

CITIZENS' OVERSIGHT PROJECTS (COPS)

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September 27, 2007

City Clerk, Kathy Rutledge, City of El Cajon
201 E. Main Street
El Cajon, CA 92020
REF: C00008



We would appreciate your attention on the following requests. In reading our requests, please construct our statements as liberally as possible so that we may access the information requested even if we don't reference exact documents. For example, if we request a summary and one does not exist, then construct our request to refer to sufficient other documents that would support the creation of such a summary, (although we're not asking you to create the summary.) These requests apply to all entities related to the City, including any agencies or commissions. On complaints, we request that the City Attorney advise us as members of the public in terms of what steps are necessary to file legal actions against the City and the City Council.

T00028: PUBLIC RECORDS REQUEST.

During the City Council meeting on September 25, 2007, City Council members McClellan and Hanson-Cox, and Kendrick carried on a conversation during the Public Comment portion of the meeting, during the time when Mr. Lutz made his comments and they distributed a document among themselves. We hereby request that document. Our right to this document is also asserted under the Brown Act, as the public has a right to see any documents that are reviewed by the legislative body, unless they are in closed session. Since this was not a closed session, we have a right to that document.

T00029: BROWN ACT COMPLAINT

We hereby complain that the three members of the council effectively carried on a private meeting, as described above in T00028, in violation of the Brown Act which limits the extent which council members can meet. Also, the speaker had to ask the Mayor to restart his time because the council members were meeting among themselves and apparently distributing voting instructions. The legislative body is in violation of the Brown Act if they are not attentive and listening to the comments of the public.

T00030: FORMAL OBJECTION TO RELIGIOUS COMMENTS

In recent City Council meetings, Bob McClellan has started to speak to the agenda item 7.1 "Constitutional Moments." Since this is not City business, we hereby request that that this item be discontinued from the agenda. If Mr. McClellan should wish to make those statements during the Public Comment portion of the meeting, then we support his right to do so, limited to the same time as other members of the public (typically three minutes.) However, making those statements from the dais implies that the government is supporting those statements. This is in violation to the First Amendment of the Constitution of the United States of America.

T00031: BROWN ACT COMPLAINT

We hereby complain that Bob McClellan spoke during the public comment portion of the meeting from his seat as council member. According to the Brown Act, when speaking during public comment or on an item to which the council member has a conflict of interest, it is required that the government official step down and use the lectern that the public uses to make it clear that he or she is speaking as a member of the public and not in an official position.

Regards,

Raymond Lutz
Coordinator, COPS