

**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  
March 8, 2016**

DATE ISSUED: February 3, 2016

CASE TITLE – Shawn Karl Mooney v. Office of the Assessor-Recorder (File No. 14092)

**FACTS OF THE CASE**

Shawn Karl Mooney (Complainant) made a complaint alleging that the Office of the Assessor-Recorder violated Administrative Code (Sunshine Ordinance), Section 67.29, by failing to provide an index of records.

**COMPLAINT FILED**

On September 29, 2014, Mr. Mooney filed a complaint with the Task Force regarding the alleged violation.

**HEARING ON THE COMPLAINT**

On November 10, 2014, the Complaint Committee referred the matter to the Education Outreach and Training Committee to monitor the Assessor-Recorder's progress in posting their Index of Records.

On December 15, 2015, Mr. Mooney requested that the full Task Force hear the complaint.

On February 3, 2016, Mr. Mooney provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Edward McCaffrey, Office of the Assessor-Recorder (Respondent), presented the department's position. Mr. McCaffrey stated that at the time of filing of the complainant, the Assessor-Recorder was not in compliance with the requirement to post their Index of Records. However, the Assessor-Recorder's Index of Records is now available on the City Administrator's website as required by Sunshine Ordinance, Section 67.29. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal.

The Task Force suggested that Internet links to the Index of Records be placed onto the Assessor-Recorder's website.

## FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the Sunshine Ordinance Task Force finds that a violation of Administrative Code (Sunshine Ordinance), Section 67.29, occurred.

## DECISION AND ORDER OF DETERMINATION

The Sunshine Ordinance Task Force finds that the Office of the Assessor-Recorder violated Administrative Code (Sunshine Ordinance), Section 67.29, by failing to provide an index of records.

Chair Washburn referred the matter to the Education, Outreach and Training Committee and requested the Office of the Assessor-Recorder provide copies of any additional correspondence that had not already been submitted to the Task Force in October of 2015. The Task Force requests that the Assessor-Recorder be prepared to discuss the following:

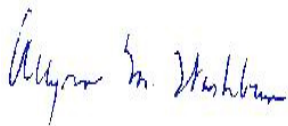
- Records Retention Policy
- Index of Records and links to it from the Assessor-Recorder's webpage
- Inserting information regarding how to request Public Records on their webpage
- Comparison of the type of information posted online by the California State Board of Equalization vs. the San Francisco Assessor-Recorder's Office to determine if there are any inadequacies.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on February 6, 2016, by the following vote:

Ayes: 7 - Rumold, Eldon, Pilpel, Haines, Hinze, Hyland, Washburn

Noes: 0 - None

Absent: 3 - Wolf, Chopra, Fischer



Allyson Washburn, Chair  
Sunshine Ordinance Task Force

- c. Jerry Threet, Deputy City Attorney  
Shawn Karl Mooney, Complainant  
Edward McCaffrey I, Assessor-Recorder's Office  
Carmen Chu, Assessor-Recorder