

**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
June 29, 2015**

DATE DECISION ISSUED
June 3, 2015

CASE TITLE - Ray Hartz v. Supervisor Mark Farrell, Board of Supervisors
(File No. 15071)

FACTS OF THE CASE

Ray Hartz (Complainant) made a complaint alleging that Supervisor Mark Farrell, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

COMPLAINT FILED

On March 24, 2015, Mr. Hartz filed a complaint with the Sunshine Ordinance Task Force (SOTF) regarding the alleged violation.

HEARING ON THE COMPLAINT

On June 3, 2015, the SOTF held a hearing on the matter. Ray Hartz (Complainant) provided an overview of the complaint and requested the SOTF find violations. There was no representative in attendance to present Supervisor's Farrell's position. However, the SOTF did receive a letter from Supervisor Farrell stating that he does not have any documents response to the request.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the Task Force finds the testimony of the Complainant to be persuasive and finds Administrative Code (Sunshine Ordinance), Section 67.25(a), applicable in this case.

In addition, the SOTF finds Administrative Code (Sunshine Ordinance), Section 67.21(e), applicable as the Respondent failed to send a knowledgeable representative to the SOTF hearing.

DECISION AND ORDER OF DETERMINATION

The SOTF finds Supervisor Mark Farrell, Board of Supervisors, in violation of Administrative Code (Sunshine Ordinance), Section 67.25(a), for failure to respond to an Immediate Disclosure Request in a timely and/or complete manner.

In addition, the SOTF finds Supervisor Mark Farrell, Board of Supervisors, in violation of Administrative Code (Sunshine Ordinance), Section 67.21(e), for failure to send a knowledgeable representative to the SOTF hearing.

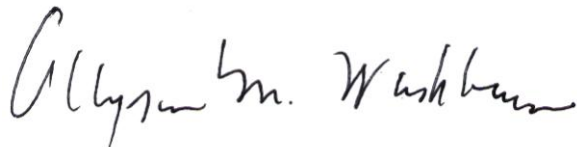
The matter shall be referred to the Compliance and Amendments Committee (CAC) for additional review as the SOTF is not satisfied with the written response and the inability to ask questions. It is requested that Supervisor Farrell send a knowledgeable representative to the CAC hearing. In addition, it should be noted that all responses in regards to the Immediate Disclosure Request should be sent directly to Mr. Hartz and copied to the SOTF.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on June 3, 2015, by the following vote:

Ayes: 7 - Pilpel, Hepner, Haines, Fischer, Hinze, Hyland, Washburn

Noes: 0 - None

Absent: 2 - Chopra, Wolf



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
 - Catherine Stefani, Office of Supervisor Mark Farrell