

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2032

Department of Planning and Building
Zoning Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 238-3254

May 8th, 2018

Paul McGavin
Octowired, LLC
1001 Bridgeway, Suite 150
Sausalito, CA 94965

Re: Public Records Act Request for Records related to Wireless Telecommunications Facilities (City of Oakland Records Request #18-591)

Dear Mr. McGavin:

City staff has reviewed your April 23, 2018 request for a number of classes of records related to applications submitted to the City for the placement, construction, modification or colocation of fiber optic cable and wireless telecommunication facilities, as well as related legislative materials, emails and written correspondence. By email dated 5/7/18, Administrative Analyst Victoria Chak transmitted seven responsive records through the City's Next Request system. It is my understanding that she followed up this transmittal with duplicate copies of these files in .eml format per your request. I further gather that you (as well as Lisa Applegate) have communicated separately via phone conversations and in person with various City of Oakland employees and officials with respect to this request. The purpose of this letter is to provide an update as to your renewed request for public records under Oakland Request Number #18-591.

I am informed that, following discussion of your request with Senior Deputy City Attorney Peter Spoerl over the telephone on May 7th, you declined to focus or narrow the initial parameters of your request. While the request does identify a number of broad classes of identifiable records, our review of the request will require the examination and review of a number of separate and distinct records, some of which may be exempt from disclosure under specific exemptions of the California Public Records Act. Your request identifies a wide array of records potentially in the City's possession which staff anticipates may generate a large volume of additional records subject to disclosure. Assembling all of the responsive records will require staff to search for and collect records from numerous offices and facilities. Additionally, your request requires the City to coordinate with the City's Information Technology department to construct a computer report to extract responsive emails (as explained by Cynthia Perkins by email dated May 7th, 2018). We will make these records available to you as "promptly" as is possible given the breadth of the request in accordance with the City's obligations under Government Code

6253(b). Accordingly, we expect to notify you of the volume of all non-exempt records that are responsive to your request, and to be able to make those records available for inspection during regular business hours (or through the City's NextRequest records request platform) no later than **Wednesday, May 23rd, 2018.**

In response to concerns you have communicated with respect to the pending Planning Commission hearing on DAS Node OAKS-038C (Oakland Case No. PLN17374), in order to allow you and your clients sufficient time to review any additional records that may be generated pursuant to your request, we will be continuing the item from its originally calendared date of May 16th, 2018 to a date certain of June 20th, 2018.

I trust that this letter responds to your April 23, 2018 public records request. Please let me know if you have any additional questions or concerns.

Very truly yours,



ROBERT D. MERKAMP
Interim Zoning Manager

cc: Lisa Applegate
Cynthia Perkins, Chief of Staff, Information Technology
Mariko Highsmith, Building Inspection
Aubrey Rose, AICP Planner III
Andrew Peterson, Chief Information Officer
Victoria Chak, Administrative Analyst
Thang Nguyen, Real Estate Agent
Peter Spoerl, Senior Deputy City Attorney
Bijal Patel, Special Counsel-Land Use and Real Estate Units
Lisa Maxwell, Deputy City Attorney
Clea Bennett, Paralegal