

Public records request riles City Hall

By Ashley Ratcliff

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RPV — A behemoth requisition for documents by unknown individuals that recently shook Rancho Palos Verdes City Hall has left a bad taste in the mouths of officials who will have to bear the burden of staff time lost tending to the matter. An Oct. 24 public records request from Brian Hildreth, an associate with Bell, McAndrews & Hiltachk LLP, and his anonymous group of clients sought all correspondence, e-mails, documents and communications dating from Aug. 1 through Oct. 25 from every city staff member and each of the five RPV City Council candidates.

It's apparent that the requests center around issues raised during the Nov. 6 RPV City Council elections: the city's information technology budget, attempts by council candidates to make donations to any of the Peninsula's charitable organizations, RPV crime statistics and funding for four new staff positions proposed by City Manager Carolyn Lehr, as well as contracts or agreements between the city and Ted Vegvari, founder and director of Palos Verdes on the Net, which provides IT service to RPV. Initially, council members were baffled by this request and anxious to find out who was involved.

Mayor Doug Stern at the Dec. 4 council meeting publicly accused Councilman Peter Gardiner, former Channel 33 Station Manager Gabriella Holt and Traffic Safety Commissioner Paul Wright, who unsuccessfully ran for a seat on council.

"I call this guerrilla warfare quite honestly," Stern said. "I think it's nothing more than an attempt to punish our city — I'm not sure why. The election is over ... Look, we all know that Councilman Gardiner signed a letter that was printed in the PV News raising those very topics. He probably knows who's behind this ... It really is outrageous that our city has to bear the burden for this." Calls to Gardiner weren't returned.

Holt, who served as Wright's campaign manager and special events coordinator, said she wasn't responsible. "I did not make that request. If I request any information, I don't do it anonymously ... As far as anything else with the request, I don't have any information on it," Holt said. Wright also denied being behind the request.

"Why other people would be seeking this information, I can't answer for them, but I can tell you that this was a campaign issue for me and now that this [election] is over, that issue hasn't gone away for me," he said. "It's my tax dollars and I want to know how they're being spent. I think the public has a right to know how their money's being spent."

The attorney-client privilege prevents Hildreth from revealing his clients, but he confirmed that they are RPV residents. Lehr said the city isn't actively pursuing the identities of the unknown parties. Councilman Tom Long questioned if the request was sought "in good faith." "I can't for the life of me figure out what anyone thinks they're going to see by getting all of this material," he said. "I don't think any of us have anything to hide ... I can't discern any good reasons for the request for the information other than idle curiosity, and it really is unfortunate." Still, the motive behind the request remains a mystery. Will the requesters be satisfied with the documents and leave it at that? Will this spark a lawsuit? To that, Hildreth said, "We are still exploring our legal options as to what is done with the information that is gleaned from this request."

Time is money

Officials estimate that the first phase of the work will cost the city between \$15,000 and \$20,000 in staff time, including time City Attorney Carol Lynch spends communicating with Bell, McAndrews & Hiltachk. "This [request] certainly stands out in terms of the demands it will put on us," Lehr said. Some of the IT documents go back 11 years, but most of the requests were limited to 2003 forward. City Clerk Carla Morreale sent the first round of documents — 412 pages worth — to the Sacramento-based firm on Dec. 10. She said she's spent at least 10 hours tending to this matter.

RPV will receive 22 cents for each photocopied page sent to the firm. However, the California Public Records Act doesn't require reimbursement for any staff time used to retrieve the information, Lynch said. If the scope of the request is broadened, Lehr said she may have to request a budget modification from council to obtain funding for outside assistance, because "without it, we'd be looking at an interruption in our regular provision of services." Although "perplexed" by the situation, Lehr said staff members are diligently working on the collective effort to provide documents.

"It is not clear to us what is to be accomplished. Everyone is doing their part. It is just a challenge at this time [because] we don't have a large staff," she said.

Councilman Larry Clark at the Dec. 4 council meeting said he was "disturbed" by the request, which is proving a disservice to the community. "I frankly hope that we find out who made this request because I'd like to personally address them and thank them for wasting our city's very precious taxpayers' resources in this kind of ridiculous request," he said. Hildreth said his clients realize that the request is a burden for the city. "But that burden weighed against the issues that they are contemplating exceeds the burden that the city must go through," he said. "In other words, my clients believe that a line has been crossed here, and they've decided that someone needs to have the courage to stand up and ask these questions of the city."

His clients' intentions, Hildreth said, are to make RPV "a better functioning" and "a fiscally responsible city." "Why do citizens of Rancho Palos Verdes feel it necessary to seek these specific records?" Hildreth asked. "In my opinion, and in my clients' opinion, the only reason that you would take such measures is because the city's leadership has failed to provide adequate explanations for a number of their actions ... Why did the city pay \$800 a piece for \$80 Blackberry mobile telephones? Why has the city IT budget more than doubled during the last three years? Is there even a contract for the city's IT provider Ted Vegvari?" According to Hildreth, those questions have gone unanswered. However, city officials shed light on the issues Hildreth raised. Dennis McLean, RPV's finance and information technology director, addressed council's concerns about the Blackberry phones at a May 29 budget workshop. At that time, McLean explained that the city never purchased the phones — the \$800 total was merely an estimate that accounts for the device itself, technical support, training, integration to City Hall e-mail accounts and priority service in the event of an emergency.

In September, RPV entered into a contract with Management Partners Inc. to conduct an extensive City Hall-wide management assessment that also entails an IT review.

McLean said the study should be complete by February. Vegvari said he had no idea why he and his nonprofit are under scrutiny. "PVNET has a contract with the city of Rancho Palos Verdes to provide services, and our only goal is to provide the appropriate IT services to the city and the community," he said. After the city submits all the documents requested, Lehr said officials will await response from Bell, McAndrews & Hiltachk. "They have already stated to us that they reserve the right to expand the scope of the request for the documents," she said. As a point of clarification, Morreale added, "The city's policy has always been to be responsive to a records request that we

receive, whether it's by e-mail, by written letter or by fax ... We do that whether they're represented by an attorney or not."