

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

December 21, 2009

DATE THE DECISION ISSUED

December 1, 2009

ANMARIE MABBUTT V. MAYOR'S OFFICE (09076)

FACTS OF THE CASE

Anmarie Mabbutt complained that a study she had requested regarding fees being considered by the Board of Supervisors for the Japanese Tea Garden, the Conservatory of Flowers and the Botanical Garden from the Mayor's Office in June. The document was not provided until four months later.

COMPLAINT FILED

On November 11, 2009, Anmarie Mabbutt filed a complaint with the Sunshine Ordinance Task Force.

HEARING ON THE COMPLAINT

On December 1, 2009, David Eldred appeared before the Task Force and presented Anmarie Mabbutt's complaint. Respondent Agency was represented by Rich Hillis of the Mayor's Office on Economic and Workforce Development, who at the time was working for the Department of Recreation and Park.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Eldred complained that public policy was being created, but without the expert opinion of the Botanical Society. Mr. Hillis said the department was not originally in receipt of the study regarding proposed fee hikes, as the study was conducted by a private entity. He said the information regarding the study and proposed fee hikes conducted by the Botanical Society was passed orally onto neighborhood groups. Eventually, the department did come into possession of the study and it was, belatedly, provided to Ms. Mabbutt.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the agency violated Section 67.25 (a) of the Sunshine Ordinance for untimely response. The respondent shall appear before the Education, Outreach and Training Committee on January 14, 2010.

ORDER OF DETERMINATION

This Order of Determination was adopted by the Sunshine Ordinance Task Force on December 1, 2009, by the following vote: (Goldman / Craven-Green)

Ayes: Craven-Green, Washburn, Knoebber, Chan, Goldman, Knee

Excused: Cauthen, Manneh Johnson, Chu, Chan, Williams



Richard Knee

Chair, Sunshine Ordinance Task Force

- c: Jerry Threet, Deputy City Attorney
- Anmarie Mabbutt, Complaint
- Richard Hillis, Respondent