ORDER OF DETERMINATION
July 2, 2014

DATE THE DECISION ISSUED
June 4, 2014

CASE TITLE – LIBRARY USERS ASSOCIATION V. BEN ROSENFIELD, CONTROLLER'S OFFICE (File No. 14021)

FACTS OF THE CASE

Peter Warfield, Library Users Association (Complainant) made a complaint alleging that Ben Rosenfield, Controller's Office (Respondent) violated provisions of the Sunshine Ordinance by failing to respond to an Immediate Disclosure Request in a timely manner.

COMPLAINT FILED

On February 14, 2014, Mr. Warfield filed a complaint against the Controller's Office alleging failure to adequately respond to an Immediate Disclosure Request in a timely manner.

HEARING ON THE COMPLAINT

On June 4, 2014, Mr. Warfield appeared before the Task Force and presented his claim. Monique Zmuda (Respondent) presented the Controller's Office defense.

The issue in the case was whether the Controller's Office violated Sunshine Ordinance Sections 67.21 and 67.25 and California Government Code Section 6253.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented, the Task Force finds the testimony of Mr. Warfield to be persuasive and finds Sunshine Ordinance Sections 67.25(a) to be applicable to this case for failure to respond to an Immediate Disclosure Request in a timely manner. The Respondent acknowledged their error and agreed with the findings of the Sunshine Ordinance Task Force.

DECISION AND ORDER OF DETERMINATION

The Task Force finds the Controller's Office in violation of Sunshine Ordinance Section 67.25(a) for failure to respond to an Immediate Disclosure Request in a timely manner.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on June 4, 2014, by the following vote: (Washburn, Hyland)

   Ayes: Knee, Washburn, David, Hyland, Oka, Fischer
   Noes: Pilpel
   Absent: Sims

Louise Fischer, Vice-Chair
Sunshine Ordinance Task Force

c: Nicholas Colla, Deputy City Attorney
   Peter Warfield, Complainant
   Monique Zmuda, Deputy Controller
   Ben Rosenfield, Controller