

From: "John E. Colby" <karma@cruzio.com>
Subject: **CPRA request for all agreements, understandings, declarations, permits, transactions, etc. with, for, or by TBSC**
Date: May 21, 2013 6:14:09 AM PDT
To: Bren Lehr <BLEhr@cityofsantacruz.com>
Cc: Nydia Patiño <npatino@cityofsantacruz.com>, Greg Archer <garcher@gtweekly.com>, Brad Kava <brad.kava@patch.com>, "Staff @ SC Community TV" <staff@communitytv.org>, Sandra Leigh Presents <sandraleighpresents@yahoo.com>, Alex Darocy <alex@alexdarocy.com>, Robert Norse <rnorse3@hotmail.com>, Brent Adams <compassionman@hotmail.com>



May 21, 2013

Bren Lehr, MMC
City Clerk Administrator
809 Center Street, Room 9
Santa Cruz, California 95060
Tel: 831.420.5030

via email to: BLEhr@cityofsantacruz.com
cc: npatino@cityofsantacruz.com
cc: garcher@gtweekly.com
cc: brad.kava@patch.com
cc: staff@communitytv.org
cc: sandraleighpresents@yahoo.com
cc: alex@alexdarocy.com
cc: rnorse3@hotmail.com
cc: compassionman@hotmail.com

re: CPRA request for all agreements, understandings, declarations, permits, transactions, etc. with, for, or by TBSC

Dear Ms. Lehr:

I am writing because the recent news interview documenting the takeover of the Clean Team by Take Back Santa Cruz (TBSC) members — who ousted the founder T.J. Magallanes and then threatened him — has aroused some anger about the tactics and practices of TBSC members towards the poor, homeless, and other marginalized members of our community. It has come to my attention that TBSC is a California Nonprofit Public Benefit Corporation with corporate entity number C3274118.

I refer you to the following news articles:

<http://santacruz.patch.com/groups/jeremy-leonards-blog/p/bp--fever-pitch-interview-with-sc-clean-team-founder-0c63abc71a>

<http://www.indybay.org/newsitems/2013/05/15/18736901.php>

http://www.santacruzsentinel.com/localnews/ci_22726140/man-who-allegedly-stole-flowers-from-fallen-officers

It is timely to take a closer look at the relationship between TBSC and the City of Santa Cruz. Under rights granted me by California Government Code 6250 *et seq.*, otherwise known as the California Public Records Act (CPRA), I ask for:

- all agreements with TBSC maintained in a City of Santa Cruz system of records or in any system of records of its subordinate agencies, departments, divisions, commissions, (sub)committees, representatives and agents.
- all records of understandings with TBSC maintained in a City of Santa Cruz system of records or in any system of records of its subordinate agencies, departments, divisions, commissions, (sub)committees, representatives and agents.
- all records of declarations with, for or by TBSC maintained in a City of Santa Cruz system of records or in any system of records of its subordinate agencies, departments, divisions, commissions, (sub)committees, representatives and agents.
- all permits for or by TBSC maintained in a City of Santa Cruz system of records or in any system of records of its subordinate agencies, departments, divisions, commissions, (sub)committees, representatives and agents.
- all records of transactions with, for or by TBSC maintained in a City of Santa Cruz system of records or in any system of records of its subordinate agencies, departments, divisions, commissions, (sub)committees, representatives and agents.
- all presentations, reports, membership records and briefs about, by or for TBSC maintained in a City of Santa Cruz system of records or in any system of records of its subordinate agencies, departments, divisions, commissions, (sub)committees, representatives and agents.

As these records are of public interest, since some may be made available to the news media, I ask you to waive any exemptions to disclosing these records.

I ask:

- if you determine that any or all of the information qualifies for an exemption from disclosure, to note whether, as is normally the case under the Act, whether the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.
- in case you decide that any of the information is exempt, please explain how the interest in not disclosing the information outweighs the public interest in disclosing it.
- in case you decide that any responsive records are exempt from disclosure please list them and the claimed exemptions for me so that I may exercise my due process rights in disputing the exemption and otherwise exercise my rights under the CPRA administratively or in a court of law.
- if you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, that you redact it for the time being and make the rest available as requested.
- if there is any information in these records which is private and you decide it is exempt information, yet it is in an otherwise disclosable document, please segregate the private information by redacting it while providing me the rest of the unredacted record.
- if these documents are available in an electronic format such as a standard audio or video format, Portable Document Format (PDF), eXtensible Style Language (XLS), MS Word Document (DOC), MS Power Point (PPT), HyperText Markup (HTM), Rich Text Format (RTF), plain electronic text (TXT), native email formats — like AOL for Windows, Apple Mail, Claris EMailer, Compuserve, EML, Entourage, Eudora, Maildir, MBOX File, Mulberry, Neoplanet, Outlook, Outlook Express, Outspring, Powertalk, Quickmail Pro, Thunderbird, Windows Mail, Windows Live Mail, Yahoo Archive! — or as hyperlinks to the Internet that they be provided to me in one of those forms, preferably in their native form.

I am willing to pay a fee of up to \$30 for this request. If you estimate the cost of completing this request will exceed that amount, please contact me first before completing it with a fee estimate. If this request would entail special searches which would incur search fees to me, please contact me first with a fee estimate.

I would appreciate if Records Custodian Nydia Patiño would email me a courtesy notice confirming receipt of this request as recorded to be the policy of the Santa Cruz City Clerk's office.

Thank you for your assistance in fulfilling my CPRA request to better understand the the relationship between TBSC and the City of Santa Cruz. If you have any questions or concerns regarding this request, please contact me with them.

Sincerely yours,

John E. Colby, Ph.D.

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