



ORDER OF DETERMINATION
July 2, 2014

DATE THE DECISION ISSUED
June 24, 2014

CASE TITLE – CRAIG GOLD V. BEN ROSENFELD, CONTROLLER, AND MONIQUE ZMUDA,
CONTROLLER'S OFFICE (File No. 14027)

FACTS OF THE CASE

Craig Gold (Complainant) made a complaint alleging that Ben Rosenfield, Controller, and Monique Zmuda, Controller's Office (Respondent) violated provisions of the Sunshine Ordinance by failing to respond to a request for public documents in a timely manner.

COMPLAINT FILED

On March 7, 2014, Mr. Gold filed a complaint against the Controller's Office alleging failure to adequately respond to a request for public records in a timely manner.

HEARING ON THE COMPLAINT

On June 24, 2014, Mr. Gold 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 Section 67.21 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. Gold to be persuasive and finds Sunshine Ordinance Sections 67.21(b) to be applicable to this case for failure to respond to the request for public documents 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 67.21 (b) for failure to respond to a request for public documents in a timely manner.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on June 24, 2014, by the following vote: (Pilpel/David)

Ayes: Rumold, Winston, Wolf, Washburn, Pilpel, Hepner, David Hyland, Oka, Fischer
Noes: None

A handwritten signature in black ink, appearing to read 'L. E. Fischer', with a long horizontal flourish extending to the right.

Louise Fischer, Vice-Chair
Sunshine Ordinance Task Force

c: Nicholas Colla, Deputy City Attorney
Craig Gold, Complainant
Monique Zmuda, Deputy Controller
Ben Rosenfield, Controller