



City of Cambridge

OFFICE OF THE CITY AUDITOR

JAMES H. MONAGLE
City Auditor

February 27, 2002

Mr. Roy Bercaw, Editor
P.O. Box 40029
Cambridge, MA 02141

Re: Public records requests

Dear Mr. Bercaw:

This is in response to your public record requests dated February 19, 2002 for all records and other documentation in respect to a trip to Cuba last year and a second request about a trip this year to attend a conference. In addition you asked the question about what ordinance allows for the Auditor or any other City Officer to spend taxpayer funds.

As you are aware, the City is authorized by law to charge a reasonable fee for complying with public record requests. G.L.c.66, §10 and 950 C.M.R. 32.00. The City charges the fee to recover its costs as a matter of course, and will not waive the fee in this case.

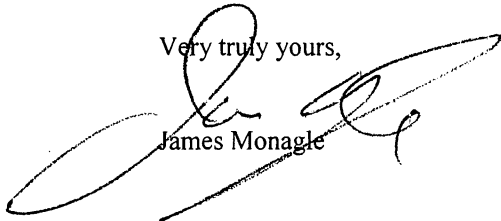
In order to comply with your request, the total estimated cost payable in advance by you to the City is \$122.28. This estimate includes only documents from the Auditing Department, where it is most probable that the documents you have requested would be found.

The estimated fee stated above is calculated as follows. Search time (the time needed to locate, pull from the files, copy, and refile the records) and segregation time (needed to review the documentation for non-public information and to delete such information) is estimated at 4.5 hours, multiplied by the hourly rate of the lowest paid employee capable of performing the task, \$26.73 per hour, totaling \$120.28. Copies of any documents requested are charged at \$.20 per page. The above estimate includes a copying charge for 10 pages of copies.

This is an estimate. If the actual cost is less than estimated, any overpayment by you will be refunded. If the actual cost is more than estimated, compliance will cease when the estimated fee has been expended, and you will be given a new estimate to be paid in advance of the City completing its response to you.

The fee is payable in full in advance. I will wait to hear from you before taking any further action.

Very truly yours,


James Monagle



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JAN 29 2003
CAMBRIDGE, MASSACHUSETTS

ENOUGH ROOM
ROY BERCAW. EDITOR
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Honorable Cambridge City Council
795 Mass Avenue
Cambridge MA 02139

January 29, 2003

Waste of taxpayer funds

On January 27, 2003 the City Manager reported (Manager's Agenda # 16) to the City Council that "given the real likelihood of significant losses in State aid," creating "a staff and resources for coordinating all sister city projects," ... "are not feasible at this time."

I suggested in public comment that it is an outrage that the City funds travel to Cuba during this severe budget crisis. City Councilor Davis stated, "There is a widely held belief that travel [for sister cities] is being funded by the City, and that is not the case. It's being funded by those who actually travel themselves, and by the committee ... by the committee, ... volunteer committee raising money ... "

I stated, "It was in February 28, of the year 2002 that the City Council introduced a late order directing the City Manager to help with the costs of travel to Cuba. And I have it on video tape."

I erred. The actual date of the late order was January 28, 2002. Councilor Decker suspended the rules for two late orders. One, written by "Councilor Decker and the entire membership," stated,

"Ordered that the City Manager be and hereby is requested to work with Cambridge representatives who are attending the International Sister City Conference in Havana, Cuba. This trip will also initiate a formal agreement to develop a sister city with Cien Fuegos, Cuba.

And be it further ordered that the City Manager be and hereby is requested to help with the costs of the trip."

Councilor Davis asked, "How did this particular City get chosen? What is the criteria; what was the process?"

Councilor Decker replied, "A couple of ways. We actually don't get to chose our sister city in Cuba. The Cuban government has more

Letter to City Council from R Bercaw January 29, 2003

of a role in that. We have been able to actually have some participation shaping that decision; and it's not official yet. But a delegation, as you might recall, last year went to Cuba with Rep. Jarrett Barrios. And ... actually Rep. Barrios ... that we established a relationship with Cien Fuegos. ... which we went to bring books, and we donated books to their library there. ... The Assistant Director of Libraries in Cambridge, some of the Library Trustees attended this trip with us. ... "

The order was adopted by a voice vote of the City Council with no opposition. Councilor Decker did not reveal that Rep. Barrios' cousin works in the Cien Fuegos Library.

On February 19, 2002 I filed a formal request under the MA Public Records Act with the City Auditor, seeking

- (1) records for any City funds paid to those travelling to Cuba in 2001; and
- (2) records of expenses paid by the City for the trip to Cuba in 2002; and
- (3) what ordinance allows for the expenditure of City funds for such trips.

The City Auditor responded by letter (copy attached) dated February 27, 2002, requesting prepayment "payable in full in advance" of an estimate of \$122.28 for search time, retrieval, copying and return to the files. This was before I saw what records were available.

This is typical of responses to requests under the Public Records Act by many City officials. If there were no documents on City funds paid for these trips, I expect the Auditor would state that. But he did not, suggesting there are such documents. This conflicts with the statement by Councilor Davis on January 27, 2003.

In view of the ability of the City Council to get this information for free, perhaps one of the Councilors could inquire of what funds were spent, and why. If any, this may suggest a reconsideration of the expenditure of City funds for essentially winter vacations for public officials while other city residents have no home.

Encl. Auditor letter Feb. 27, 2002

A handwritten signature in cursive script, appearing to read "Roy Bercaw". The signature is written in dark ink and is located in the lower right portion of the page.

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Communication #2

A communication was received
from Roy Bercaw, regarding
taxpayer funds.

In City Council February 3, 2003

PLACED ON FILE.