: memorializing, recording, reflecting, evidencing, constituting, pertaining to, dealing with, supporting, relating to, arising out of and/or showing.

B. Request for Oral Information.

1. Request is made for the designation of the person or persons most knowledgeable regarding the City's operations, plans, policies, and positions CONCERNING the operation of REQUESTOR's business located at 3426 Peralta Street, Oakland, California from January 1, 2015 to the present, and for assistance from said person(s) and the release of oral public information by such person(s) in accordance with Section 2.20.200 of the Ordinance.

C. Request for Inspection of Written Public Information.

1. Any and all DOCUMENTS, including, but not limited to all PUBLIC RECORDS, CONCERNING the operation of REQUESTOR's recycling business located at 3426 Peralta Street, Oakland, California from January 1, 2015 to the present, including but not limited to COMMUNICATIONS to or from YOU that may be summaries, memoranda, letters, emails, reports, investigations, photographs, videos, notes, journals, calendars, agenda, complaints and minutes, in physical or electronic form.

2. Any and all DOCUMENTS, including, but not limited to all PUBLIC RECORDS, CONCERNING, or contained in any WRITINGS CONCERNING "Glass King" from January 1, 2015 to the present.

3. Any and all DOCUMENTS, including, but not limited to all PUBLIC RECORDS, CONCERNING, or contained in any WRITINGS CONCERNING "Property King" from January 1, 2015 to the present.

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4. Any and all DOCUMENTS, including, but not limited to all PUBLIC RECORDS, CONCERNING, or contained in any WRITINGS CONCERNING "Alliance Recycling" from January 1, 2015 to the present.

5. Any and all DOCUMENTS, including, but not limited to all PUBLIC RECORDS, CONCERNING, or contained in any WRITINGS CONCERNING "Alliance Metals" from January 1, 2015 to the present.

6. Any and all DOCUMENTS, including, but not limited to all PUBLIC RECORDS, CONCERNING, or contained in any WRITINGS CONCERNING "Alliance Metals & Scrap" from January 1, 2015 to the present.

D. Exclusions.

City may exclude from this request any and all DOCUMENTS that would otherwise pertain to these requests but that were previously provided to Property King, LLC, Glass King, LLC or Rena Rickles, Esq. attached to the City's Notices of Violations dated May 18, 2015 and July 15, 2015.

Cordially,


Robert A. Bernheimer