

Eron M. Berg
City Supervisor/City Attorney

July 9, 2008

Mr. Josef Kunzler
24197 Amy Lane
Sedro-Woolley, WA 98284

RE: Your Public Records Request received May 9, 2008

Dear Mr. Kunzler:

I am following up on my letter from May 9, 2008. As per your follow-up requests made on the phone on July 7th as well as your emails, here is what I have for you.

1. 157 pages of records identified when you came into my office to inspect records on June 17th;
2. 581 pages of records made available to you on June 17th that you did not inspect, but have requested copies instead. This stack also includes the additional files you requested using the same search terms for additional emails from May 9th to June 20th; and
3. 338 pages of records from the Planning Department's "Deluxe" file.

The following records are being withheld from you. As I discussed on the phone, I like to prepare a detailed log of those records so you know what they are and why they are being withheld from public disclosure.

<u>Date</u>	<u>Record</u>	<u>Reason withheld</u>	<u>Pages</u>
2-6-2008	Email between Sjostrom and Berg	RCW 42.56.290	10
4-15-2008	Email between Berg and Anderson	RCW 42.56.290	3
5-7-2008	Email between Berg & Carmichael	RCW 42.56.290	3
5-9-2008	Email between Berg & Miner	RCW 42.56.290	2
5-20-2008	Email between Berg & Carmichael	RCW 42.56.290	1
5-29-2008	Email between Berg & Carmichael	RCW 42.56.290	2

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July 9, 2008
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5-29-2008	Email between Berg & Carmichael	RCW 42.56.290	1
5-30-2008	Email between Berg & Carmichael	RCW 42.56.290	2
6-2-2008	Email between Berg & Moore	RCW 42.56.290	4
6-3-2008	Email between Berg & Carmichael	RCW 42.56.290	2
6-3-2008	Email between Berg & Moore	RCW 42.56.290	2
6-6-2008	Email between Berg & Carmichael	RCW 42.56.290	1
6-9-2008	Email between Berg & Moore	RCW 42.56.290	1

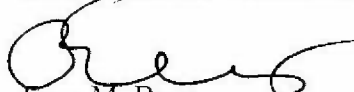
Also, FYI, most of the documents relating to Deluxe that are of general interest are on the City's website (www.ci.sedro-woolley.wa.us) and available to the public at all times. If you find documents in these stacks that you think should be made available on our website, please let me know.

Upon payment of \$161.40 (1076 pages at \$.15 per page), you may pick up these documents at the City of Sedro-Woolley's Municipal Building located at 325 Metcalf Street. Our business hours are 8:00 A.M. to 5:00 P.M. Monday to Friday. Your documents will be waiting for you at the Finance Department's counter.

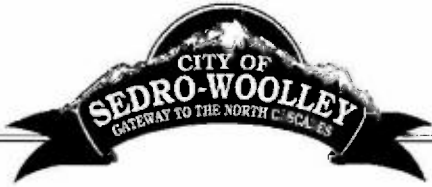
It is my understanding that this set of documents fulfills all of your requests. If I am in error and you expected additional documents, please let me know.

Very truly yours,

CITY OF SEDRO-WOOLLEY



Eron M. Berg



Eron M. Berg
City Supervisor/City Attorney

May 9, 2008

Mr. Josef Kunzler
24197 Amy Lane
Sedro-Woolley, WA 98284

RE: Your Public Records Request received May 9, 2008

Dear Mr. Kunzler:

I received your public records request by which you seek to receive documents identified in the following five requests:

1. Any and all e-mails from or to you regarding Deluxe Recycling and Disposal as well as the recent solid waste agreement/governing authority with the other Skagitonian municipalities & Skagit County Government.
2. Any and all invoices & contracts for any outside attorneys hired to represent the City Government of Sedro-Woolley (hereafter City Gov't) regarding Deluxe Recycling and Disposal.
3. The transcript of May 5th's (Monday's) hearing regarding the Mitigated Determination of Non-Significance for Deluxe Recycling and Disposal, when available.
4. Any and all comments submitted to City Gov't employees by employees and Board members of the Sedro-Woolley School District. (I already have those submitted to the Mayor and Council, sincere thank you.)
5. Any and all environmental analysis of Deluxe Recycling and Disposal's proposals by City Gov't employees and any possible consultants to the City Gov't on this matter.

I will address each request separately in an effort to respond as quickly as possible.

Request 1. Pursuant to RCW 42.56.520, additional time will be required for the City to comply with your request. I estimate that it will take the City approximately thirty days to locate the requested records; additional time may be required to determine if any of these records are subject to disclosure as well as for copying depending upon the nature and number of records identified.

Request 2. No such documents exist at this time. The City did hire Bob Carmichael of the Zender Thurston law firm via a letter of representation to represent the planning department at the recent hearing. To date, no invoices have been received. What do you want me to do with your request?

Mr. Josef Kunzler

May 9, 2008

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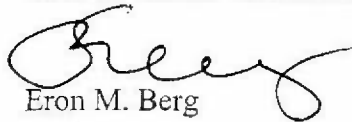
Request 3. No such transcript exists. The City has no plans to make a transcript. I have requested a CD of the recording be made for you which you may pick up at City Hall during normal business hours any time after Monday, May 12, 2008. The cost is \$20.00.

Requests 4 and 5. It seems to me that these requests would best be fulfilled by me making the Deluxe Recycling and Disposal file available to you for inspection and you identifying any documents you want duplicated. If this is acceptable to you, then the file can be available to you during normal business hours – just let me know when you would like to review it. I can tell you, however, that the City did not hire any consultants to prepare environmental analysis and the comments from the school are contained within the project files, if any. What do you want me to do with these requests?

Please let me know if you have any questions or concerns regarding this letter.

Very truly yours,

CITY OF SEDRO-WOOLLEY

A handwritten signature in black ink, appearing to read "Eron M. Berg", written in a cursive style.

Eron M. Berg

Eron Berg

From: Josef K [josefk@wavecable.com]
Sent: Friday, May 09, 2008 2:26 PM
To: Eron Berg
Subject: 2008-05-09 Public Records Request
Attachments: image001.gif

9 May 2008

Eron M. Berg, City Supervisor/City Attorney
 City Government of Sedro-Woolley, Washington
eberg@ci.sedro-woolley.wa.us

Re: 9 May 2008 Public Records Request

Dear Mr. Berg, Esq.;

Thanks for your stellar compliance with the earlier public records request. I respectfully request under RCW 42.56 the Public Records Act the following:

- Any and all e-mails from or to you regarding Deluxe Recycling and Disposal as well as the recent solid waste agreement/governing authority with the other Skagitonian municipalities & Skagit County Government.
- Any and all invoices & contracts for any outside attorneys hired to represent the City Government of Sedro-Woolley (hereafter City Gov't) regarding Deluxe Recycling and Disposal.
- The transcript of May 5th's (Monday's) hearing regarding the Mitigated Determination of Non-Significance for Deluxe Recycling and Disposal, when available.
- Any and all comments submitted to City Gov't employees by employees and Board members of the Sedro-Woolley School District. (I already have those submitted to the Mayor and Council, sincere thank you.)
- Any and all environmental analysis of Deluxe Recycling and Disposal's proposals by City Gov't employees and any possible consultants to the City Gov't on this matter.

I respectfully request please the above items please be in electronic format please. In the event any exemptions have to be invoked, I respectfully request a log please be presented when the records are tendered please. I have a template that can be provided to you or your government upon request.

If you or anybody at the city has any questions, comments, concerns, observations, etcetera - please feel free to e-mail them to me at josefk@wavecable.com. Thank you again for your compliance with public records laws, which help assuage my concerns about this facility near a former place of education for me.

Respectfully submitted;



Josef Kunzler
24197 Amy Lane
Sedro-Woolley, WA 98284
United States of America
E-mail: josefk@wavecable.com