

**SUNSHINE ORDINANCE
TASK FORCE**



City Hall
1 Dr Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TTD/TTY No. (415) 554-5227

**ORDER OF DETERMINATION
November 3, 2014**

DATE DECISION ISSUED
October 28, 2014

CASE TITLE – Michael Petrelis v. Office of the City Attorney. (File No. 14066)

FACTS OF THE CASE

Michael Petrelis (Complainant) made a complaint alleging that the Office of the City Attorney (Respondent), violated provisions of the Sunshine Ordinance by failing to respond to an Immediate Disclosure Request submitted on May 30, 2014, in a timely and/or complete manner.

COMPLAINT FILED

On June 27, 2014, Mr. Petrelis filed a complaint with the Sunshine Ordinance Task Force (Task Force) regarding the Office of the City Attorney's alleged failure to responded to an Immediate Disclosure Request.

HEARING ON THE COMPLAINT

On October 28, 2014, Mr. Petrelis appeared before the Task Force and presented his claim. Matt Dorsey, Communication Director, Office of the City Attorney, acknowledged that an error occurred in the processing the public records request submitted by Mr. Petrelis resulting in a delay. The request records were provided to Mr. Petrelis on October 23, 2014, 145 days after the request was submitted. Mr. Dorsey stated the there is an ongoing effort in progress to revised and improve the City Attorney's process regarding public record requests.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the Task Force finds the testimony of Mr. Petrelis to be persuasive and finds Administrative Code (Sunshine Ordinance), Section 67.25(a) to be applicable to this case. Mr. Dorsey acknowledged the error and is in the process of addressing the problem.

DECISION AND ORDER OF DETERMINATIONS

The Task Force finds the Office of the City Attorney in violation in violation Administrative Code (Sunshine Ordinance), Section 67.25(a) for failure to respond to an Immediate Disclosure Request in a timely manner.

The Task Force requests that Mr. Dorsey submit a letter of action and proposed practices for responding to public records request by November 30, 2014. In addition, the Task Force requests that the letter address the issue of "Rule of Reason" and suggests that once a procedure is established that it be posted online.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on October 28, 2014, by the following vote:

Ayes: 7 - Wolf, Pilpel, Hepner, David, Fischer, Hinze, Hyland

Noes: 0 -

Absent: 3 - Rumold, Winston, Washburn



Chris Hyland, Vice-Chair
Sunshine Ordinance Task Force

- c. Nick Colla, Deputy City Attorney
Michael Petrelis, Complainant
Matt Dorsey, Director of Communications, Office of the City Attorney
Tara Collins, Office of the City Attorney