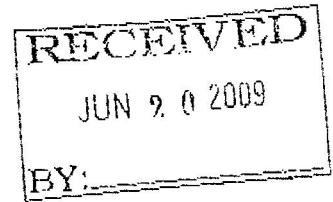




CHET ADAMS
CITY ATTORNEY

June 19, 2009



Richard "Skip" Daly
 Union Business Manager/Secretary-Treasurer
 and Private Citizen
 Laborers' International Union
 of North America Local Union 169
 570 Reactor Way
 Reno, NV 89502

Re: Public Document Request

Dear Mr. Daly:

Thank you for your letter of June 17, 2009, regarding a "Public Records Request." I have spoken with your attorney concerning your request and he has given me permission to respond to you directly.

Please accept this letter as notice that the City is unable at this time to respond to your document request as you have not set forth the specific documents that can be supplied to you without the responding department(s) relying upon their own opinions or the opinion of the Sparks City Attorney's Office as to what you are requesting. Such a request is clearly outside the scope of what is contemplated under Chapter 239 of the Nevada Revised Statutes.

So that the City may accurately respond to you, please list the specific documents that you are requesting so that the City is not just supplying you with their opinions, but an actual document. Until such time as you have the opportunity to prepare a request that complies with Chapter 239 of the Nevada Revised Statutes, I would direct your attention to http://www.cityofsparks.us/governing/muni_code where the procurement code for the City of Sparks is located on the internet. This internet site might be helpful in researching the procurement procedures for the City of Sparks.

Richard "Skip" Daly
June 19, 2009
Page 2

I look forward to resolving this matter. If you have any questions, please feel free to have your attorney contact me.

Sincerely,



Shirle T. Eiting, Esq.
Sr. Assistant City Attorney

STE/Cb
cc: Mike Langton, Esq.

LABORERS' INTERNATIONAL UNION of NORTH AMERICA
LOCAL UNION No. 169

570 REACTOR WAY -- RENO, NEVADA 89502

TEL. (775) 856-0169



FAX (775) 856-0177



NEVADA WORKS BEST
WHEN WE SAY...



June 17, 2009

City of Sparks
Attn: Sean Carey
431 Prater Way
Sparks, NV 89431

Hand Delivered

Re: Public Records Request

Dear Sean:

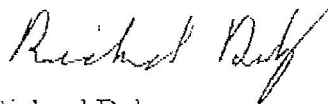
Laborers' International Union of North America, Local 169 ("Union") and I, Richard Daly, as a private citizen request the following information and/or public book or record documentation:

1. Please provide any documentation, or authority that the City of Sparks bid documents for Bid No 08/09-028) or the Sparks Procurement Code supersedes any provision of NRS 338.1385(6)(d). If the City of Sparks has no such record, authority or documentation, please answer none.
2. In a letter dated June 9, 2009 signed by the Purchasing Manager, Dan Moran, sent to all bidders for Bid No. 08/09-028 (copy enclosed) it states "that the City of Sparks is rejecting all bids received . . . per Nevada Revised Statutes (NRS 338.1385d) as well as the referenced bid document. Please provide any record, authority or documentation that as stated in SMC 2.25.150(E) the "purchasing manager as the principal designated authorized representative" has been, or was authorized, or given the responsibility to award by ordinance, or direction of the City Council, to award any contract in excess of \$24,999.99. If the City of Sparks has no such record or documentation granting such authority, please answer none.
3. I preface this question with the following assumption that all powers and authorities granted to the City of Sparks is vested in the City Council and other officials elected by the citizens of Sparks. If the answer for question number 2 above is none, please provide any record, documentation, meeting notice, meeting minutes, motions, votes and/or other action by the City of Sparks, i.e. the City Council, has taken to reject bids per NRS 338.1385(6)(d). This request is not limited to the bid referenced in paragraph 1 and 2 above. If the City of Sparks has no such record or documentation, please answer none.
4. Please provide any record or documentation that the rejection of all of the bids received pursuant to Bid No. 08/09-028 was done in compliance with NRS 338.1385(6)(d) by the public body or its authorized representative responsible for awarding the contract.

City of Sparks
Attn. Sean Carey
June 17, 2009
Page - 2 -

Please provide this requested information by providing paper copies and/or responses in writing as soon as possible and in any event within the requirements of NRS 239.0107. This request is made pursuant to and as provided in NRS 239.010.

Very truly yours,



Richard Daly,
Union Business Manager/Secretary-Treasurer and
Private Citizen

RD/dw

c: Michael Langton, Esq.
Sparks City Attorney
Sparks Mayor
City Council