

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
March 30, 2015**

DATE DECISION ISSUED
February 4, 2015

CASE TITLE - Ray Hartz v. Supervisor Mark Farrell, Board of Supervisors (File No. 14105)

FACTS OF THE CASE

Ray Hartz (Complainant) made a complaint alleging that Supervisor Mark Farrell, Board of Supervisors (Respondent), violated provisions of the Sunshine Ordinance by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

COMPLAINT FILED

On November 14, 2014, Mr. Hartz filed a complaint with the Sunshine Ordinance Task Force (Task Force) regarding the alleged failure to adequately respond to an Immediate Disclosure Request.

HEARING ON THE COMPLAINT

On February 4, 2015, Mr. Hartz appeared before the Task Force and presented his complaint. Catherine Stefani, Aide to Supervisor Mark Farrell, Board of Supervisors (Respondent), presented Supervisor Farrell's position and stated that all requested documents have been provided to the Complainant. Ms. Stefani offered to work with Mr. Hartz to be sure that all avenues of research have been exhausted.

The issue in the case was whether Administrative Code (Sunshine Ordinance) Sections 67.21 and 67.25, and California Government Code, Section 6253 had been violated.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

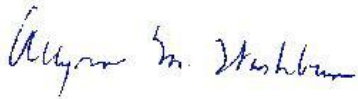
Based on the evidence and testimony presented the Task Force finds the testimony of Mr. Hartz persuasive and finds Administrative Code (Sunshine Ordinance), Section 67.25(a), applicable in this case. The Task Force does not find the testimony provided by the Respondent persuasive in this case.

DECISION AND ORDER OF DETERMINATION

On February 4, 2015, the Task Force found Supervisor Mark Farrell, Board of Supervisors, in violation of Administrative Code (Sunshine Ordinance), Sections 67.25(a), for failure to respond to an Immediate Disclosure Request in a timely and complete manner. The motion PASSED by the following vote:

Ayes: 10 - Rumold, Winston, Wolf, Chopra, Pilpel, David, Fischer, Hinze, Hyland, Washburn
Noes: 0 - None
Absent: 1 - Hepner

Chair Washburn referred the matter to the Education, Outreach, and Training Committee and requested that Supervisor Mark Farrell or his representative attend to discuss policies and procedures for processing public records request. It is further requested that Supervisor Farrell provide a copy of the referenced policy.



Allyson Washburn, Chair
Sunshine Ordinance Task Force

- c: Members, Sunshine Ordinance Task Force
- Nicholas Colla, Deputy City Attorney
- Ray Hartz, Complainant
- Supervisor Mark Farrell, Board of Supervisors, Respondent
- Catherine Stefani, Aide to Supervisor Farrell, Respondent