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OPEN RECORDS ACT REQUEST

February 20, 2008

Marilyn Boyd Drew, Director
DeKalb County Parks Department
Cathryn Horner, Contract Administrator
DeKalb County Purchasing Department
1300 Commerce Drive, 5th Floor
Decatur, Georgia 30030

To Whom It May Concern:

This is a public record request for a duplicate copy of documents concerning the work being conducted under (BID NO. 06-500014-RFP) the Professional Consulting Services to Develop a Countywide Comprehensive Parks and Recreation Master Plan. This would include a copy of the RFP, the signed contract, and all correspondence or reports between EDAW, their contractors, & the county, with the exception of those portions specifically exempted by Georgia law.

As you know, the Georgia Open Records Act states reasonable charges may be assessed "for search, retrieval, and other direct administrative costs for complying with a request under this Code section. The hourly charge shall not exceed the salary of the lowest paid full-time employee who, in the discretion of the custodian of the records, has the necessary skill and training to perform the request; provided, however, that no charge shall be made for the first quarter hour." O.C.G.A. § 50-18-71(d).

I am prepared to pay reasonable search and retrieval fees if necessary. As you know, advance payment is not required under the Act. O.C.G.A. § 50-18-71(g). Instead, once documents are requested, charges for all costs incurred by your agency can be collected in the same manner as taxes due. O.C.G.A. § 50-18-71(g).

In order to make such a fee request, however, your agency must first notify me of the estimated cost of the copying, search, retrieval and other authorized fees before they are incurred. O.C.G.A. § 50-18-71.2.

If my request is denied in whole or in part, the law requires your agency to justify all deletions by reference to exemptions of the Georgia Open Records Act, specifying code section, subsection and paragraph. O.C.G.A. § 50-18-72(h). The law also requires you to release all segregable portions of otherwise exempt material. O.C.G.A. § 50-18-72(g).

Also, the Open Records Act sets fines up to \$100 for any person who fails to provide a requested public document within three (3) business days, unless there are out-of-the-ordinary extenuating circumstances. O.C.G.A. § 50-18-74. Therefore, I will expect your agency to produce the requested records within the three-day limit or give written reasons why not, and the specific date the records will be available. O.C.G.A. § 50-18-70(f)

Thank you for your assistance. Should you have any questions, please do not hesitate to contact me at 770-234-0678 or via email at John@Dunwoodynorth.org

Best regards,

John Heneghan, President
Dunwoody North Civic Association
2305 N. Peachtree Court
Dunwoody, GA 30338
770-234-0678
<http://www.dunwoodynorth.org>
<http://dunwoodynorth.blogspot.com>