

**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
REVISED - July 14, 2016**

DATE ISSUED
July 6, 2016

CASE TITLE – Ray Hartz v. Sue Blackman and the Library Commission (File No. 16014)

FACTS OF THE CASE

On February 3, 2016 Ray Hartz (Complainant) filed the following Complaint:

File No. 16014: Complaint filed by Ray Hartz against Sue Blackman and the Library Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(c) and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner and failing to provide assistance to a requester in identifying the existence, form and nature of any records or information maintained.

HEARING ON THE COMPLAINT

On July 6, 2016, the Sunshine Ordinance Task Force (Task Force) heard the matter.

Ray Hartz (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Sue Blackman, Library Commission, and Maureen Singleton, Public Library (Respondent), provided a summary of the department's position. Ms. Singleton stated that the responsive documents held by the Public Library were provided and that additional documentation should be provided by the contracting departments (Police Department and the City Attorney). There were no speakers in support of the Respondent. A question and answer period followed. The Respondent and Complainants were provided the opportunity for rebuttals.

Deputy City Attorney Colla provided comments and responded to questions from the Task Force.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the Task Force finds that violations of Administrative Code (Sunshine Ordinance), Sections 67.21 (b) and (c), occurred.

DECISION AND ORDER OF DETERMINATION

The Sunshine Ordinance Task Force finds that Sue Blackman and the Library Commission violated Administrative Code (Sunshine Ordinance), Sections 67.21 (b) and (c) by failing to respond to a public records request in a timely and complete manner and failing to assist a requester in identifying the existence, form and nature of any records or information maintained.

In addition, the Task Force requests that the Respondent contact the Police Department and the City Attorney, in an official and documented manner, in order to authorize the release of/ or to provide documents to Mr. Hartz in regards to his public records request listed in his complaint filed with the Task Force (File No. 16014).

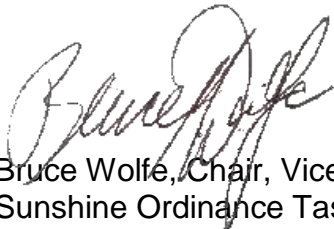
The motion PASSED by the following vote:

Ayes: 6 - J. Wolf, Tesfai, B. Wolfe, Maass, Cannata, Hinze

Noes: 1 - Fischer

Absent: 2 - Chopra, Eldon, Hyland

Chair Wolfe referred the matter to the Compliance and Amendments Committee in order to determine if the Respondent has complied with the request of the Task Force and to determine if any additional action are needed.



Bruce Wolfe, Chair, Vice Chair
Sunshine Ordinance Task Force

- c. Nicholas Colla, Deputy City Attorney
- Ray Hartz, Complainant
- Sue Blackman, Public Library (Respondent)
- Maureen Singleton, Public Library (Respondent)
- Luis Herrera, Public Library (Respondent)