

Date: April 27, 2010

Item No. 11 &12
File No. 10012

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Ellen Tsang against the Planning Department**
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Chris Rustom

Date: April 22

***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.



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 Planning Department

Name of individual contacted at Department or Commission Ms. Anges Lau at Planning Department

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

Sunshine Ordinance Section 67.21; 67.25; 67.26; 67.27; etc.
(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.

Please see Statement of facts (1 page) and Exh. A (3 pages)
attached.

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 Ellen Tsang Address _____

Telephone No. _____ E-Mail Address tsangt123@yahoo.com

Date 3/29/10 _____

I request confidentiality of my personal information. yes no Signature

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).

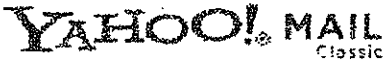
STATEMENT OF FACTS

On March 24, 2010 I made a Sunshine Request, Immediate Disclosure Request to Ms. Agnes Lau of Planning Department for public record by asking her to email the public record to me (Exh. A)

Ms. Lau should have responded to my immediately disclosure request "no later than the close of business on the day following the day of request" as required by law.

As of March 29, 2010 she did not respond to my request and did not produce any public record.

Exh. A



Re: your email to DBI dated 2/12/10 09:02

Wednesday, March 24, 2010 5:16 PM

From: "Ellen Tsang" <tsangt123@yahoo.com>

To: Agnes.Lau@sfgov.org

Cc: tsangt123@yahoo.com

2 Files (454KB)

Agnes Lau's Agnes Lau's

Sunshine Request
Immediate Disclosure Request

Dear Ms. Agnes Lau:

Your email to Dept. of Building Inspection dated 2/12/10 stated that "We have received a few complaints for violations of the Building Code"
(see your letter attached page 1 and 2)

Public record requested:

Please e-mail me with the documents/records relating to the complaint listed as #5:
the date of the complaint, where the complaint was originated, description of the complaint, etc.

Thank you.

Sincerely yours,

Ellen Tsang



Fw: Various Complaints

Thursday, February 25, 2010 6:46 PM

From: "William Strawn" <william.strawn@sfgov.org>

To: "Elen Tsang" <tsangt123@yahoo.com>

Cc: "William Strawn" <william.strawn@sfgov.org>, "Pamela Levin" <pamela.levin@sfgov.org>, "Edward Sweeney" <edward.sweeney@sfgov.org>

Ms Tsang. Please find below the email you requested earlier today, per your Sunshine request.

Thank you.

William Strawn

----- Original Message -----

From: Christina Wang

Sent: 02/25/2010 04:54 PM PST

To: William Strawn

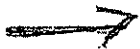
Subject: Fw: Various Complaints

Hi Bill:

Forward the e-mail from Planning Department that we received on 2/12/10.

----- Forwarded by Christina Wang/DBI/SFGOV on 02/25/2010 04:54 PM -----

Agnes
Lau/CTYPLN/SFGOV



02/12/2010 09:02
AM

To
dbi.bid.complaints@sfgov.org
cc

Subject

Various Complaints

To: Department of Building Inspection Division



We have received a few complaints for violations of the Building Code and we would like to refer to you for investigation and appropriate actions. Complaints of violations are as follows:

- 1) 214 Texas Street - illegal unit

EXH A/P 2

2/26/2010 8:26 AM

Mar 30 10 03:39p

2) 126 - 8th Avenue - new front windows (not wooden) without permit

3) 903 Guerrero St - install windows without permit and they just cut a hole and install the brand new window (work done during the weekend)

4) illegal unit being added in the basement (construction in daily basis for the last four months); also doing electrical, plumbing and reconfiguration work 6 days a week

→ 5) 769 North Point - illegal oversized storage shed in rear yard, the Rear Yard Variance and related Building Permit Application #200010254059 to legalize the shed have already been denied by Planning Dept. The shed must be reduced in size.

6) 31 Alta Street - Application 2004025334 - fraudulent plans for curb cut - need to restore
Complainant: David Grassi - Tel. 552-4125

Thank you
Agnes Lau
San Francisco Planning Department

March 29, 2010

To: Mr. Chris Rustom
SOTF

Fax No. 415-554-7854

From: Ellen Tsang
Email: Tsangt123@yahoo.com

Total pages including this cover page: 7 pages

Dear Mr. Rustom:

I am faxing you my Sunshine Ordinance Complaint Form (1 page), Statement of Facts (1 page) and Exh. A (3 pages)

Please inform me the complaint number when you assign one.

Thank you very much.

Ellen Tsang

3/30/2010

Dear Mr. Rustom:

per your request. I am faxing my complaint again.

Thank you

Ellen Tsang



Ellen Tsang
<tsangt123@yahoo.com>
04/19/2010 10:05 PM

To SOTF <sof@sfgov.org>, Linda Avery
<Linda.Avery@sfgov.org>
cc Linda Avery <Linda.Avery@sfgov.org>, Agnes Lau
<Agnes.Lau@sfgov.org>, Brian Smith
<Brian.Smith@sfgov.org>, John Rahaim
bcc

Subject Re: Sunshine Complaint Received: #10012_Ellen Tsang v
Planning Department

Dear Mr. Rustom:

On 4/19/2010 Ms. Linda Avery emailed you her letter by informing you that on May 1, 2010 Mr. Jonas Ionin will be the custodian of records for Planning Department and until May 1, Mr. Brian Smith has been the custodian of records for Planning Department while Ms. Avery continues to oversee.

Ms. Avery attached three attachments to her email:

- 1) First attachment is my Sunshine Ordinance Complaint dated 3/29/10 (1 page);
- 2) Second attachment is my supporting documents to my complaint (6 pages) and
- 3) Third attachment is Sunshine Complaint Procedure (5 pages).

However she did not respond to my Sunshine Complaint nor did she provide any document.

Thank you for your attention.

Ellen Tsang

--- On Mon, 4/19/10, Linda Avery <Linda.Avery@sfgov.org> wrote:

From: Linda Avery <Linda.Avery@sfgov.org>
Subject: Re: Sunshine Complaint Received: #10012_Ellen Tsang v Planning Department
To: "SOTF" <sof@sfgov.org>
Cc: "Agnes Lau" <Agnes.Lau@sfgov.org>, "Brian Smith" <Brian.Smith@sfgov.org>, "John Rahaim" <John.Rahaim@sfgov.org>, tsangt123@yahoo.com
Date: Monday, April 19, 2010, 9:42 AM

Hi Chris.

Please inform the Task Force that as of May 1, you should replace my name with that of Jonas Ionin. At that time, Mr. Ionin will assume the responsibilities of Custodian of Records for the San Francisco Planning Department. Until that time, Mr. Brian Smith has assumed interim responsibilities while I continue to oversee. Please let me know if you have any questions or concerns. Thank you.

Linda D. Avery-Herbert

Director of Commission Affairs
SAN FRANCISCO PLANNING COMMISSION &
SAN FRANCISCO HISTORIC PRESERVATION COMMISSION
1650 MISSION STREET – SUITE 400
SAN FRANCISCO, CA 94103-2414
TEL: 415.558.6407 – FAX: 415.558.6409
WEBSITE: www.sfgov.org/planning
