

Date: Jan. 27, 2009

Item No. 3

File No. 080504

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Anonymous v Building Inspection Department**
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Completed by: Chris Rustom

Date: Jan. 23, 2009

***This list reflects the explanatory documents provided**

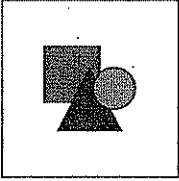
~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

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DENNIS J. HERRERA
City Attorney

ERNEST H. LLORENTE
Deputy City Attorney

DIRECT DIAL: (415) 554-4236
E-MAIL: ernest.llorente@sfgov.org

MEMORANDUM

December 17, 2008

*ANONYMOUS TENANTS v. DEPARTMENT OF BUILDING INSPECTION
(08054)*

COMPLAINT

THE COMPLAINANT ALLEGES THE FOLLOWING FACTS:

Anonymous Tenants state that on November 13, 2008, they made an Immediate Disclosure Request on the Department of Building Inspection ("DBI") through Anita Lee at the Central Permit section of DBI for a copy of the permit application for permit # 200810305471 in PDF form and that it be sent to the Tenants as an e-mail attachment. On November 13, 2008, Alan E. Whiteside, Custodian of Records of the Customer Service Division of DBI responded and stated that DBI could not scan and e-mail the requested permit application and that in the alternative, Mr. Whiteside prepared a record request for the Tenants. The procedure required the Tenants to pick up the hardcopy of the application at DBI and pay a records charge of \$6.50.

The Tenants objected to the procedure as stated by Mr. Whiteside and cited an earlier request in which the secretary of the Director of DBI was able to scan and send as an e-mail attachment a requested document.

COMPLAINANT FILES COMPLAINT:

On November 25, 2008, the tenants filed a complaint against DBI and alleged that DBI allegedly violated the Sunshine Ordinance, sections 67.29-2, 67.21(1), 67.21-1 and 67.21 generally.

JURISDICTION

Based on the allegations of the complaint and the sections of the Ordinance stated below, the Task Force has jurisdiction to hear this matter. In addition the parties in this case do not contest jurisdiction.

APPLICABLE STATUTORY SECTION;

1. California Constitution, Article I, Section 3 that states the general principals of public records and public meetings.
2. Sunshine Ordinance Section 67.1 that addresses Findings and Purpose.

Memorandum

3. Sunshine Ordinance, San Francisco Administrative Code Section 67.21 addresses general requests for public documents
4. Sunshine Ordinance, San Francisco Administrative Code Section 67.25 addresses Immediate Disclosure Requests.
5. Sunshine Ordinance, San Francisco Administrative Code Section. 67.29-2 deals with Internet Access and World Wide Web Minimum Standards.
6. Sunshine Ordinance, San Francisco Administrative Code Section. 67.21-1 deals with policy regarding use and purchase of computer systems.
7. California Public Records Act, Government Code Section 6253 deals with public records open to inspection, agency duties, and time limits.
8. California Public Records Act, Government Code Section 6255 deals with justification for withholding of records.

APPLICABLE CASE LAW:

none

ISSUES TO BE DETERMINED**1. FACTUAL ISSUES****A. Uncontested Facts:**

- Anonymous Tenants made a Immediate Disclosure Request on Anita Lee at the Central Permit Section of DBI for the Permit Application for 200810305471 for the property located at 767 North Point Street and requested that the permit application be scanned and sent to the Tenants as an e-mail attachment.
- The Custodian of DBI responded to the IDR in timely fashion and stated that he would not be able to scan the requested document and that the Tenants would have to pick up the hard copy and pay the minimum records charge of \$6.50.
- The Tenants responded and stated that on a prior request, the Secretary of the Director of DBI was able to scan a requested document and send it to the Tenants as an e-mail attachment.

B. Contested facts/ Facts in dispute:

The Task Force must determine what facts are true.

i. Relevant facts in dispute:

Memorandum

- Whether DBI has the capability to scan and send documents as an e-mail attachment?
- Whether DBI has the responsibility to scan and send requested documents.

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS;

- Why can't the custodian of DBI scan and send documents when the secretary of the Director of DBI was able to do so?

LEGAL ISSUES/LEGAL DETERMINATIONS;

- Were sections of the Sunshine Ordinance (Section 67.21 or 67.25) Public Records Act, and/or California Constitution Article I, Section three violated?
- Was there an exception to the Sunshine Ordinance, under State, Federal, or case law?

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

THE TASK FORCE FINDS THAT THE ALLEGED VIOLATIONS TO BE **TRUE OR NOT TRUE.**

Memorandum**THE CALIFORNIA CONSTITUTION AS AMENDED BY PROPOSITION 59 IN 2004 PROVIDES FOR OPENNESS IN GOVERNMENT.**

Article I Section 3 provides:

- a) The people have the right to instruct their representative, petition government for redress of grievances, and assemble freely to consult for the common good.
- b)(1) The people have the right of access to information concerning the conduct of the people's business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.
 - 2) A statute, court rule, or other authority, including those in effect on the effective date of this subdivision that limits the right of access shall be adopted with findings demonstrating the interest protect by the limitation and the need for protecting that interest.
 - 3) Nothing in this subdivision supersedes or modifies the right of privacy guaranteed by Section 1 or affects the construction of any statute, court rule, or other authority to the extent that it protects that right to privacy, including any statutory procedures governing discovery or disclosure of information concerning the official performance or professional qualifications of a peace officer.
 - 4) Nothing in this subdivision supersedes or modifies any provision of this Constitution, including the guarantees that person may not be deprived of life, liberty, or property without due process of law, or denied equal protection of the laws, as provided by Section 7.
 - 5) This subdivision does not repeal or nullify, expressly or by implication, any constitutional or statutory exception to the right of access to public records or meetings or public bodies that is in effect on the effective date of this subdivision, including, but not limited to, any statute protecting the confidentiality of law enforcement and prosecution records.
 - 6) Nothing in this subdivision repeals, nullifies, supersedes, or modifies protections for the confidentiality of proceedings and records of the Legislature, the Members of the Legislature, and its employees, committee, and caucuses provided by Section 7 of Article IV, state law, or legislative rules adopted in furtherance of those provisions: nor does it affect the scope of permitted discovery in judicial or administrative proceedings regarding deliberations of the Legislature, the Members of the Legislature, and its employees, committees, and caucuses.

Memorandum**ATTACHED STATUTORY SECTIONS FROM CHAPTER 67 OF THE SAN FRANCISCO ADMINISTRATIVE CODE (THE SUNSHINE ORDINANCE) UNLESS OTHERWISE SPECIFIED**

Section 67.1 addresses Findings and Purpose

The Board of Supervisors and the People of the City and County of San Francisco find and declare:

- (a) Government's duty is to serve the public, reaching its decisions in full view of the public.
- (b) Elected officials, commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The people do not cede to these entities the right to decide what the people should know about the operations of local government.
- (c) Although California has a long tradition of laws designed to protect the public's access to the workings of government, every generation of governmental leaders includes officials who feel more comfortable conducting public business away from the scrutiny of those who elect and employ them. New approaches to government constantly offer public officials additional ways to hide the making of public policy from the public. As government evolves, so must the laws designed to ensure that the process remains visible.
- (d) The right of the people to know what their government and those acting on behalf of their government are doing is fundamental to democracy, and with very few exceptions, that right supersedes any other policy interest government officials may use to prevent public access to information. Only in rare and unusual circumstances does the public benefit from allowing the business of government to be conducted in secret, and those circumstances should be carefully and narrowly defined to prevent public officials from abusing their authority.
- (e) Public officials who attempt to conduct the public's business in secret should be held accountable for their actions. Only a strong Open Government and Sunshine Ordinance, enforced by a strong Sunshine Ordinance Task Force can protect the public's interest in open government.
- (f) The people of San Francisco enact these amendments to assure that the people of the City remain in control of the government they have created.
- (g) Private entities and individuals and employees and officials of the City and County of San Francisco have rights to privacy that must be respected. However, when a person or entity is before a policy body or passive meeting body, that person, and the public, has the right to an open and public process.

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Section 67.21 addresses general requests for public documents.

This section provides:

- a.) Every person having custody of any public record or public information, as defined herein, ... shall, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, permit the public record, or any segregable portion of a record, to be inspected and examined by any person and shall furnish one copy thereof upon payment of a reasonable copying charge, not to exceed the lesser of the actual cost or ten cents per page.
- b.) A custodian of a public record shall as soon as possible and within ten days following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance.
- c.) A custodian of a public record shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian, whether or not the contents of those records are exempt from disclosure and shall, when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b). A custodian of any public record, when not in possession of the record requested, shall assist a requester in directing a request to the proper office or staff person.
- ...
- k.) Release of documentary public information, whether for inspection of the original or by providing a copy, shall be governed by the California Public Records Act Government Code Section 6250 et seq.) in particulars not addressed by this ordinance and in accordance with the enhanced disclosure requirement provided in this ordinance.
- l.) Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, including disk, tape, printout or monitor at a charge no greater than the cost of the media

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on which it is duplicated. Inspection of documentary public information on a computer monitor need not be allowed where the information sought is necessarily and unseparably intertwined with information not subject to disclosure under this ordinance. Nothing in this section shall require a department to program or reprogram a computer to respond to a request for information or to release information where the release of that information would violate a licensing agreement or copyright law.

Section 67.25 provides:

- a.) Notwithstanding the 10-day period for response to a request permitted in Government Code Section 6256 and in this Article, a written request for information described in any category of non-exempt public information shall be satisfied no later than the close of business on the day following the day of the request. This deadline shall apply only if the words "Immediate Disclosure Request" are placed across the top of the request and on the envelope, subject line, or cover sheet in which the request is transmitted. Maximum deadlines provided in this article are appropriate for more extensive or demanding requests, but shall not be used to delay fulfilling a simple, routine or otherwise readily answerable request.
- b.) If the voluminous nature of the information requested, its location in a remote storage facility or the need to consult with another interested department warrants an extension of 10 days as provided in Government Code Section 6456.1, the requestor shall be notified as required by the close of business on the business day following the request.
- c.) The person seeking the information need not state his or her reason for making the request or the use to which the information will be put, and requesters shall not be routinely asked to make such a disclosure. Where a record being requested contains information most of which is exempt from disclosure under the California Public Records Act and this article, however, the City Attorney or custodian of the record may inform the requester of the nature and extent of the non-exempt information and inquire as to the requester's purpose for seeking it, in order to suggest alternative sources for the information which may involve less redaction or to otherwise prepare a response to the request

Section 67.21-1 addresses the City's policy regarding the use and purchase of computer systems.

Section 67.21-1 provides:

- a.) It is the policy of the City and County of San Francisco to utilize computer technology in order to reduce the cost of public records management, including the costs of collecting, maintaining, and disclosing records subject to disclosure to member of the public under this section. To the extent that it is technologically and economically feasible, department that use computer systems to collect and store public records

Memorandum

shall program and design the systems to ensure convenient, efficient, and economical public access to records and shall make public records easily accessible over public networks such as the Internet.

b.) Department purchasing new computer systems shall attempt to reach the following goals as a means to achieve lower costs to the public in connection with the public disclosure of records;

1.) Implementing a system in which exempt information is segregated or filed separately from otherwise disclosable information.

2.) Implementing a system that permits reproduction of electronic copies of records in a format that is generally recognized as an industry standard format.

3.) Implementing a system that permits making records available through the largest non-profit, non-proprietary public computer network, consistent with the requirement for security of information.

Section 67.29-2 deals with Internet Access and World Wide Web Minimum Standards.

Section 67.29-2 provides:

Each department of the City and County of San Francisco shall maintain on a World Wide Web site, or on a comparable, readily accessible location on the Internet, information that it is required to make publicly available. Each department is encouraged to make publicly available through its World Wide Web site, as much information and as many documents as possible concerning its activities.....

The California Public Records Act is located in the state Government Code Sections 6250 et seq. All statutory references, unless stated otherwise, are to the Government Code.

Section 6253 provides.

a.) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the records after deletion of the portions that are exempted by law.

b.) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of

Memorandum

fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

c.) Each agency, upon a request for a copy of records, shall within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefore....

Section 6255 provides:

a.) The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

b.) A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing.



SUNSHINE ORDINANCE TASK FORCE
 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
 Tel. (415) 554-7724; Fax (415) 554-7854
 http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission DEPT. OF BUILDING INSPECTION

Name of individual contacted at Department or Commission MR. ALAN WHITESIDE

Alleged violation public records access
 Alleged violation of public meeting. Date of meeting _____

Sunshine Ordinance Section 67.29-2, 67.21(L), AND 67.21-1, 67.21
 (If known, please cite specific provision(s) being violated)

Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.

WE REQUESTED A COPY OF PA # 200810305471 - RE: 767 NORTH POINT ST. IN PDF FORM. MR. WHITESIDE REFUSED TO SCAN THE TWO PAGE DOCUMENT IN PDF FORM AND E-MAIL TO US. (SEE ATTACHED SUPPORTING DOCUMENTS).

Do you want a public hearing before the Sunshine Ordinance Task Force? yes no
 Do you also want a pre-hearing conference before the Complaint Committee? yes no

(Optional)¹
 Name _____ Address _____

Telephone No. _____ E-Mail Address TENANTS769NP@YAHOO.COM

Date 11-25-8 _____

I request confidentiality of my personal information. yes no

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).



Print - Close Window

Date: Thu, 13 Nov 2008 08:20:09 -0800 (PST)
From: "Tenants 769NorthPoint" <tenants769np@yahoo.com>
Subject: Re: 767 North Point Street, AP#200810305471
To: "Anita S. Lee" <Anita.Lee@sfgov.org>
CC: "Kimo Crossman" <kimo@webnetic.net>, tenants769np@yahoo.com

Sunshine Request
Immediate Disclosure Request

Dear Ms. Lee:

Please provide us with a copy of AP# 200810305471 in PDF form and e-mail it to us.

Did applicant submit plans and photo(s) with this permit?

Thank you.



Print - Close Window

Date: Thu, 13 Nov 2008 13:26:20 -0800 (PST)
From: "Tenants 769NorthPoint" <tenants769np@yahoo.com>
Subject: Re: 767 North Point Street, AP#200810305471
To: "Alan E. Whiteside" <Alan.Whiteside@sfgov.org>

Dear Mr. Whiteside;

Can you please scan to PDF and email us a copy.

Thank you.

--- "Alan E. Whiteside" <Alan.Whiteside@sfgov.org> wrote:

>
> Dear Tenants 769 North Point,
>
> We are unable to FTP and/or e-mail any documents. I
> have filled out a
> Record Request form for you to complete for the
> application. A single
> document is a 2 day turn-around. There were no
> photographs nor plans with
> this permit application. You can pick up the copy on
> November 17 or until
> December 2 and pay the minimum records charge of
> \$6.50. Please go to the
> DBI Public Information Counter at 1660 Mission to
> complete the form and to
> pick up the copy. The copy will be held under 767
> North Point.
>
> Alan
>
> Alan Whiteside, Custodian of Records
> Customer Service Division
> Department of Building Inspection
> 1650 Mission Street, Room 302
> San Francisco, CA 94103
> (415) 558-6247 Office
> (415) 575-6875 Fax
> www.sfgov.org/dbi
>
>
>
>
> Anita S.
>
> Lee/DBI/SFGOV
>
>
> To
> 11/13/2008 09:10 Alan E.
> Whiteside/DBI/SFGOV@SFGOV
> AM
> cc
> tenants
> 769np@yahoo.com,



Print - Close Window

Date: Fri, 14 Nov 2008 21:53:50 -0800 (PST)
From: "Tenants 769NorthPoint" <tenants769np@yahoo.com>
Subject: Re: 767 North Point Street, AP#200810305471
To: "Alan E. Whiteside" <Alan.Whiteside@sfgov.org>
CC: "Patty Herrera" <Patty.Herrera@sfgov.org>, "kimo" <kimo@webnetic.net>, tenants769np@yahoo.com

Dear Mr. Whiteside;

Thank you for the e-mail. Your response is unsettling with us. There are other arrangements that can be made, in addition to Mr. Crossman's suggestion. In the past, the Building director's secretary did help by scanning the documents requested in PDF form and e-mail to us.

Is it possible for the micro film division to preform this very small task? The information is stored in their computer and all they have to do is to push the buttons anyway.

With today's modern technology and energy conservation as a priority on every ones' mind, it seems counter productive and an outright abuse of our natural resources to make the public drive to the building department just to pick up a copy of a PA which contains front and back page, when this can be accomplished by pressing one button on a computer.

Please provide a copy of this AP#200810305471 in PD form and e-mail to us.

Thank you.

"Alan E. Whiteside" <Alan.Whiteside@sfgov.org> wrote:

Tenants 769 North Point,
We are not equipped to scan and email any documents. You may pick them up at 1660 Mission St.

Alan Whiteside, Custodian of Records
Customer Service Division
Department of Building Inspection
1650 Mission Street, Room 302
San Francisco, CA 94103
(415) 558-6247 Office
(415) 575-6875 Fax
www.sfgov.org/dbi

Tenants
769NorthPoint

oo.com> "Alan E. Whiteside"

11/13/2008 01:24 cc

PM

Subject

Re: 767 North Point Street,
AP#200810305471



Print - Close Window

Date: Fri, 14 Nov 2008 22:02:57 -0800 (PST)
From: "Tenants 769NorthPoint" <tenants769np@yahoo.com>
Subject: Scanner is available in DBI
To: "Alan E. Whiteside" <Alan.Whiteside@sfgov.org>
CC: "Patty Herrera" <Patty.Herrera@sfgov.org>, "kimo" <kimo@webnetic.net>, tenants769np@yahoo.com

Dear Mr. Whiteside;

Please see the e-mail below.

Thank you.

"Anita S. Lee" <Anita.Lee@sfgov.org> wrote:

Subject: Fw: Request for 2642-44 Hyde Street
 To: tenants769np@yahoo.com
 CC: Lou Aurea <Lou.Aurea@sfgov.org>, William Strawn <william.strawn@sfgov.org>
 From: "Anita S. Lee" <Anita.Lee@sfgov.org>
 Date: Wed, 3 Sep 2008 15:22:00 -0700

Dear customers,

Our Director's secretary who has the scanner has e-mailed the documents to you as requested. If you have not received it, please contact me again.

Anita Lee
 Central Permit Bureau
 Department of Building Inspection
 1660 Mission Street 1st floor, San Francisco, Ca. 94103
 Phone #558-6073

— Forwarded by Anita S. Lee/DBI/SFGOV on 09/03/2008 03:21 PM —

Carolyn
 Jayin/DBI/SFGOV
 To
 09/02/2008 10:51 tenants769np@yahoo.com
 AM cc
 Lou Aurea/DBI/SFGOV@SFGOV, Anita S.
 Lee/DBI/SFGOV@SFGOV, William
 Strawn/DBI/SFGOV@SFGOV
 Subject
 Request for 2642-44 Hyde Street



Print - Close Window

Date: Thu, 20 Nov 2008 08:04:20 -0800 (PST)
From: "Tenants 769NorthPoint" <tenants769np@yahoo.com>
Subject: Re: 767 North Point Street, PA#200810305471
To: "Alan E. Whiteside" <Alan.Whiteside@sfgov.org>
CC: "Patty Herrera" <Patty.Herrera@sfgov.org>, "Kimo Crossman" <kimo@webnetic.net>, tenants769np@yahoo.com

Dear Mr. Whiteside:

We are still waiting for a PDF copy of the PA # 200810305471 for 767 North Point Street, please e-mail it to us.

Thank you.

"Alan E. Whiteside" <Alan.Whiteside@sfgov.org> wrote:

Tenants 769 North Point,
 We are not equipped to scan and email any documents. You may pick them up at 1660 Mission St.

Alan Whiteside, Custodian of Records
 Customer Service Division
 Department of Building Inspection
 1650 Mission Street, Room 302
 San Francisco, CA 94103
 (415) 558-6247 Office
 (415) 575-6875 Fax
 www.sfgov.org/dbi

Tenants
 769NorthPoint

oo.com> "Alan E. Whiteside"

11/13/2008 01:24 cc
 PM
 Subject
 Re: 767 North Point Street,
 AP#200810305471

Dear Mr. Whiteside;



Print - Close Window

Date: Thu, 20 Nov 2008 08:40:44 -0800
From: "kimo" <kimo@webnetic.net>
To: "Tenants 769NorthPoint" <tenants769np@yahoo.com>
Subject: Re: 767 North Point Street, PA#200810305471
CC: "Alan E. Whiteside" <Alan.Whiteside@sfgov.org>, "Patty Herrera" <Patty.Herrera@sfgov.org>

I am as well please send PDF promptly

On Thu, Nov 20, 2008 at 8:04 AM, Tenants 769NorthPoint <tenants769np@yahoo.com> wrote:
 Dear Mr. Whiteside:

We are still waiting for a PDF copy of the PA # 200810305471 for 767 North Point Street, please e-mail it to us.

Thank you.

"Alan E. Whiteside" <Alan.Whiteside@sfgov.org> wrote:

Tenants 769 North Point,
 We are not equipped to scan and email any documents. You may pick them up at 1660 Mission St.

Alan Whiteside, Custodian of Records
 Customer Service Division
 Department of Building Inspection
 1650 Mission Street, Room 302
 San Francisco, CA 94103
 (415) 558-6247 Office
 (415) 575-6875 Fax
 www.sfgov.org/dbi

Tenants
 769NorthPoint

oo.com> "Alan E. Whiteside"


11/13/2008 01:24 cc
 PM
 Subject
 Re: 767 North Point Street,
 AP#200810305471

William Strawn/DBI/SFGOV
12/05/2008 10:37 AM

To SOTF/SOTF/SFGOV@SFGOV, Vivian
Day/DBI/SFGOV@SFGOV, Alan E.
Whiteside/DBI/SFGOV@SFGOV, William

cc

bcc

Subject Re: Sunshine Complaint Received: #08054_Anonymous v
Building Inspection 

Mr Rustom

We do contest jurisdiction on this complaint, and will plan to meet with you on Jan. 13 on this matter.

Sincerely,
William Strawn
SOTF



Tenants 769NorthPoint
<tenants769np@yahoo.com>

12/15/2008 08:52 PM

To william.strawn@sfgov.org
cc soft@sfgov.org, grossman356@mac.com,
kimo@webnetic.net, home@prosf.org, chaffeej@pacbell.net,
tenants769np@yahoo.com
bcc

Subject Re: Contesting Jurisdiction of complaint #08054_Anonymous
v Building Inspection

SUNSHINE REQUEST
IMMEDIATE DISCLOSURE REQUEST

Dear Mr. Strawn:

Please provide your legal basis for contesting
Jurisdiction of the above captioned complaint #08054.

Thank you.



SOTF/SOTF/SFGOV
12/18/2008 04:06 PM

To Tenants 769NorthPoint <tenants769np@yahoo.com>
cc William Strawn/DBI/SFGOV@SFGOV
bcc

Subject Response: Jurisdiction contested #08054_Anonymous v Building Inspection

Dear Anonymous Tenants,

SOTF complaint procedures only requires that the department submit a response to the charges, which they did. The procedure does not require the department to explain their response. No waiver was granted to the department as you allege.

Chris Rustom
Asst. Administrator
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
SOTF@SFGov.org
OFC: (415) 554-7724
FAX: (415) 554-7854

Complete a SOTF Customer Satisfaction Survey by clicking the link below.
http://www.sfgov.org/site/sunshine_form.asp?id=34307
Tenants 769NorthPoint <tenants769np@yahoo.com>



Tenants 769NorthPoint
<tenants769np@yahoo.com>

12/17/2008 09:39 AM

To soft@sfgov.org
cc kimo@webnetic.net, grossman356@mac.com,
chaffeej@pacbell.net, tenants769np@yahoo.com
Subject Jurisdiction contested #08054_Anonymous v Building Inspection

Sunshine Request
Immediate Disclosure Request

Dear Mr. Rustom:

SOTF procedures require a written detailed legal response (and not just NO Merit) to a complaint in five days.
Please inform us the SOTF code/procedure that allows your office to waive this SOTF procedure on Mr. William Strawn at DBI who simply stated: "We do contest jurisdiction on this complaint, and will plan to meet with you on Jan. 13 on this matter."

Please let us know what is Ms. Strawn's legal basis for his jurisdiction contest?

Thank you.

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