

Matt McCool
mccool.matt@gmail.com
[REDACTED]

June 1, 2021

VIA ELECTRONIC MAIL

Mayor Justin Massey
City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254-3885

RE: Public Records Request No. PRR-21-00080-McCool,Matt-05-10-2021

Dear Mayor Massey:

During the December 4, 2019, City Council meeting, you made the following statements regarding then Councilman Fangary:

In addition to that, 2 months ago, Councilmember Fangary sought to do something, is which in my opinion, sought to undermine and intimidate the City Manager. He hired a lawyer to submit eight grossly overbroad public records act request seeking documents that were plainly targeted at errors he perceived by the City Manager without revealing to any of us that he was the one behind those requests or simply asking us or the City Manager about the communications that he was requesting documents for or the issues that concerned him. Responding to those public records requests has costs us thousands of dollars of staff time and legal time...

Additionally, there is a video upload to the "Advocates for Hermosa Beach" Facebook group:
<https://www.facebook.com/mccool.matt/videos/10161054040633378>

In the spirit of open, honest, and transparent governance, I submitted a public records request for the alleged public records request by then Councilman Fangary through a third-party lawyer.

Ms. Tanesha Hudson of the City Clerk's Office provided a copy of that public records request. (Exhibit A.)

Since these responses were already generated, this request should be simple to fulfil with minimum expense. Since thousands of dollars were already accrued for these records, let them be made to the public to review.

For the June 8, 2021, City Council meeting, I want to address the City Council regarding this matter.

Very respectfully,



Matt McCool

Exhibit A



City of Hermosa Beach
 1315 Valley Drive, Hermosa Beach, CA 90254
 310.318-0203 - Fax 310.372-6186
 Email: recordsrequest@hermosabch.org



PRR-19-00129

Received By: Tarasha Hudson
 Referred To: _____
 Date Referred: 09/26/19

Public Records Request

The City of Hermosa Beach encourages public participation in the governing process and provides reasonable accessibility to all public records except those documents which are exempt from disclosure by express provisions of law or considered confidential or privileged under the law. The City is under no obligation to respond to requests which are not focused or specific. The City may withhold documents which are exempt from disclosure under state or federal law, including the attorney-client privilege or any other applicable privilege. The City, in accordance with Government Code Section 6253(b), has ten (10) days to respond to any request for public documents by indicating whether or not the documents exist and will be made available. Actual production of the documents may take somewhat longer depending upon their ease of availability and staff workload. To assist us in providing a timely response to your request, please fill out the form below and indicate the specific record/document you wish to review.

Name (please print):	Justin Ledden	Email:	justin@leddenlaw.com
Address:	[REDACTED]		Phone:
City:	Los Angeles	Fax:	

Record or Document Requested:

To assist the City with your request, please identify each requested record/document separately. Please be as specific as possible. Non specific inquiries may cause responses to be delayed or may prove to be burdensome and therefore the City may not be able to respond. (Additional sheets may be used) **Submit all requests to the City Clerk's Office.**

See attached letter for description of document request categories.

Photocopies are \$0.20 per page (Mailing fee, if applicable is \$3.00 plus postage). Fees must be paid before records are released.

I agree to pay all applicable fees and charges per the City Council Resolution of Fees for any copies I request of the above mentioned document. *Accepted method of payment:* Cash or check. Credit card accepted in person only.

Signature JL Date 09/26/2019

For Departmental Use Only:

Action Requested:	Action Taken:	By _____ Date _____
<input type="checkbox"/> Review Only	<input type="checkbox"/> Document Reviewed	<input type="checkbox"/> Non-Existent Document
<input type="checkbox"/> Copies Requested	<input type="checkbox"/> Copies Provided	<input type="checkbox"/> Other (Please Explain)
	<input type="checkbox"/> Refusal/Reason _____	

For City Clerk's Use Only:

Date Requestor Notified _____ **Notified By:** _____ **Date Picked Up or Mailed** _____

LEDDEEN LAW OFFICE

US Bank Tower
633 W 5th St, 57th Floor, Suite 5710
Los Angeles, CA 90071
Telephone: (213) 700 2063 Email: justin@leddeenlaw.com

September 25, 2019

VIA Electronic Mail

Ms. Elaine Doerfling
City Clerk, City of Hermosa Beach
1315 Valley Dr.
Hermosa Beach, California 90254
Email: edoerfling@hermosabch.org

Re: Public Records Request

Dear Ms. Doerfling,

Pursuant to the California Public Records Act (Government Code § 6250 *et seq.*) and/or any other public document policy, we hereby request ("Ledden Request No. 2") any and all City of Hermosa Beach (hereinafter referred to as the "CITY") records regarding the below enumerated categories, including any documents¹ related to the below enumerated categories currently in the possession, custody or control of the CITY and any affiliated department, including, without limitation, the City of Hermosa Beach Police Department, the City of Hermosa Beach Fire Department and any other department of the City of Hermosa Beach related to public works, health and safety:

1. All DOCUMENTS¹ from July 8, 2016 to present that represent, refer or relate to any and all COMMUNICATIONS² by or between any and

¹ As used herein, "DOCUMENT(S)" and/or "WRITINGS," shall be interpreted broadly to include all written, recorded, or graphic matter, or electronic or computer media however produced or reproduced or stored, as defined in California Evidence Code Section 250, AND includes originals, non-identical copies AND drafts of all written, recorded, graphic OR photographic matter, however produced OR reproduced, whether sent, received OR neither, AND including ALL drafts and copies bearing notations, marks OR other matter not found on the original AND/OR duplicate, including but not limited to all contracts, agreements, correspondence, notes, telegrams, cables, telex/facsimile messages, notations AND memoranda of telephone conversations OR conferences, reports, test data AND results, studies, analyses, books, records, journals, ledgers, invoices, statement, accounts, lists, questionnaires, surveys, summaries, desk calendars, appointment books, diaries, articles, press releases, magazines, newspapers, pamphlets, circulars, bulletins, notices, warning materials, instructions, specifications, manuals, agendas, minutes, transcriptions of speeches, photographs, microfilm, audiotapes OR other sound recordings, electronic mail messages AND magnetic tapes, discs, printouts OR other data compilations from which information can be obtained AND translated through decoding devices.

² For the purpose of these requests, the term "COMMUNICATIONS" includes all correspondence, including but not limited to letters, emails, notices, brochures, facsimiles, text messages, voicemails, recordings of phone calls or video calls, transcripts of phone call or videocalls, telegrams, and any other

all of the CITY's five councilmembers, Stacey Armato, Mary Campbell, Hany Fangary, Justin Massey and Jeff Duclos, or by and between any CITY STAFF³, regarding Bard Street, including but not limited to the proposed closing of Bard Street, construction on or near Bard Street, access to Bard Street and parking on Bard Street, or related to the closure of Bard Street.

2. All DOCUMENTS from July 8, 2016 to present that represent, refer or relate to any and all COMMUNICATIONS by and between any and all of the CITY's five councilmembers, Stacey Armato, Mary Campbell, Hany Fangary, Justin Massey and Jeff Duclos, or by and between any CITY STAFF, regarding any communications received from attorney Corey W. Glave.
3. All DOCUMENTS from July 8, 2016 to present that represent, refer or relate to any and all COMMUNICATIONS by and between any and all of the CITY's five councilmembers, Stacey Armato, Mary Campbell, Hany Fangary, Justin Massey and Jeff Duclos, or by and between any CITY STAFF, regarding the retirement of Police Chief Sharon Papa and the City's plans for Chief Papa's replacement.

As a "local agency" (Government Code § 6252 (a)), the responding party is required to make available for inspection any public records in its possession (Government Code § 6253 (a)). The records requested are not subject to exemption under any provision of Government Code § 6254. Persons requesting public records are entitled to receive an exact copy of the documents requested and the responding party is required to determine within ten days after receipt of any request whether it will comply and must immediately notify the requesting party of the determination and the reason (Government Code § 6356).

Furthermore, pursuant to City of Hermosa Beach's public records requests policies, if any record sought in a public records request "is not subject to disclosure, the person making the request shall be so notified in writing within the initial period or the extended period, whichever is applicable. The notice shall state the reason why the record is being withheld from public disclosure. [And] [t]he determination that a record is not subject to disclosure shall in all instances be made by the City Attorney." (See City of

form of communications and includes but is not limited to all COMMUNICATIONS regarding any CITY business, including but not limited to CITY Council agenda items, CITY projects, CITY events, CITY STAFF and any other matters related to the CITY.

³ For the purpose of these requests, the term "STAFF" is means any and all CITY employees, including but not limited to full time and part time employees, attorneys, agents, contractors, vendors, interns, stakeholders, appointees, elected officials, including the City Manager, City Attorney, Police Chief, Department Directors, Councilmembers, and all other staff.

City of Hermosa Beach
Elaine Doerfling
September 25, 2019
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Hermosa Beach Administrative Memorandum No. R-3, "Responding to Public Records Requests," Tom Bakaly, City Manager, Section III.L.).

Please contact the undersigned via email at justin@leddenlaw.com when the documents have been located so that we can arrange to inspect and/or have copies made of the documents. Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be 'JL' followed by a horizontal flourish.

Justin Ledden