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December 1, 2016

(By E-mail)

Chip Yost
Reporter-KTLA
Chip.yost@ktla.com

RE: California Public Records Act Request – Fullerton Police Department

Dear Mr. Yost:

This office functions as the City Attorney for the City of Fullerton and the legal advisor to its Police Department, and it is in that capacity I write. The California Public Records Act request that you sent to the Fullerton Police Department dated November 21, 2016 has been sent to us for review and response.

The first two requests for the police reports and any and all body worn camera or other video related to the November 9, 2016 event involving the City Manager will not be provided. Those written records are exempt from public disclosure pursuant to Section 6254(f) and 6255 of the California Government Code since they constitute a record of a complaint or investigation conducted by a law enforcement agency for law enforcement purposes.

You have also requested a memo authored by the now retired Police Chief Dan Hughes. That record is exempt from public disclosure pursuant to Government Code §6254(f); 6254(k) and Evidence Code §950 et seq.; and 6255.

Lastly, you request any other emails or memos from police and/or city officials about the incident. There are two responsive records, which are enclosed. One is an e-mail sent by the Director of Human Resources to City employees regarding the incident, and the other is a statement that was posted on the City's website on November 16, 2016.

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Thank you for your inquiry.

Very truly yours,



Gregory P. Palmer

Enclosures

GPP:lym

cc: Mea Klein, City of Fullerton

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bcc: Richard D. Jones
Ivy Tsai

From: Gretchen Beatty <GretchenB@cityoffullerton.com>
Sent: Thursday, November 10, 2016 4:47 PM
To: City of Fullerton
Subject: Keeping You Informed

**From the desk of
Gretchen R. Beatty
Director of Human Resources
City of Fullerton**

November 10, 2016

Dear Colleagues:

As you may have read, City Manager Joe Felz was involved in a single-car accident early Wednesday morning. No one was hurt, although a small tree was damaged and a citizen called the Fullerton Police Department.

Chief Dan Hughes was informed of the incident and notified the City Council as well as the appropriate members of City government, consistent with standard practice. The Fullerton Police Department is completing its independent investigation.

The City Manager remains on duty and City business is continuing as usual. City management does not intend to comment further on this matter.

On a personal note, Mr. Felz has asked me to convey his sincerest apologies for the negative attention this incident has brought to the City and its employees

Sincerely,

Gretchen R. Beatty

Gretchen R. Beatty

Director of Human Resources

City of Fullerton, 303 W. Commonwealth Avenue, Fullerton, CA 92832

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November 16, 2016 Update: City Manager

At the November 15, 2016 City Council meeting, City Attorney Dick Jones was directed by the City Council to retain the services of an independent person to review the events of November 9, 2016, which includes the conduct of City Manager Joe Felz. The matter is being separately reviewed by the Fullerton Police Department, which will be forwarding its information to the District Attorney's office for independent review.

City Attorney Jones stated that City Manager Felz informed the City Council of his intent to take at least a two-week leave of absence. The City Council appointed Human Resources Director Gretchen Beatty to serve as Acting City Manager.