



July 18, 2008

City of Toledo Department of Law
Adam Loukx, Acting Director
One Government Center, Suite #1710
Toledo, Ohio 43604

Dear Mr. Loukx,

Under the authority of the Ohio Public Records Act, please provides copies of all documents, including but not limited to reports, memoranda, correspondence, e-mails, notes in the possession of any current or past City of Toledo employee or official, that pertain to the Northwest Ohio Legislative Consortium. Please produce these documents in hard copy format as soon as possible and preferably by the end of the day Friday July 18, 2008.

Sincerely,

William J. Carroll
Chairman
Board of Directors
Toledo-Lucas County Port Authority

CITY OF TOLEDO



DEPARTMENT OF LAW

JUL 21 2008

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ADAM W. LOUKX
Acting Director of Law

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Claims Investigation
Lois Cannon, Claims
Lt. Dan Gerken, Civil Liability

William J. Carroll
Chairman, Board of Directors
Toledo Lucas County Port Authority
One Maritime Plaza
Toledo, Ohio 43604

VIA HAND DELIVERY

Re: Your Request of July 18, 2008

Dear Mr. Carroll:

Thank you for your letter of July 18, 2008. Enclosed with this correspondence please find copies of all documents, reports, memoranda, correspondence, e-mails, and notes in the possession of any current and past City of Toledo employee or official relating to the Legislative Consortium that we have been able to identify in the short time period since we received your request. We will continue to look for further documents and e-mails that may be responsive to your request and will forward those to you if we find any more responsive documents.

At this time the City of Toledo requests that the following public records be made available in accordance with state public-records law:

- 1) A copy of the personnel files for James Hartung, James Mettler, and Kelly Rivera Nye.
- 2) A copy of any and all investigative, disciplinary, or incident reports involving any of the three individuals identified in request number 1.
- 3) A copy of all telephone records for landline and/or any mobile telephones used for Port Authority business, or paid for by the Port Authority, by James Hartung and James Mettler for the past three years. These records should include telephone bills and all records that itemize individual calls.
- 4) A copy of all internal communications, memoranda, correspondence and e-mails circulated between any and all employees, officers and/or Directors at the Port Authority that in any way discusses or relates to

Handwritten initials: JFC, MKR, DMW

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the Legislative Consortium, the employment of James Mettler or the employment of Kelly Rivera Nye for the past five years.

- 5) All documents, including correspondence and notes, that reflect communications between or among any person employed with or working in association with or on behalf of the Toledo Lucas County Port Authority and any person employed with or working in association with or on behalf of the Northwest Ohio Legislative Consortium.
- 6) Copies of any and all phone logs, phone messages, activity logs, and calendars of James Hartung and James Mettler for the past three years.
- 7) A copy of all minutes for meetings of the Toledo Lucas County Port Authority Board of Directors or any committee or subcommittee thereof for the past two years.
- 8) Copies of any internal or external audits conducted on or pertaining to the Toledo Lucas County Port Authority finances over the past five years.
- 9) Copies of any and all agreements of the Port Authority for outside legal services for each of the past ten years, and all records that show or tend to show bills submitted to the Port Authority for outside legal services and the amount expended by the Port Authority for such services.
- 10) Copies of any resolutions passed by the Port Authority Board authorizing the retention of outside legal services over the past ten years.
- 11) Copies of any and all briefings, presentations or other documents submitted by any person or entity to the Port Authority Board of Directors that in any way relate to consideration of, a proposal for, or authorization for the Port's entering into any agreement or contract with Poggemeyer Design Group, and a copy of all resolutions granting such authority.
- 12) Copies of all communications, memoranda, e-mails, correspondence, contracts and/or agreements in any way related to any Port Authority Board resolution associated to retaining and or hiring Poggemeyer Design Group for any project undertaken in whole or in part by the Port Authority for the past five years including, but not limited to, work associated with the Marine Passenger Terminal, including all requests for proposals, bids, invoices, statements, authorizations to pay, and actual payments.

- 13) Copies of any and all briefings, presentations or other documents submitted by any person or entity to the Port Authority Board of Directors that in any way relate to consideration of, a proposal for, or authorization for the Port's entering into any agreement or contract with Communiqué, and a copy of all resolutions granting such authority.
- 14) Copies of all communications, memoranda, e-mails, correspondence, contracts and/or agreements in any way related to any Port Authority Board resolution associated to retaining and or hiring Communiqué for any levy drive undertaken in whole or in part by the Port Authority for the past five years including, but not limited to, the 2004 Port levy, including all requests for proposals, bids, invoices, statements, authorizations to pay, and actual payments.
- 15) Copies of all ledgers and other documents (including but not limited to, all memoranda, communications, e-mails, correspondence, receipts, invoices, account receivable and spreadsheets) related to the funding of the port levy in 2003-2004.
- 16) Copies of all compensation records showing all payments made to James Hartung, James Mettler, and Kelly Rivera Nye for each of the past 5 years.

The City will accept copies of these documents in either hard copy or reasonable readable electronic formats. Please advise as to when the City may be able to expect a response to this request for public records. Further, to the extent possible, please provide the documents as they are compiled. Finally, to the extent that the Port Authority believes that any requested record is not public or otherwise subject to disclosure, please cite statutory and/or case authority that the Port believes supports its position as to and, without compromising any privilege associated with the documents, provide a description of the document withheld sufficient to allow the City to determine the propriety of the Port Authority's denial of production.

Please do not hesitate to contact me if you have any questions or concerns. Thank you for your prompt attention to this matter.

Respectfully,



Adam Loukx
Acting Director

Enclosures

cc: Mary Fred Coy, w/o enclosures