



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

May 11, 2010
(Certified and Regular Mail)

David Boyle
Alaska Policy Forum
201 Barrow Street #8
Anchorage, Alaska 99501

Re: Open Records Request

Dear Mr. Boyle:

This letter is in response to your "Open Records Request" of April 28, 2010, which I assume means Public Records Act request (PRA). Your requests were addressed in large part in the prior January 26, 2010 letter to you on similar issues. You request the following in your April 28, 2010 letter:

- (1) Provide all current collective bargaining agreements. If these are on your web site, please provide the web site and location on the web site.
- (2) Provide all non-compete (sole source) contracts from fiscal year 2008 forward to include the following information: date of the contract, amount of contract, winning vendor, and a short description of the service/materials/etc provided.

In response to (1) above, the collective bargaining agreements are on the City and Borough of Sitka web page at <http://www.cityofsitka.com/government/departments/hr/index.html>.

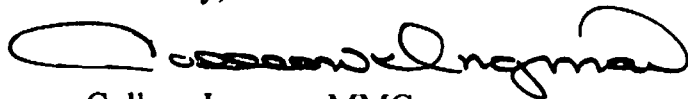
The remainder of your request contains issues previously addressed in the January 26, 2010 response letter. Your requests are ambiguous, and appear overbroad and voluminous. It is not clear what you mean by "non-compete" contracts. It appears you define it as only sole source contracts. Additionally, your request appears to involve creating documents, such as "providing all non-compete (sole source) contracts from fiscal year 2008 forward to include the following information: date of the contract, amount of contract, winning vendor, and a short description of the service/materials/etc provided." (Emphasis added.) You also request this information in electronic format. PRA does not require creating such documents. See *Carter v. Alaska Public Employees Association*, 663 P.2d 916, 921 (Alaska 1983) (citing prior versions of PRA laws).

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Also note as you were previously informed in the January 26, 2010 response letter, you would need to prepay any costs associated with any PRA request (i.e., staff time for document research and collection; copying charge of \$.25 per page), particularly considering the volume of documents that would have to be reviewed, and the fact there is no one location for the types of documents you seek but could be in numerous departments and files through CBS offices. SGC 1.35.040F. Based on the broad nature of your request and the complicated logistics to accomplish your request, the documents requested would be voluminous and require extensive staff time.

Any appeal from this denial of a PRA request is in accordance with the appeal procedure set out in SGC 1.25.080, entitled "Appeals." (previously copied to you), which would be to the Assembly, and then to the Sitka Superior Court (incorrect reference in SGC 1.25.080 to "Supreme Court").

Sincerely,



Colleen Ingman, MMC
Municipal Clerk

cc: Jim Dinley, Municipal Administrator
Theresa Hillhouse, Municipal Attorney

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City & Borough of Sitka
April 28, 2010

Ms. Sara Peterson
Acting Municipal Clerk
City and Borough of Sitka
100 Lincoln St
Sitka, AK 99835

Re: Open Records Request

Dear Ms. Peterson:

We apologize for not responding earlier to your letter of January 26, 2010. To clarify our request for all collective bargaining agreements and all non-competitively bid government contracts, I provide the following information:

(1) Provide all current collective bargaining agreements. If these are on your web site, please provide the web site and location on the web site.

(2) Provide all non-compete (sole source) contracts from fiscal year 2008 forward to include the following information: date of the contract, amount of contract, winning vendor, and a short description of the service/materials/etc provided.

We are aware of the limitations of the Alaska Statute regarding open records and none of the information we are requesting should fall under these limitations. We prefer all the requested information in electronic format, if possible.

Once again, we are sorry for the late response to your query. If you have any questions, please feel free to call me at 907-334-5853 or email me at info@alaskapolicyforum.org. Thank you.

Sincerely,



David Boyle
Alaska Policy Forum
201 Barrow St #8
Anchorage, AK 99501