



ORDER OF DETERMINATION
May 8, 2014

DATE THE DECISION ISSUED
April 30, 2014

CASE TITLE – PAULA DATESH V. HOWARD LAZAR, SAN FRANCISCO ARTS COMMISSION (File No. 14018)

FACTS OF THE CASE

Paula Datesh (Complainant) made a complaint alleging that Howard Lazar, San Francisco Arts Commission (Respondent) violated provisions of the Sunshine Ordinance by failing to respond to immediate disclosure requests in a timely manner.

COMPLAINT FILED

On February 13, 2014 Ms. Datesh filed complaints against the San Francisco Arts Commission alleging failure to respond to various immediate disclosure requests in a timely manner.

HEARING ON THE COMPLAINT

On April 30, 2014, Ms. Datesh appeared before the Task Force and presented her claim. Howard Lazar, Arts Commission and Kate Paterson-Murphy (Respondent), presented the Arts Commission's defense.

The issue in the case was whether the Arts Commission violated Sections 67.21 and 67.25 of the Sunshine Ordinance.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented, the Task Force finds the testimony of Ms. Datesh to be persuasive and finds Sunshine Ordinance Sections 67.25(a) to be applicable to this case. The Task Forces does not find the testimony provided by Mr. Lazar, Arts Commission, persuasive to this case.

DECISION AND ORDER OF DETERMINATION

The Task Force finds the San Francisco Arts Commission in violation of Section 67.25(a) for failure to respond to an immediate disclosure request in a timely manner. The San Francisco Arts Commission shall appear before the Compliance and Amendments Committee to discuss methods to insure that immediate disclosure requests are responded to in a timely manner.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on April 30, 2014, by the following vote: (Hyland/Knee)

Ayes: Knee, Pilpel, Sims, Hyland, Oka, Fischer, Grant

Noes: None

Absent: Washburn, David

A handwritten signature in black ink, appearing to read "L. E. Fischer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Louise Fischer, Vice-Chair
Sunshine Ordinance Task Force

c: Nicholas Colla, Deputy City Attorney
Jerry Threet, Deputy City Attorney
Paula Datesh, Complainant
Howard Lazar, SF Arts Commission
Kate Patterson, SF Arts Commission