Date: April 28, 2009

Item No. 2 & 3
File No. 09007

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- [x] David Larkin v Public Works
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]

Completed by: Chris Rustom **Date:** April 24, 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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CITY AND COUNTY OF SAN FRANCISCO

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City Attorney

OFFICE OF THE CITY ATTORNEY

ERNEST H. LLORENTE
Deputy City Attorney

DIRECT DIAL: (415) 554-4236
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MEMORANDUM

March 13, 2009

DAVID LARKIN v. DEPARTMENT OF PUBLIC WORKS (09007)

COMPLAINT

THE COMPLAINANT ALLEGES THE FOLLOWING FACTS:

On January 7, 2009, Complainant David Larkin requested information about an investigation about the conduct of DPW surveyor Bruce Storrs following a complaint filed by David Larkin against Bruce Storrs. The investigation was conducted by Bureau manager Barbara Moy. Frank Lee of DPW disclosed some records but withheld others citing California Public Records Act 6254(c) and Article 1, Section of the California Constitution. The basis for the redaction or withholding of information cited by DPW is because the disclosure of the record would constitute an unwarranted invasion of personal privacy.

COMPLAINANT FILES COMPLAINT:

On January 29,2009 filed a complaint against the DPW Office and Barbara Moy alleging violations of the Sunshine Ordinance and the Public Records Act.

THE RESPONDENT AGENCY STATES THE FOLLOWING:

On March 10, 2009, Frank Lee, the Custodian of Records for the Department of Public Works appeared before the Complaints Committee and stated that the Department was responsive to the request for records and only withheld three documents because the records were exempt from disclosure because the disclosure would constitute an unwarranted invasion of personal privacy under State Government Code Section 6254(c). In addition the records of investigation did not result in a finding of employee misconduct and would not be disclosable under Section 67.24(c)(7) of the Sunshine Ordinance.

Memorandum

APPLICABLE STATUTORY SECTION;

1. Sunshine Ordinance § 67.21 addresses general requests for public documents.
2. Sunshine Ordinance § 67.25 addresses Immediate Disclosure Requests.
3. Sunshine Ordinance § 67.26 deals with redaction of records.
4. Sunshine Ordinance § 67.27 addresses legal justification for withholding of records.
5. Sunshine Ordinance § 67.24 addresses records that are subject to disclosure
6. State Government Code § 6253 addresses requests for public records.
7. State Government Code § 6255 addresses legal justification for withholding of records.
8. State Government Code § 6254 addresses exemptions from disclosure
9. State Constitution Article 1 address public information and rights of privacy.

APPLICABLE CASE LAW:

none

ISSUES TO BE DETERMINED

1. FACTUAL ISSUES

A. Uncontested Facts:

- David Larkin requested information about an investigation about a complaint for misconduct involving staffer Storrs.
- DPW provided some information and withheld others citing privacy concerns.

B. Contested facts/ Facts in dispute:

The Task Force must determine what facts are true.

i. Relevant facts in dispute:

- Whether the withheld items are exempt from disclosure due to valid/recognizable privacy concerns/

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS;

- What is the substance of the withheld documents?
- Can the substance be disclosed without disclosing the identities of the witnesses?
- What is the privacy concerns of the witnesses?

Memorandum

LEGAL ISSUES/LEGAL DETERMINATIONS;

- **Were sections of the Sunshine Ordinance (Section 67.21), Brown Act, 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 STATE CONSTITUTION, ARTICLE I, SECTION 1

§1 Inalienable rights

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.

THE CALIFORNIA CONSTITUTION , ARTICLE I, SECTION 3 AS AMENDED BY PROPOSITION 59 IN 2004 TO PROVIDE 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.

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.

Memorandum

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 (emphasis added) 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.

Section 67.24 (c)(7) addresses specific Public Information that must be disclosed.

Section 67.24(c)(7) provides:

The record of any confirmed misconduct of a public employee involving personal dishonesty, misappropriation of public funds, resources or benefits, unlawful discrimination against another on the basis of status, abuse of authority, or violence, and of any discipline imposed for such misconduct.

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 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....

Memorandum

d.) Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records. The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial.

Section 6254 (c) provides:

Except as provided in Sections 6254.7 and 6254.13, nothing in this chapter shall be construed to require disclosure of records that are any of the following:...
(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

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.

To whom this may concern.

I am writing this in regards to my complaint I filed with the D.P.W. in November 2008 against Mr. Bruce Storrs, County Surveyor. I believe both Mr. Storrs and Ms. Moy have acted in a bias and unacceptable manner, and Ms. Moy's findings only highlight her disregard to act in a neutral fashion.

Ms. Barbra Moy in her 12/17/08 email made a determination that Mr. Storrs behavior on November 14, 2008 was acceptable and the level of service I received from Mr. Storrs and the Department of Mapping that day was consistent with their customer service protocols.

A brief history of my past contact with the Department of Mapping and Mr. Bruce Storrs

I believe this is what led up to Mr. Storrs unprofessional and illegal behavior on November 14, 08.

I first contacted Mr. Storrs in June, 05 asking him to review/record my survey as required by law. In his June 28 email, Mr. Storrs said he would review/record my survey within 2 months

Mr. Storrs did not review my survey until 03/08/06, 9 months later in violation of State Law.

I informed Ms Barbara Moy on 10/31/05 that Mr. Storrs has yet to review/record my survey and was neglecting to follow State Law by not recording my survey per #8766 of the Business and Professions Code. (State law says he has 20 days from receiving my survey to review/record it). Ms. Moy did not respond to me and took no action.

I emailed Ms. Olga Ryerson of the D.P.W. asking her to intervene on my behalf. She never responded to me and took no action to get Mr. Storrs to record my survey as required by law.

Mr. Storrs in a November 10, email informs Mr. Edwin Lee (Director of the D.P.W), Robert Beck and Barbara Moy that he has no intention of recoding my survey, again in direct violation of the Business and Professions Code. Mr. Storrs has no right legal or otherwise as County Surveyor to make such a determination..

As of 11/14/05 Mr. Lee, Ms. Moy, Ms. Ryerson never responded, took no action and refused to compel Mr. Storrs to abide by California Business and Professions Code #8766..

On 11/14/05 I ask the B.P.E.L.S California (Board of Professional Engineers and Land Surveyors) for their opinion and help. They immediately open a complaint against Mr. Storrs based on his emails and his failure to follow the Business and Professions Code. I was not a party to this complaint.

On 3/27/06 Mr. Storrs in violation of the Sunshine Act tried to charge me $125 for staff time to reproduce some surveys. Mr. Storrs after being notified by Mr. Frank Darby of the Sunshine Ordinance Task Force, Mr. Storrs withdrew his fees. I believe this was in retaliation for advising the B.P.E.L.S. of his illegal behavior.

Hi I Filed A complaint Against The D.P.W
I would like To Know if There is Anything else
I can do. I can be reached At 415-948-5117
or DAvidLArkin1@YAhoo.Com

Thanks
David Larkin

A brief summary of my current complaint.

I emailed Bruce Storrs on 11/12 requesting a copy of a survey that I am legally entitled to.

I got no response

I went to the department of mapping on 11/14 and asked the oriental girl at the front desk if there was a survey for me. She looked around and said no, she then went to Bruce Storrs's office and he came out.

Bruce asked me if I was Mr. Larkin and I said yes. He told me he wasn't going to give me a survey and I asked why. He said because I opened a complaint against him in 2005 and to get out of his office, He said he wasn't even going to talk to me and walked away..

The girl at the front desk came back and I asked her for Bruce's supervisor's name, she asked why and I said because he wouldn't give me a copy of a survey, she said she would make me a copy. She went to get a copy and Bruce followed her into an office and told her not to make me a copy.

Bruce then walked over to me and confronted me a second time. He said "I should know who my friends are" and stood within a few feet of me telling me he was no longer going to talk to me, and get out of his office. When I just stood and he told me at least 4 more times to get out of his office and he wasn't going to talk to me. I was not in his office but the public area in front of the main counter.

I went right over to the D.P.W. office at City Hall and talked to a Christine Falvey (415-554-6931) who took my complaint. She forwarded my complaint to Ms. Moy who 2 years previous took no action against Mr. Storrs even when he was in direct violation of State Law.

Ms. Moy on December 17,found that Mr. Storrs did nothing wrong.

Mr. Storrs has no right to threaten me by saying . "I should know who my friends are"
Mr. Storrs has no right to confront and accuse me of opening a complaint against him. I did not open a complaint against him, the State of California did and I was not party to that complaint.
Mr. Storrs has no right to force me leave the public area of the Mapping Department. I was not in his office but in the public area.
Mr. Storrs has no right to refuse to supply me with a copy of a map I am legally entitled to.
Mr. Storrs has no right to make me the first person in the history of the Mapping Department to go through the sunshine ordinance to get a copy of a map.

Ms. Moy decision in 2005 not to compel Mr. Storrs to comply with State law is only a precursor to her continuing condoning of this type of behavior from Mr. Storrs. It demonstrates her bias and impartiality against me her propensity to protect Mr. Storrs. Ms. Moy's investigation is a sham should be reopened and my complaint should be reviewed by an impartial neutral party.

I have emails, and other documents to back up accusations, and can provide them. I also wish to include Ms. Barbara Moy of the Department of Public Works in my complaint.

For Ms. Moy to find that Mr. Storrs and his staff have provided me with the level of service that is consistent with their customer service protocols is ridiculous.

I will be happy to answer any other question you may have

Thank You

David Larkin
Davidlarkin1@yahoo.com

From: Falvey, Christine
Sent: Tuesday, November 18, 2008 12:29 PM
To: Moy, Barbara L
Subject: FW: Burce Storrs

what can i tell him (just that I forwarded complaint to you, and you will be contacting him?)

From: Moy, Barbara L
Sent: Tuesday, November 18, 2008 12:43 PM
To: Falvey, Christine
Subject: RE: Burce Storrs

Yes I will call him tomorrow.

I'll be at City hall all afternoon...

From: Falvey, Christine
Sent: Tuesday, November 18, 2008 1:12 PM
To:
Subject: RE: Burce Storrs

David,

Thank you for checking in. I referred your complaint to Barbara Moy, Bureau Manager of the Bureau of Street Use and Mapping and Ed Reiskin, Director of Public Works. Ms. Moy will be responding to your complaint this week.

From: Moy, Barbara L
Sent: Monday, December 01, 2008 10:16 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

Christine,

I'll call him.. I spoke to him week before last.

From: Moy, Barbara L
Sent: Monday, December 01, 2008 10:32 AM
To:
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

From: Falvey, Christine
Sent: Tuesday, December 09, 2008 8:28 AM
To: Moy, Barbara L
Subject: RE: Bruce Storss

has the dept. formally responded to his complaint?

From: Moy, Barbara L
Sent: Tuesday, December 09, 2008 8:32 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

No... I am still working on that.... I wrote to Mr Larkin late last week that I was getting more statements which was taking longer than I thought given the thanksgiving holidays.

From: Falvey, Christine
Sent: Monday, December 15, 2008 10:02 AM
To: Moy, Barbara L
Subject: FW: My complaint

barbara, any update?

From: Moy, Barbara L
Sent: Monday, December 15, 2008 11:03 AM
To: Falvey, Christine
Subject: RE: My complaint

I will write to him... I got some more statements.

From: Falvey, Christine
Sent: Tuesday, December 16, 2008 4:05 PM
To: Moy, Barbara L; Reiskin, Ed
Subject: FW: My complaint

Follow Up Flag: Follow up
Flag Status: Flagged

Barbara and Ed, Want to send this along. Do we have anything to report to D. Larkin?

From: "Moy, Barbara L" Barbara.Moy@sfdpw.org

12/17/08

To: "'dgl888@pacbell.net'" <dgl888@pacbell.net>

Mr. Larkin,

I am addressing your specific complaint about Bruce Storrs, County Surveyor related to your visit to our offices on the afternoon of November 14th. You have expressed other concerns regarding the process for getting copies of maps and other documents. You requested maps as well as letters/documents which required review and possible redaction of private information in consultation with the City Attorney's office as necessary. Mr. Frank Lee has responded to your various requests for documents from our files and has provided all that you have requested. I will therefore only address the incident of November 14th and your specific complaint about Mr. Storrs

Background on your complaint:

You contacted Christine Falvey, in the Director's office on Friday November 14th. Ms. Falvey contacted me to share your concerns.

I called you on November 19th, to discuss your complaint. In summary, you indicated you came to our office on Friday afternoon and were not given a copy of a map during your visit. You felt that you were being treated differently than other members of the public. You believe that Mr. Storrs holds you responsible for a "complaint" to the Board of Professional Engineers and Land Surveyors regarding a map review a few years ago. You indicated that you did not file a complaint but did make an inquiry to the BPELS. I advised you that I would need to review the situation and that I would get back to you as soon as possible

On Monday December 8th, after not hearing the results of my review, you wrote to me, unhappy that I had not yet replied to you. In your email you stated that on November 14th, "Mr. Storrs came out of his office, confronted me, made false accusations, made what might be consider threatening remarks and refused to supply me with a copy of a survey that I am legally entitled to." You also voiced your issues with the timeliness of the review and approval of a Record of Survey "more than 2 years ago". While this is not the specific issue at hand, you felt that the inquiry you made to the State Board concerning the timeliness of map reviews led to Mr. Storrs' actions on November 14th.

I have individually interviewed the staff who were present during your visit on November 14th. Based on those interviews, I cannot substantiate the claims you put forward. I believe Mr. Storrs and his staff have provided you with the level of service that is consistent with our customer service protocols. I recognize that in the past you have received copies of maps directly from Mr. Storrs' staff in person and have obtained a copy on the spot. This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you.

If you have any further questions or comments, please do not hesitate to contact me.

From: [mailto:]
Sent: Tuesday, November 18, 2008 11:31 AM
To: Falvey, Christine
Subject: Burce Storrs

Ms. Falvey

I would like to get an update on the situations that occured last week concerning Mr. Bruce Storrs.

Thank You
David Larkin

From: Falvey, Christine
Sent: Tuesday, November 18, 2008 12:29 PM
To: Moy, Barbara L
Subject: FW: Burce Storrs

what can i tell him (just that I forwarded complaint to you, and you will be contacting him?)

From: Moy, Barbara L
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Yes I will call him tomorrow.

I'll be at City hall all afternoon..

From: Falvey, Christine
Sent: Tuesday, November 18, 2008 1:12 PM
To:
Subject: RE: Burce Storrs

David,

Thank you for checking in. I referred your complaint to Barbara Moy, Bureau Manager of the Bureau of Street Use and Mapping and Ed Reiskin, Director of Public Works. Ms. Moy will be responding to your complaint this week.

From:
Sent: Monday, December 01, 2008 9:45 AM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: Bruce Storss

Mrs. Moy

I would like an update of my complaint against Mr. Storrs.

From: Moy, Barbara L
Sent: Monday, December 01, 2008 10:16 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

Christine,

I'll call him.. I spoke to him week before last.

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Sent: Monday, December 01, 2008 10:32 AM
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Cc: Falvey, Christine
Subject: RE: Bruce Storss

Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

Thank you.

Barbara Moy

From: [mailto:
Sent: Monday, December 08, 2008 6:22 PM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Ms. Moy

I am very unhappy with this entire matter and the way it is being handled. This is not the first time or even the second time Mr. Storrs has shown bias towards me.

It has been a week since we last communicated and I still have not received your reply. I do not understand why it has taken over three weeks to talk to a couple of people in his office with no visible progress/results. Mr. Storrs came out of his office, confronted me, made false accusations, made what might be consider threatening remarks and refused to supply me with a copy of a survey that I am legally entitled to.

The first time I asked for the D.P.W.s help they looked the other way forcing me to seek help from and outside agency at my time and expense. I hope the D.P.W. is not asking me to do so a second time

Over two years ago I asked the D.P.W. to intervene on my behalf and have Mr. Storrs simply follow the rules of the California Business and Professions Code. After numerous emails the D.P.W. took the position that Mr. Storrs was head of that department, competent, and his decisions were final. By taking that stand the D.P.W. left me no choice but get a second opinion from the B.P.E.L.S. The B.P.E.L.S. immediately upon reviewing Mr. Storrs's and the D.P.W. responses opened a complaint against Mr. Storrs (County Surveyor of San Francisco). I did not open a complaint, listed in that complaint nor was I involved in any way with that complaint other than asking for the State's opinion if Mr. Storrs was following state law, and getting my survey recorded in a timely manner as legally required by the State. Mr. Storrs now holds me responsible for that complaint when in fact it was his failure to follow State law even after being asked numerous times
to do so. I can supply all the emails and other documents to back up my claim.

(1) It has taken me nearly a month just to get copies of the two surveys on 8 ½ x 11 size paper. I have been unsuccessful and it should not be my responsibility in getting these 8 ½ x 11 size maps enlarged to the California State required size of 16"x24". Previously Mr. Gallup upon receiving my email would always make me a 16" x 24" copy usually that day, the cost would be $5.00 and hassle free. The Department of Mapping has that capability but apparently they do not wish to do so in my case.

(2) I also firmly believe that not all of the correspondence that I originally asked for in my sunshine act request of 11/14/08 has been turned over to me.

Until this matter is resolved, The Mapping Department should not treat me any differently than anyone else.

(1) I am now demanding that the Department of Mapping stop producing 16" x 24" maps to anyone, (surveyors, or public). All maps from the Department of Mapping (even maps retuned to surveyors for corrections), should now be produced on 8 ½" x 11" size paper only.

(2) I am now demanding that the Department of Mapping immediately change its procedures and require all request for maps, condo records or any other information be made through the sunshine act as I have to do.

Mr. Storrs is well aware of the sunshine ordinance and its rules and regulations. Mr. Storrs once tried to charge me staff time of $125 to produce some maps. I was again forced to have an outside agency (the sunshine ordinance taskforce) informed Mr. Storrs that was he was doing was inappropriate. I have the documents to back this up

I believe Mr. Storrs forced me to be the first person ever, to go through the sunshine act to get a copy of a map from his department that I was legally entitled to.

I should not be treated differently than anyone else asking for information from the Mapping Department.

Mr. Storrs through his actions of telling me to leave his office (I was not in his office but the public area), came out of his office and confronted me, falsely accused me of filing a complaint against him with the State of California,

making remarks such as "I should know who my friends are" and refused to give me a map I am legally entitled to has left me very hesitant and somewhat afraid to ever deal with the Department of Mapping in the future.
Mr. Storrs uninitiated this fiasco over two years ago and continues to make this personal. All I originally wanted was one copy of one map that I requested the day before, was legally entitled to and could have been produced in less than 5 minutes. Mr. Storrs turned this simply request into a never ending three year nightmare for me.
I am seriously considering filing a formal complaint against Mr. Bruce Storrs.

David Larkin

From: Moy, Barbara L
Sent: Tuesday, December 09, 2008 8:32 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

No... I am still working on that.... I wrote to Mr Larkin late last week that I was getting more statements which was taking longer than I thought given the thanksgiving holidays.

From: Falvey, Christine
Sent: Tuesday, December 09, 2008 8:28 AM
To: Moy, Barbara L
Subject: RE: Bruce Storss

has the dept. formally responded to his complaint?

From:
Sent: Monday, December 15, 2008 9:12 AM
To: Falvey, Christine
Subject: My complaint

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Falvey

It has been over a month and still no results on my complaint against Mr. Storrs.

I contacted Ms. Moy over two weeks ago,(December 1,) asking about the status of my complaint. Her reply was

"Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

Thank you.

Barbara Moy"

She never replied and this is not the first time my complaint against Mr.Storrs has been ignored by the D.P.W.

I am asking you to intervene on my behalf. If I do not hear back with the results of my complaint by Wednesday afternoon I will be left with no choice but to file a complaint with the "Whistle Blowers program"

Thank You
David Larkin

From: Falvey, Christine
Sent: Monday, December 15, 2008 10:02 AM
To: Moy, Barbara L.
Subject: FW: My complaint

barbara, any update?

From: Moy, Barbara L
Sent: Monday, December 15, 2008 11:03 AM
To: Falvey, Christine
Subject: RE: My complaint

I will write to him... I got some more statements.

From: Falvey, Christine
Sent: Tuesday, December 16, 2008 4:05 PM
To: Moy, Barbara L; Reiskin, Ed
Subject: FW: My complaint

Follow Up Flag: Follow up
Flag Status: Flagged

Barbara and Ed, Want to send this along. Do we have anything to report to D. Larkin?

Ms. Moy response to my complaint against Mr. Storrs

Flag this message

Your Complaint regarding Bruce Storrs

Wednesday, December 17, 2008 7:42 AM

From:

"Moy, Barbara L" <Barbara.Moy@sfdpw.org>

View contact details

To:

"'dgl888@pacbell.net'" <dgl888@pacbell.net>

Mr. Larkin,

I am addressing your specific complaint about Bruce Storrs, County Surveyor related to your visit to our offices on the afternoon of November 14th. You have expressed other concerns regarding the process for getting copies of maps and other documents. You requested maps as well as letters/documents which required review and possible redaction of private information in consultation with the City Attorney's office as necessary. Mr. Frank Lee has responded to your various requests for documents from our files and has provided all that you have requested. I will therefore only address the incident of November 14th and your specific complaint about Mr. Storrs

Background on your complaint:

You contacted Christine Falvey, in the Director's office on Friday November 14th. Ms. Falvey contacted me to share your concerns.

I called you on November 19th, to discuss your complaint. In summary, you indicated you came to our office on Friday afternoon and were not given a copy of a map during your visit. You felt that you were being treated differently than other members of the public. You believe that Mr. Storrs holds you responsible for a "complaint" to the Board of Professional Engineers and Land Surveyors regarding a map review a few years ago. You indicated that you did not file a complaint but did make an inquiry to the

BPELS. I advised you that I would need to review the situation and that I would get back to you as soon as possible

On Monday December 8th, after not hearing the results of my review, you wrote to me, unhappy that I had not yet replied to you. In your email you stated that on November 14th, "Mr. Storrs came out of his office, confronted me, made false accusations, made what might be consider threatening remarks and refused to supply me with a copy of a survey that I am legally entitled to." You also voiced your issues with the timeliness of the review and approval of a Record of Survey "more than 2 years ago". While this is not the specific issue at hand, you felt that the inquiry you made to the State Board concerning the timeliness of map reviews led to Mr. Storrs' actions on November 14th.

I have individually interviewed the staff who were present during your visit on November 14th. Based on those interviews, I cannot substantiate the claims you put forward. I believe Mr. Storrs and his staff have provided you with the level of service that is consistent with our customer service protocols. I recognize that in the past you have received copies of maps directly from Mr. Storrs' staff in person and have obtained a copy on the spot. This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you.

If you have any further questions or comments, please do not hesitate to contact me.

From:
Sent: Thursday, December 18, 2008 7:56 AM
To: Falvey, Christine
Subject: Re: Your Complaint regarding Bruce Storrs

Mr. Falvey

I believe Ms. Moy decision was bias as was her decision 2 years ago. The actions of Mr. Storrs should not be condoned. This is the second time she allowed Mr. Storrs to violate either State law or city code. Mr. Storrs has no right to treat me differently than any one else,or lmake threats but apparently Ms. Moy disagrees. I asked 311 to intervene through the whistle blower's program. I also do not agree with Ms. Moy decision to have the public go through her department to get maps, simple because of Mr. Storrs childish behavior.

I do not believe Ms. Moy addressed Mr. Storrs behavior that day, with him personally demanding I leave the public area of the mapping department, or bringing up a complaint as the reason he is treating me as the first person ever to have to go through the sunshine act to get a map. She did not address many other parts of my complaint but simple said Mr. Storrs acted appropratly. By allowing this type of behavior to continue shows her bias and allows Mr. Storrs to continue to act in a way that the city should not tolerate.

Please email me if you wish to discuss this further.

David Larkin

From: [redacted]
Sent: Tuesday, January 06, 2009 5:53 PM
To: Falvey, Christine
Cc: Lee, Frank W; DPW; Moy, Barbara L
Subject: complaint Bruce Storrs, Barbara Moy

Ms. Falvey

You failed to respond to my letter dated December 18, 08, As you can guess I am very disappointed in Ms. Moy's decision that Mr. Storrs actions that day were acceptable. I find it ridiculous that his behavior was found acceptable. I would like to hear from you and get your opinion if Mr. Storrs actions that day were at the level of service that is consistent with the mapping customer service protocols.

This is the second time Ms. Moy has sided with Mr. Storrs when he is clearly in violation of the law and in the wrong.

If you do not address my concerns I will have my complaint professional written and forwarded to various employees of the D.P.W., other city agencies, my attorney, the city attorney, the Mayor, every supervisor, any publication willing to read it and to Mr. Jeffery N. Lucas, PLS, Esq. of P.O.B. who has expressed an interested in my predicament.

Ms. Moy wrote
"I have individually interviewed the staff who were present during your visit on November 14th. Based on those interviews, I cannot substantiate the claims you put forward. I believe Mr. Storrs and his staff have provided you with the level of service that is consistent with our customer service protocols. I recognize that in the past you have received copies of maps directly from Mr. Storrs' staff in person and have obtained a copy on the spot. This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you.

1)Mr. Storrs has no right to threaten me. "I should know who my friends are"
(2)Mr. Storrs has no right to confront me in public and accuse me of opening a complaint against him. I did not open a complaint against him, the State of California did and I was not party to that complaint. (Check it out)
(3)Mr. Storrs has no right to force me leave the public area of the Mapping Department. I was not in his office but in the public area.
(4)Mr. Storrs has no right to refuse to supply me with a copy of a map I am legally entitled to. Mr. Storrs has no right to make me the first person in the history of the Mapping Department to go through the sunshine ordinance to get a copy of a map. This was a deliberate act by Mr. Storrs against me, and you take no action. Why?
(5) Mr. Storrs is well aware of the sunshine ordinance and that I am legally entitled to those maps. In 03/06 Mr. Storrs tried to charge me $125 in staff time to get some maps, after he was notified by Mr. Frank Darby of the Sunshine Ordinance Task Force Mr. Storrs withdrew his fees.

(6) I will not accept the process Mr. Frank Lee and Ms. Moy suggest. This process discriminatory and sets the way I am treated differently as opposed to the public. If Ms. Moy makes me go through the sunshine ordinance to request a map that I am legally entitled to, then I demand that everyone else including all surveyors be expected to do the same. What is Ms. Moy's logic in allowing Mr. Storrs to refuse to provide me the maps that I am legally entitled to and been getting for over 4 years to suddenly change this process because Mr. Storrs throws a tantrum.

1

From:
Sent: Tuesday, January 06, 2009 5:53 PM
To: Falvey, Christine
Cc: Lee, Frank W; DPW; Moy, Barbara L
Subject: complaint Bruce Storrs, Barbara Moy

Ms. Falvey

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This is the second time Ms. Moy has sided with Mr. Storrs when he is clearly in violation of the law and in the wrong.

If you do not address my concerns I will have my complaint professional written and forwarded to various employees of the D.P.W., other city agencies, my attorney, the city attorney, the Mayor, every supervisor, any publication willing to read it and to Mr. Jeffery N. Lucas, PLS, Esq. of P.O.B. who has expressed an interested in my predicament.

Ms. Moy wrote
"I have individually interviewed the staff who were present during your visit on November 14th. Based on those interviews, I cannot substantiate the claims you put forward. I believe Mr. Storrs and his staff have provided you with the level of service that is consistent with our customer service protocols. I recognize that in the past you have received copies of maps directly from Mr. Storrs' staff in person and have obtained a copy on the spot. This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you.

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1

I believe I am entitled to know not only the basis behind Ms. Moy decision but specific details of why she found that Mr. Storrs did nothing wrong that day and why it took her over two weeks just to interview some mapping personal. I have requested additional information through the sunshine ordinance.

This started out with me just asking for one copy of a map I am legally entitled to, and look how have it has progressed.

Dave Larkin

First set of request for maps took from 11/14/08 to 12/10/08

November 14, 08 request #1

I am requesting under the Sunshine Ordinance a copy of the corrected survey returned to Mr. Ron on 11/12/08 for Block 1269 Lot#008

I am requesting under the sunshine Ordinance a copy of all correspondences between the Department of Permit and Mapping/ Mr. Bruce Storrs/ his department and Mr. Ben Ron/ Martin M. Ron Associates and any other documents related to block 1269 lot 008. between September 1, 2008 and present

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November 17, 08 request #2
IMMEDIATE DISCLOSURE REQUEST

I am requesting under the Sunshine Ordinance a copy of the corrected survey returned to Mr. Ron on 11/12/08 for Block 1269 Lot#008

I am requesting under the sunshine Ordinance a copy of all correspondences between the Department of Permit and Mapping/ Mr. Bruce Storrs/ his department and Mr. Ben Ron/ Martin M. Ron Associates and any other documents related to block 1269 lot 008. between September 1, 2008 and present.

IMMEDIATE DISCLOSURE REQUEST

Thank You
David Larkin

It took 26 days to get a copy of a map that I was legally entitled to. Why was I refused the map in the first place, I received over 30 maps in the past two years dealing with Mr. Tom Gallup, but problems arise as soon as Mr. Storrs get involved. why was I the first person in the history of the Mapping Department to have to go through the sunshine ordinance Why did Mr. Storrs refuse to give me a map and leave his office and confront me, why did he make a threat, "you should know who your friends are" and have no action taken.

It took the DPW till December 10 to get me the maps in the standard 18x24 format\

Second set of request per Ms. Moy's report

January 6, 2009 request #3

I am requesting a copy of any and all communications, including but not limited to emails, memos etc, by Mr. Bruce Storrs, Ms. Barbara Moy, Ms Christine Falvey, , Mr. Frank Lee or any city employee or agency that has any reference to the complaint/investigation brought by or concerning David Larkin. Please contact me as soon as possible with any questions you may have.

January 8, 2009 request #4
Immediate Disclosure Request

I am requesting a copy of the Department of Public Works investigating of Mr. Bruce Storrs, County Surveyor. I am requesting all communications in any form related to the complaint I filed per this investigation.

I am requesting all communications on all past investigations and or complaints against Mr. Bruce Storrs.

---

request #5

Immediate Disclosure Request #1 January 24, 2008 (1/26/09)

I am requesting a copy of the report that Ms. Barbara Moy wrote and used to make her determination that Mr. Storrs and his staff have provided (me) with the level of service that is consistent with our customer service protocols. I did not get a copy of that report/investigation per my previous sunshine request.

---

request #6

Mr. Lee (1/26/09)

Immediate Disclosure Request #2

I am requesting the names of the people that Ms. Moy interviewed for this report, and a copy of their statements, whether or not they are included in this report.

---

request #7

Immediate Disclosure Request #3 (1/26/09)

Ms Moy wrote December 17, 2008

"This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you."

Mr Lee did not outline the process but only proposes one December 10, 2008

"We would like to propose that requests for copies of maps could be made in a less formal manner than through a Public Records Request. Ms. Moy has agreed to accept such requests directly from any public member and will inform her staff of this. However, we would like the public to understand that though our staff will act diligently, such requests will take time to process, scan or copy. Her staff will also check on the cost for copies."

Immediate Disclosure Request #3

I am requesting a copy of the policy Ms. Moy recently implemented and informed her staff about regarding how she now will process public request from her department.

I am requesting a copy of what departments in the D.P.W. Ms. Moy will require to follow this new policy.

I am requesting to know if this policy only cover only "maps" or does it cover all request for any and all public documents.

I am requesting to know if all requests without exception will have to go through Ms. Moy's office. Will Department of Mapping personal including Mr. Storrs have the discretion to be able to provide maps and or documents to the public without going through Ms. Moy's office?

I am requesting to know if land surveyor's and contractors are considered "public" and will have to go through the same process to get maps, and documents as I will have to.

Mr. Lee (1/29/09) request #8

I am requesting a copy of all reports and material previously denied by the DPW. I am requesting this per 67.26

No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or of some other statute. Information that is exempt from disclosure shall be masked, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released, and keyed by footnote or other clear reference to the appropriate justification for withholding required by section 67.27 of this article

Request #9

Mr. Lee (1/29/09)

Immediate Disclosure Request

I am requesting a list of all material that I was denied by the DPW per 6254 (c). I am not requesting the material just a list of what the DPW said I was not entitled to.

Request #10

Mr. Lee (1/29/09)

I am requesting all communications between with the City Attorney's Office and/or any other city agency with regard to my complaint and the DPW's determination not to release information requested through the Sunshine Ordinance.

This is the only response I received for any of my requests
Dear Mr. Larkin:

We have completed our research and found no documents responsive to your request.

This is the general response to request #3 to #9, I believe Ms. Moy should be held responsible for her actions and an appropriate disciplinary response should be taken

January 22, 2009 the DPW response to the above answer to #3,4,5,6,7,8, and 9 is
Dear Mr. Larkin:

Our department has completed our research and found the attached documents that are responsive to your immediate disclosure request of January 7, 2009.

Due to privacy concerns, we have redacted personal information, such as personal phone numbers and e-mail addresses, from these documents. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

There were other documents related to what you have requested. However, as allowed by California Public Records Act Section 6254(c), we are withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy. Of these documents, you are already in possession of one because it was an email addressed to you on December 17, 2008. That document is not attached to this email.

If you have any questions, please feel free to contact me at (415) 554-6993 or at

City and County of San Francisco

Gavin Newsom, Mayor
Edward D. Reiskin, Director

(415) 554-6920
FAX (415) 554-6944
http://www.sfdpw.com

Department of Public Works
Office of the Director
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4645

February 18, 2009

Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: Sunshine Complaint #09007

Dear Sunshine Ordinance Task Force:

We write to explain that the complaint filed by Mr. David Larkin lacks merit.

Mr. David Larkin has made several public records request for documents related to a DPW investigation conducted in response to Mr. Larkin's complaint against a DPW employee. We responded fully and in a timely manner to all of Mr. Larkin's requests, and we supplied Mr. Larkin with responsive documents.

The responsive documents that we withheld were documents related to the investigation. These documents, which are part of the employee's personnel file, included the names of the employees interviewed and their written statements. We withheld these documents in accordance with Section 6254(c) of the California Public Records Act, which states that "nothing in this chapter shall be construed as require disclosure of records that are any of the following: ... (c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy." See also S.F. Administrative Code Section 67.1(g) and California Constitution. Article 1, Section 1.

Mr. Larkin refers to a report that he requested but did not receive. The only report that DPW made in connection with his complaint took the form of a response to Mr. Larkin's complaint. The employee's supervisor prepared that response and gave to Mr. Larkin, in the form of an email, at the conclusion of the investigation. We are not withholding a report.

We understand that, under the City's Sunshine Ordinance, documents relevant to an investigation of an employee may be subject to disclosure under certain circumstances. S.F. Administrative Code Section 67.24(c)(7) provides that the record of confirmed misconduct involving dishonesty, misappropriation of public resources, or unlawful discrimination are not exempt from disclosure. But, there is no "confirmed misconduct" here. The employee's supervisor found that the employee did not engage in misconduct.

In addition, the misconduct alleged by Mr. Larkin was not the type of conduct addressed in Section 67.24(c)(7).

In sum, DPW's decision to withhold records in response to Mr. Larkin's request for documents was consistent with the terms of the Sunshine Ordinance and the Public Records Act.

Sincerely,

Frank W. Lee
Executive Assistant to the Director

"Lee, Frank W"
<Frank.W.Lee@sfdpw.org>
02/19/2009 06:44 PM

To SOTF <sotf@sfgov.org>

cc "Moy, Barbara" <Barbara.Moy@sfdpw.org>, "Rustom, Chris" <Chris.Rustom@sfgov.org>

bcc

Subject RE: Sunshine Complaint Received: #09007_David Larkin vs Dept of Public Works

Dear SOTF:

Please see attached letter.

In addition, I am attaching the 12 Public Records Requests that Mr. Larkin made with us from November 14, 2008 to January 29, 2009.

Please let me know if you have any questions.

Sincerely,

Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

Lee, Frank W

From: Lee, Frank W
Sent: Friday, November 21, 2008 4:54 PM
To: 'dgl888@pacbell.net'
Cc: Moy, Barbara L; Storrs, Bruce; Falvey, Christine; 'siegel.Max@sfgov.org'; Rodis, Nathan
Subject: RE: Your PUBLIC RECORDS REQUEST: corrected survey for block 1269 lot 008

Info for
avid Larkin.pc

Dear Mr. Larkin:

Our department has completed our research and found the attached documents that are responsive to your public records request of November 14.

Due to privacy concerns, we have redacted personal information, such as personal phone numbers and e-mail addresses, from these documents. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Monday, November 17, 2008 1:41 PM
To: 'dgl888@pacbell.net'
Cc: Moy, Barbara L; Storrs, Bruce; Falvey, Christine;
'siegel.Max@sfgov.org'; Rodis, Nathan
Subject: Your PUBLIC RECORDS REQUEST: corrected survey for block 1269
lot 008

Dear Mr. Larkin:

This is to confirm that we received your public records request on Friday, November 14, 2008. (See your e-mail below.)

Please note that the Sunshine Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of records requests. At this time, our department is in the process of identifying and compiling the documents responsive to your request. I will contact you as soon as these documents are ready for you to view. Therefore, we will respond to you on of before Monday, November 24, 2008, as permitted by San Francisco Administrative Code § 67.21(b) and California Code § 6253(c).

I will attempt to transmit the requested information to you via e-mail. If that cannot be accomplished or if hard copies are needed, copies of any documents that are made available to you will cost $0.10 per copy, as

allowed by the San Francisco Administrative Code § 67.28(c). This section states "a fee not to exceed 10 cents per page may be charged." Postage would be extra. Checks should be made out to "The Department of Public Works."

In the future, you could make public records requests directly with me because I handle such requests for our department.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Moy, Barbara L
Sent: Friday, November 14, 2008 2:20 PM
To: Lee, Frank W; Storrs, Bruce
Cc: Falvey, Christine
Subject: FW: sunshine ordiance request

-----Original Message-----
From: dgl888@pacbell.net [mailto:dgl888@pacbell.net]
Sent: Friday, November 14, 2008 2:15 PM
To: Falvey, Christine; siegel.Max@sfgov.org; Moy, Barbara L; Storrs, Bruce; SOTF
Subject: sunshine ordiance request

I am requesting under the Sunshine Ordinance a copy of the corrected survey returned to Mr. Ron on 11/12/08 for Block 1269 Lot#008

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Thank You
David Larkin

RECORD OF SURVEY SUBMITTAL PACKAGE

Property Address: 833 ASHBURY STREET

Assessor's Block: 1269 Lot Number(s): 8

For DPW-BSM use only
ID No.: 5423

Firm/surveyor preparing the Record of Survey:			
Name:	MARTIN M. RON ASSOCIATES, INC. - BEN RON		
Address:	859 HARRISON STREET, Suite 200 S.F. CA. 94107		
Phone:	415-543-4500	E-mail:	BEN@MARTINRON.COM
Person to be contacted concerning this project (If different from firm or surveyor)			
Name:			
Address:			
Phone:		E-mail:	
Name:			
Address:			
Phone:		E-mail:	

Check the following items enclosed where applicable:

Submitted per guidelines and in this order? Yes	No	Official Use Only OK?	No.	Item Description and Order	Total # of copies
☒	☐	☐	1.	Processing Fee $500.00	1
☐	☒	☐	2.	Preliminary Title Report (dated within 6 months- if available)	1
☒	☐	☐	3.	Two (2) copies of map- 18"x 26" (460mm x 660mm) standard sheet	2
☒	☐	☐	4.	Most current vesting grant deed(s) and adjoining deeds (clearly legible with lot numbers circled): ☒ Subject Site and ☒ Adjoiners	1 ea
☐	☐	☐	5.	Closure Calculations: if non-rectangular lot	1 ea
☐	☐	☐	6.	Information used to establish boundary not referenced above	1 ea

08 OCT 30 AM 11:44

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

MARTIN M. RON, L.S. (1923-1983)
BENJAMIN B. RON, P.L.S.
ROSS C. THOMPSON, P.L.S.
BRUCE A. GOWDY, P.L.S.

FACSIMILE DATA SHEET

Date 11-7-08

The following telecopied material is to be forwarded to:

NORM Dorey

Recipient's Phone No. _____

Recipient's FAX No. 554-5324

There are a total of 3 pages (including this page) in this transmission.

Remarks:

Donegan Surveys

Should you have any questions or problems with this transmittal please call:

(415) 543-4500.

From Ben Ron

859 HARRISON STREET, SUITE 200, SAN FRANCISCO, CA 94107 • TEL (415) 543-4500 • FAX (415) 543-6255

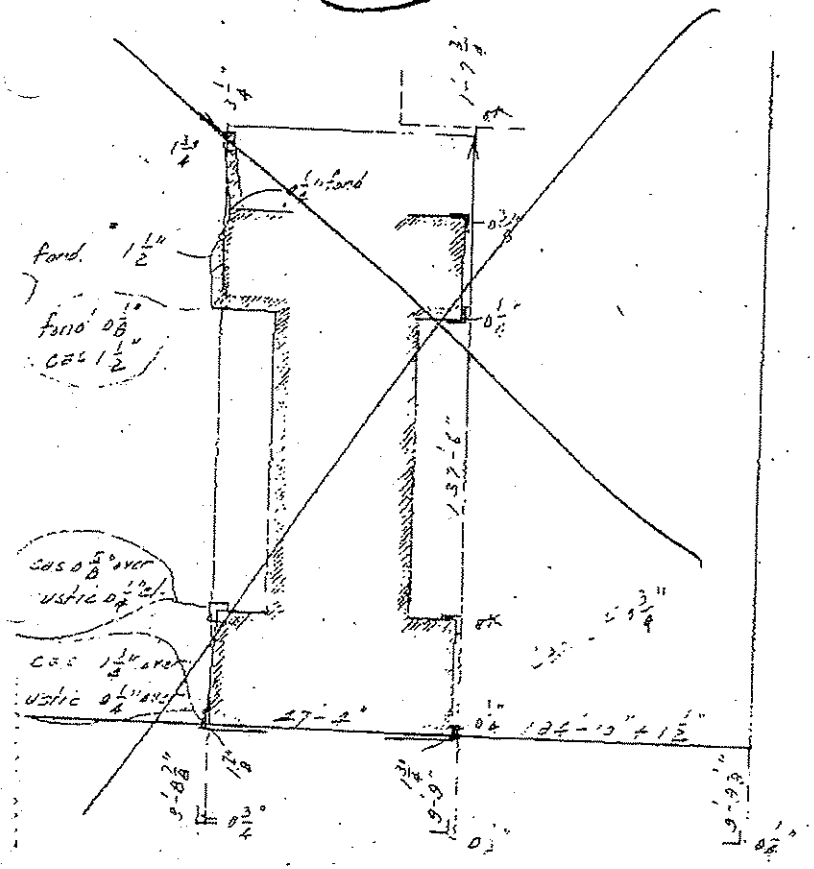
59
#4529
Apr 8-15

DONEGAN

M. F. CORDES

SW. 22.2

F-33



JONES ST

WASHINGTON ST.

#4330
Apr. 14-15

DONEGAN

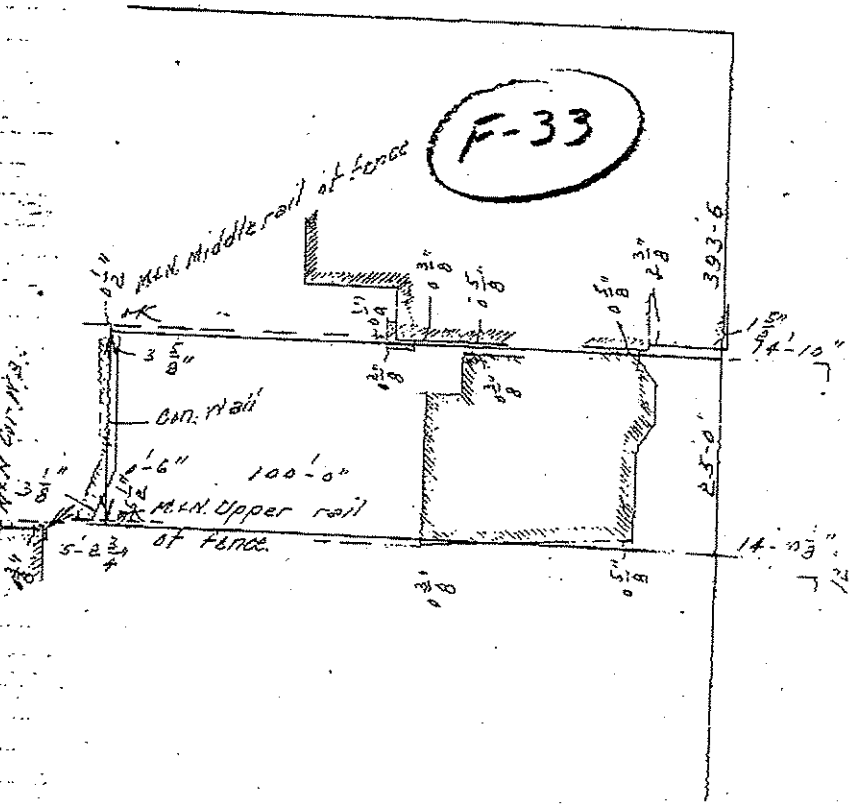
M.#677

60

ROSE C. PATTERSON

FREDERICK ST.

F-33



ST

425,417.0

54

City and County of San Francisco

Gavin Newsom, Mayor
Edward D. Reiskin, Director

(415) 554-582
FAX (415) 554-5324
http://www.sfdpw.com

Department of Public Works
Bureau of Street-Use and Mapping
875 Stevenson Street, Room 410
San Francisco, CA 94103-0942

Barbara L. Moy, Bureau Manager
Bruce Storrs, City and County Surveyor

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS
859 HARRISON STREET #200
SAN FRANCISCO, CA.
94107

To

Assessor's Block No.	1269
Lot(s)	8
Address:	833 ASHBURY STREET
Transmittal	MYLAR REQUEST
Date:	NOVEMBER 12, 2008

The ROS **Map #** 5423 which you submitted to this Agency for review and checking needs:

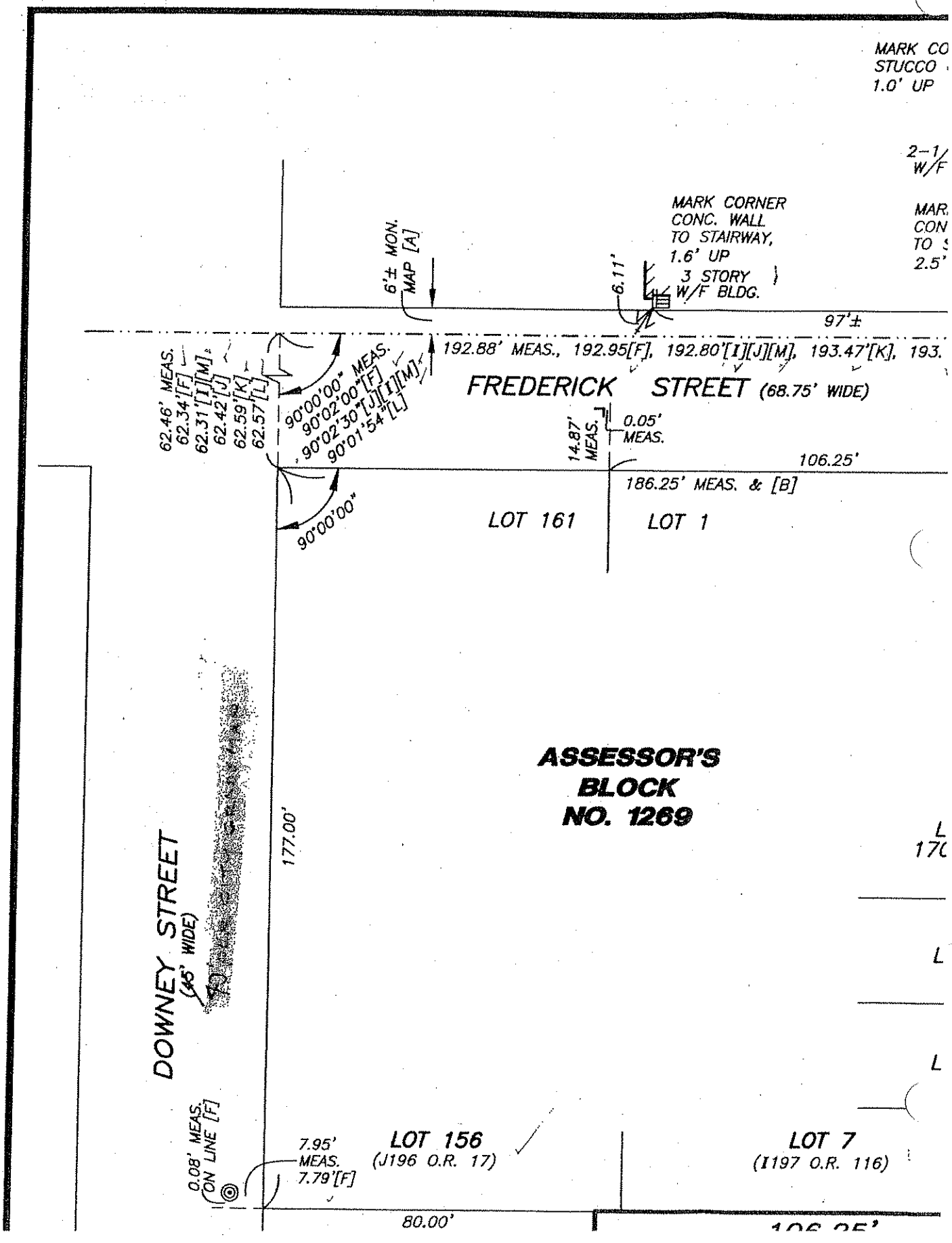
- ☑ Revisions / Corrections as shown in Red
- ☐ Return two (2) corrected prints for additional review **prior to submitting mylars**
- ☐ Send calculations as noted
- ☐ Submit updated Title Report on just the land covered by the map (do not include other lands)
- ☐ Submit Final Mylars - 1 set fully executed (Approval for mylars is valid for 6 months)

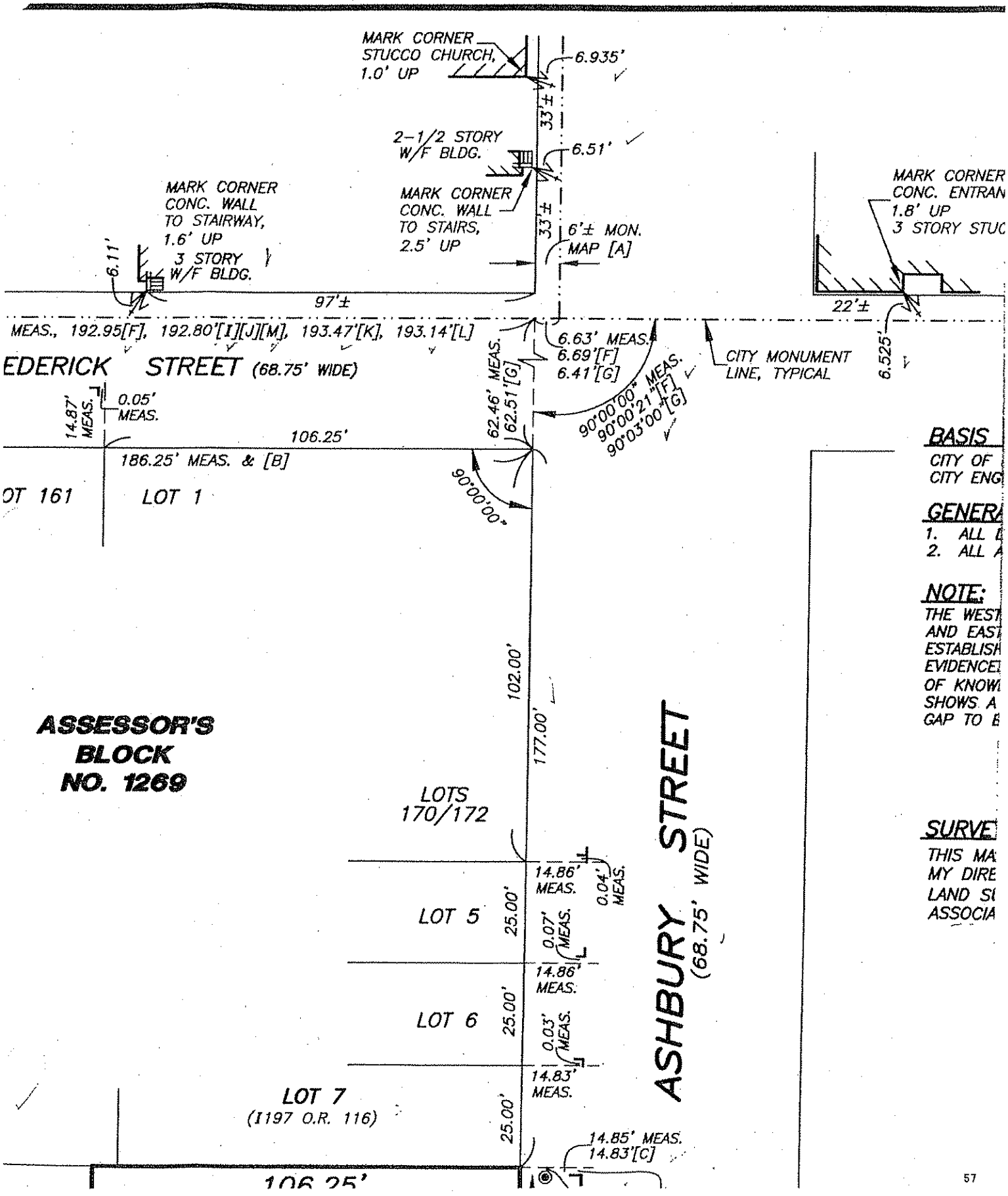
Second Boundary check by _____
Approved for mylars N.D

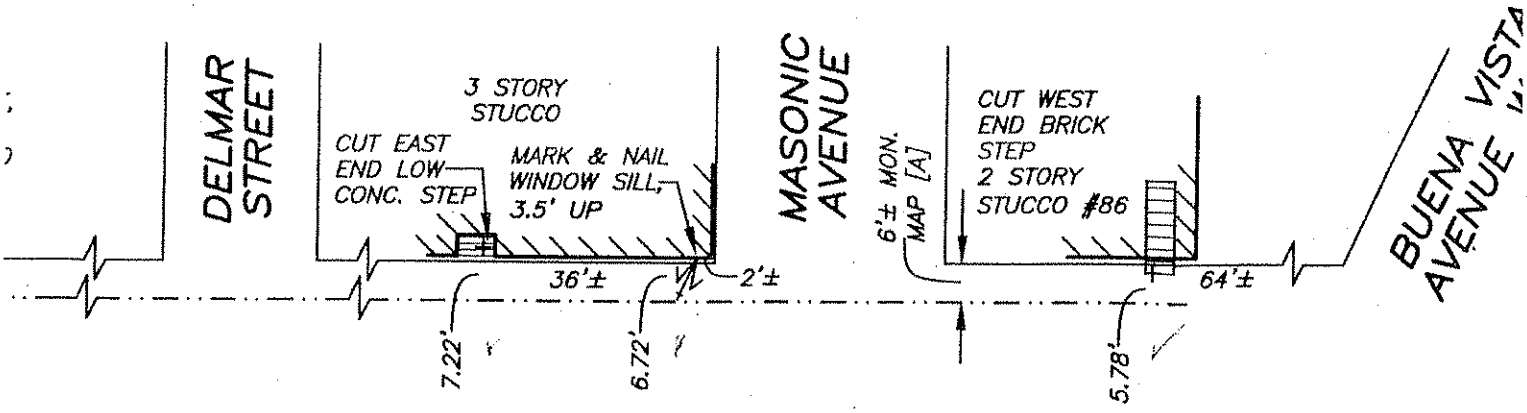
- ☑ Recording check ($ 9 made payable to S.F. County Recorder)
- ☐ Certificate of Final Completion and Occupancy (CFCO obtained from DBI, 1660 Mission St.) **CFCO must be submitted prior to our office before mylar can be accepted.**
- ☐ Tax Certificate-Obtained from the Controller Office, Room 306, City Hall, 1Dr. Carlton B. Goodlett Place, S.F. (Call 554-7521 in Controller's Office and request Tax Cert. to be sent to 875 Stevenson Street, Room 410). This must show ALL taxes paid in FULL, that is, both installments and no tax liens. **Tax certificate must be submitted prior to our office before mylar can be accepted.**
- ☐ **Send copy of Certificate sheet of map to Title Company**
- ☐ **Other:**

Sincerely,

Norman Daley, PLS
Chief Surveyor
City and County of San Francisco


MARK CO
STUCCO
1.0' UP
2-1/
W/F
MAR.
CON
TO S
2.5'
MARK CORNER
CONC. WALL
TO STAIRWAY,
1.6' UP
3 STORY
W/F BLDG.
6.11'
6'± MON.
MAP [A]
97'±
192.88' MEAS., 192.95[F], 192.80'[I][J][M], 193.47'[K], 193.
FREDERICK STREET (68.75' WIDE)
62.46' MEAS.
62.34'[F]
62.31'[I][M]
62.42'[J]
62.59'[K]
62.57'[L]
90°00'00" MEAS.
90°02'00"[F]
90°02'30"[J][I][M]
90°01'54"[L]
14.87' MEAS.
0.05' MEAS.
106.25'
186.25' MEAS. & [B]
90°00'00"
LOT 161
LOT 1
ASSESSOR'S
BLOCK
NO. 1269
177.00'
DOWNEY STREET
(45' WIDE)
0.08' MEAS.
ON LINE [F]
7.95'
MEAS.
7.79'[F]
LOT 156
(J196 O.R. 17)
LOT 7
(I197 O.R. 116)
80.00'
L
17(
L
L


MARK CORNER
STUCCO CHURCH,
1.0' UP
6.935'
33'±
2-1/2 STORY
W/F BLDG.
6.51'
MARK CORNER
CONC. WALL
TO STAIRS,
2.5' UP
33'±
6'± MON.
MAP [A]
MARK CORNER
CONC. WALL
TO STAIRWAY,
1.6' UP
3 STORY
W/F BLDG.
6.11'
97'±
MARK CORNER
CONC. ENTRAN
1.8' UP
3 STORY STUC
22'±
6.525'
MEAS., 192.95[F], 192.80'[I][J][M], 193.47'[K], 193.14'[L]
EDERICK STREET (68.75' WIDE)
6.63' MEAS.
6.69'[F]
6.41'[G]
62.46' MEAS.
62.51'[G]
90°00'00" MEAS.
90°00'21"[F]
90°03'00"[G]
CITY MONUMENT
LINE, TYPICAL
14.87'
MEAS.
0.05'
MEAS.
106.25'
186.25' MEAS. & [B]
90°00'00"
OT 161
LOT 1
BASIS
CITY OF
CITY ENG
GENERA
1. ALL
2. ALL
NOTE:
THE WEST
AND EAST
ESTABLISH
EVIDENCE
OF KNOW
SHOWS A
GAP TO E
ASSESSOR'S
BLOCK
NO. 1269
102.00'
177.00'
LOTS
170/172
SURVE
THIS MA
MY DIRE
LAND SU
ASSOCIA
14.86'
MEAS.
0.04'
MEAS.
LOT 5
25.00'
0.07'
MEAS.
14.86'
MEAS.
LOT 6
25.00'
0.03'
MEAS.
14.83'
MEAS.
LOT 7
(1197 O.R. 116)
25.00'
ASHBURY STREET
(68.75' WIDE)
14.85' MEAS.
14.83'[C]
106.25'



F SURVEY:

N FRANCISCO MONUMENT MAP NO. 39 ON FILE IN THE OFFICE OF THE EER.

NOTES:

TANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
GLES ARE 90° UNLESS OTHERWISE NOTED.

LY LINE OF ASHBURY STREET, SOUTHERLY LINE OF FREDERICK STREET 'LY LINE OF DOWNEY STREET WERE ESTABLISHED BY OCCUPANCY. THIS WAS) BY A SURVEY OF THE LINES OF POSSESSION ON THIS BLOCK AS BY THE LOCATION OF THE STRUCTURES AND SURVEY REFERENCE POINTS AND UNKNOWN ORIGIN. THE AMENDED RECORD OF SURVEY SHOWN AS [F] TLE GAP BETWEEN LOTS 8 AND 155. OUR SURVEY DID NOT FIND A TITLE ST.

R'S STATEMENT:

CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER 'ON IN CONFORMANCE WITH THE REQUIREMENTS OF THE 'EYOR'S ACT AT THE REQUEST OF MARTIN M. RON OK S, INC. ON OCTOBER 30TH, 2008.

SIGNED _____

BENJAMIN B. RON
P.L.S. NO. 5015, EXP. 12/30/09

REFERENCES:

[A] CITY OF SAN FRANCISCO MONUME CITY AND COUNTY SURVEYOR.

[B] BLOCK DIAGRAM OF WESTERN THE CITY AND COUNTY SURVE

[C] JANUARY 26, 1920 BOUNDARY SU

[D] APRIL 14, 1915 BOUNDARY SURVI

[E] AMENDED RECORD OF SURVEY 34 JANUARY 2007 AND FILED IN BOO

[F] AMENDED RECORD OF SURVEY 52 DATED AUGUST 2008 AND FILED I

[G] CONDOMINIUM MAP OF 871–873 A BOOK 87 OF CONDO MAPS, PAGES

[H] AMENDED CONDOMINIUM MAP OF AND FILED IN BOOK 40 OF COND

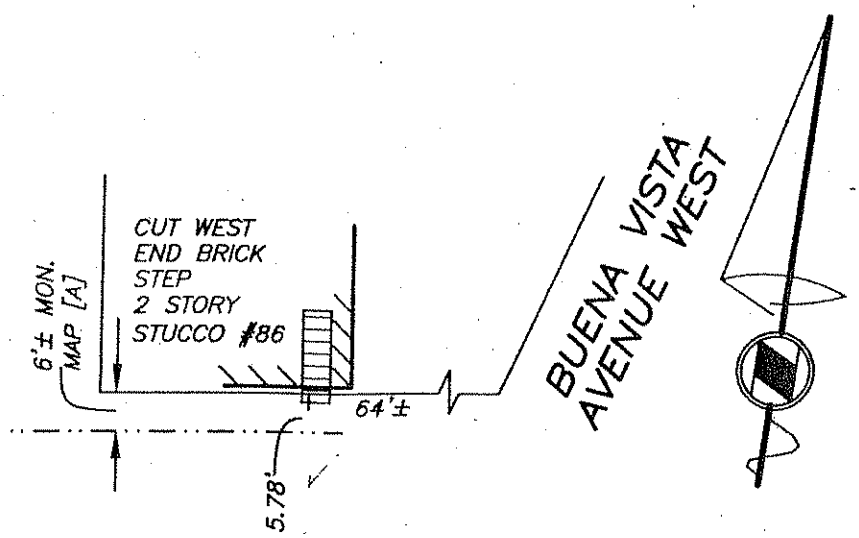
[I] CONDOMINIUM MAP OF 116 DOWNE BOOK 40 OF CONDO MAPS, PAGES

[J] CONDOMINIUM MAP OF 144–148 D BOOK 45 OF CONDOMINIUM MAPS,

[K] CONDOMINIUM MAP OF 244 DOWNE BOOK 40 OF CONDO MAPS, PAGES

[L] CONDOMINIUM MAP OF 252–254 D FILED IN BOOK 72 OF CONDO MA

[M] CONDOMINIUM MAP OF 192–19 FILED IN BOOK 83 OF CONDO



LEGEND

MEAS.	MEASURED
W/F	WOOD FRAME
BLDG.	BUILDING
CONC.	CONCRETE
O.R.	OFFICIAL RECORDS
MON.	MONUMENT
◉	FOUND NAIL & TAG, LS 3602 PER [E]
◉	FOUND NAIL & TAG, LS 7639 PER [F]

REFERENCES:

[A] CITY OF SAN FRANCISCO MONUMENT MAP NO. 39 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

[B] BLOCK DIAGRAM OF WESTERN ADDITION BLOCK 677 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

[C] JANUARY 26, 1920 BOUNDARY SURVEY OF LOT 8 BY DONEGAN – JOB NO. 5634.

[D] APRIL 14, 1915 BOUNDARY SURVEY OF LOT 15 BY DONEGAN – JOB NO. 4330.

[E] AMENDED RECORD OF SURVEY 3482 OF 833 ASHBURY STREET (LOT 8) DATED JANUARY 2007 AND FILED IN BOOK BB OF SURVEY MAPS, PAGES 124.

[F] AMENDED RECORD OF SURVEY 5252 OF 128–134 DOWNEY STREET (LOT 155) DATED AUGUST 2008 AND FILED IN BOOK CC OF SURVEY MAPS, AT PAGES 71–72.

[G] CONDOMINIUM MAP OF 871–873 ASHBURY STREET DATED MAY 2004 AND FILED IN BOOK 87 OF CONDO MAPS, PAGES 9–11.

[H] AMENDED CONDOMINIUM MAP OF 815–819 ASHBURY STREET DATED APRIL 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 101–103.

[I] CONDOMINIUM MAP OF 116 DOWNEY STREET DATED OCTOBER 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 53–55.

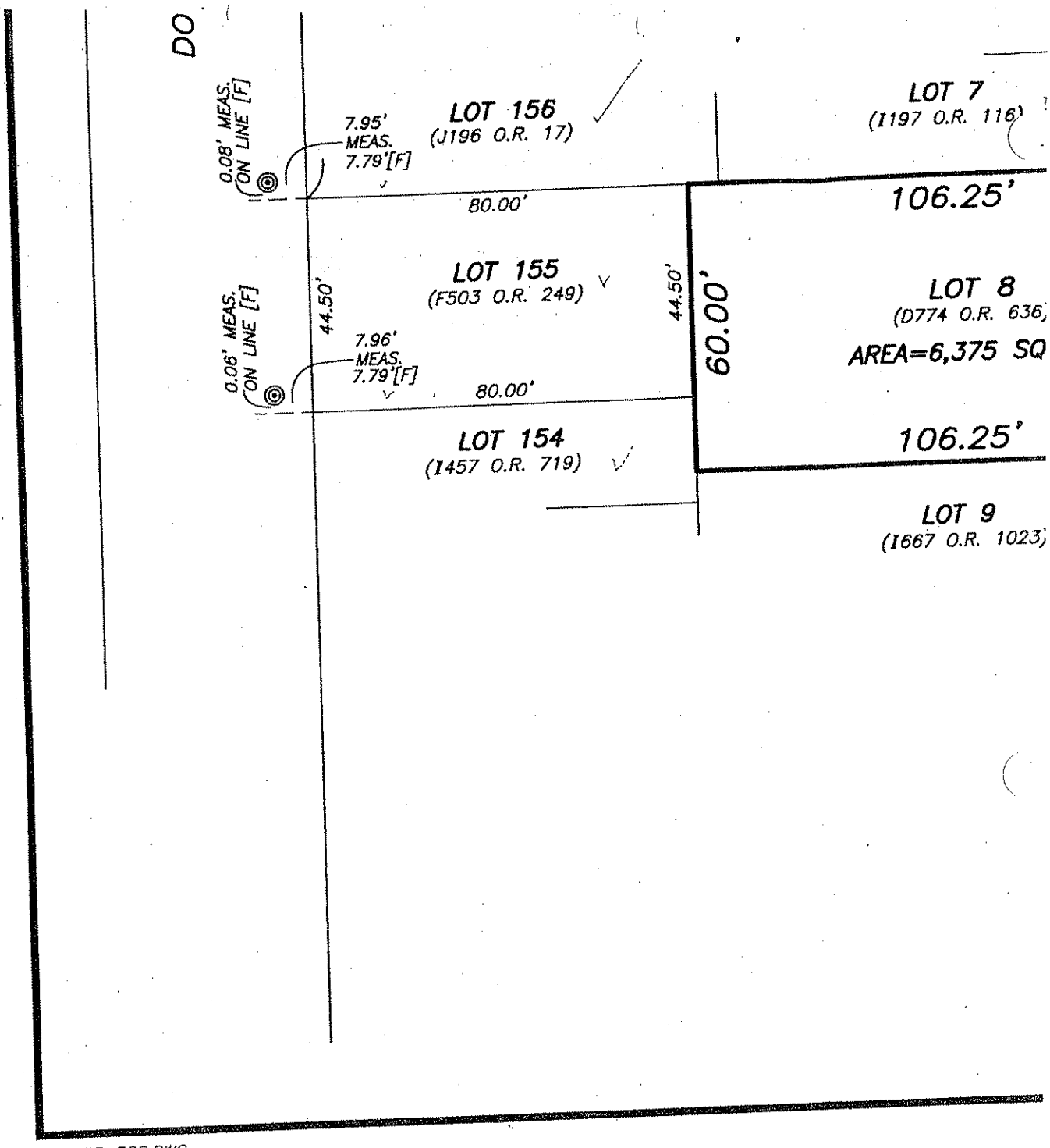
[J] CONDOMINIUM MAP OF 144–148 DOWNEY STREET DATED MAY 1993 AND FILED IN BOOK 45 OF CONDOMINIUM MAPS, PAGES 24–26.

[K] CONDOMINIUM MAP OF 244 DOWNEY STREET DATED JULY 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 135–137.

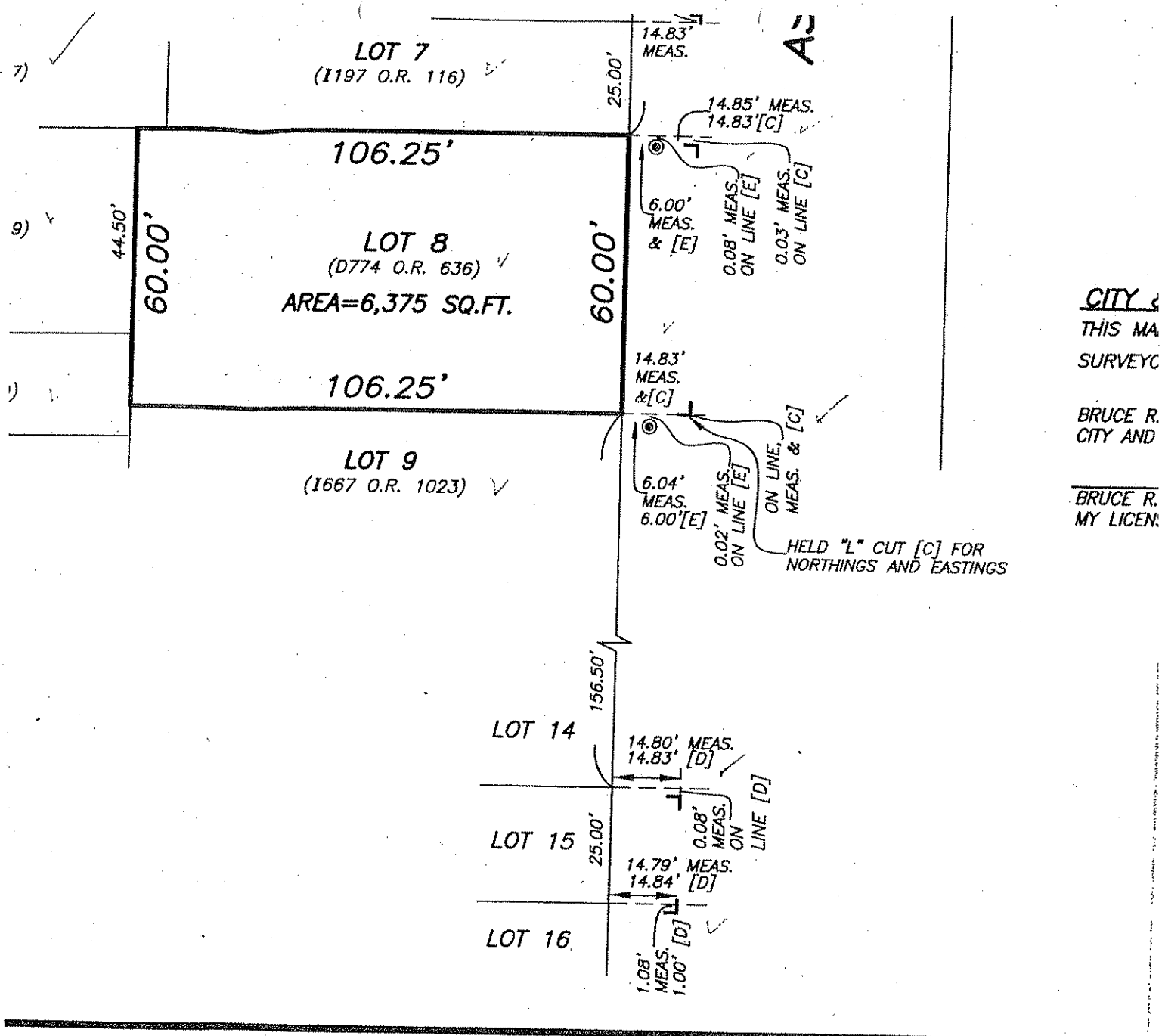
[L] CONDOMINIUM MAP OF 252–254 DOWNEY STREET DATED JANUARY 2002 AND FILED IN BOOK 72 OF CONDO MAPS, PAGES 159–162.

[M] CONDOMINIUM MAP OF 192–194 DOWNEY STREET DATED NOVEMBER 2003 AND FILED IN BOOK 83 OF CONDO MAPS AT PAGES 155–157.

RECORDER'S STATEMENT



S-6237-ROS.DWG



CITY
THIS MA
SURVEYC

BRUCE R.
CITY AND

BRUCE R.
MY LICEN

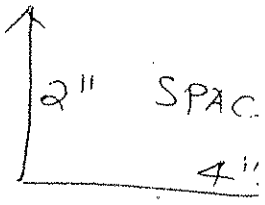
CONDOMINIUM MAP OF [illegible]
FILED IN BOOK 83 OF CONDO M

RECORDER'S STATEMENT:

FILED FOR RECORD ON THIS ____
AT _____ MINUTES PAST _____ r
AT PAGE _____, OFFICIA
SAN FRANCISCO, STATE OF CALIFO
MARTIN M. RON, ASSOCIATES, INC.

BY: _____

COUNTY RECORDER
CITY AND COUNTY OF SAN FI
STATE OF CALIFORNIA



COUNTY SURVEYOR'S STATEMENT:

HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND
S ACT THIS _____ DAY OF _____, 2008.

TORRS, CITY AND COUNTY SURVEYOR
UNTY OF SAN FRANCISCO

_____ DATE: _____
TORRS LS 6914
EXPIRES SEPTEMBER 30, 2009

RECORD OF

OF THE LANDS DESCRIBED IN
JANUARY 11, 1985 IN REEL D77

CITY AND COUNTY OF

MARTIN M. RON
Land Su
859 HARRISON
San Francisco

OCTOBER 2008 SCALE: 1

0'

OFFICE

[L] CONDOMINIUM M[illegible] OF 202–204 DOWNEY STREET DATED JA[illegible] RY 2002 AND FILED IN BOOK 72 OF CONDO MAPS, PAGES 159–162.

[M] CONDOMINIUM MAP OF 192–194 DOWNEY STREET DATED NOVEMBER 2003 AND FILED IN BOOK 83 OF CONDO MAPS AT PAGES 155–157.

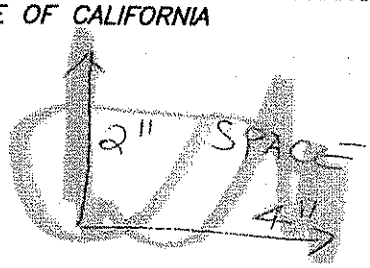
RECORDER'S STATEMENT:

FILED FOR RECORD ON THIS _____ DAY OF _____, 2008, AT _____ MINUTES PAST _____ m., IN BOOK _____ OF **SURVEY MAPS** AT PAGE _____, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AT THE REQUEST OF MARTIN M. RON, ASSOCIATES, INC.

LAND

BY: _____ DATE: _____

COUNTY RECORDER
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA



RECORD OF SURVEY No. 542B

OF THE LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED JANUARY 11, 1985 IN REEL D774 IMAGE 636 OFFICIAL RECORDS

CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

MARTIN M. RON ASSOCIATES, INC.
Land Surveyors
859 HARRISON STREET, SUITE 200
San Francisco, California 94107

OCTOBER 2008 SCALE: 1" = 30' SHEET 1 OF 1

833 ASHBURY STREET, AB 1269, LOT 8

RECEIVED
08 OCT 30 AM 11:45

OFFICE COPY / CHECK PRINT
11-12-08
H.D

Lee, Frank W

From: Lee, Frank W
Sent: Friday, November 21, 2008 4:53 PM
To: 'dgl888@pacbell.net'
Cc: Moy, Barbara L; Storrs, Bruce
Subject: RE: Immediate disclosure request

Info for
avid Larkin.pc

Dear Mr. Larkin:

Our department has completed our research and found the attached documents that are responsive to your immediate disclosure request of November 17.

Due to privacy concerns, we have redacted personal information, such as personal phone numbers and e-mail addresses, from these documents. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Tuesday, November 18, 2008 6:00 PM
To: 'dgl888@pacbell.net'
Cc: Moy, Barbara L; Storrs, Bruce; DPW
Subject: RE: Immediate disclosure request

Dear Mr. Larkin:

Thank you for speaking me on the telephone and clarifying this Immediate Disclosure Request.

This is to confirm that we received your immediate disclosure request via e-mail yesterday, November 18, 2008.

Our department is in the process of identifying and compiling the records responsive to your request. However, because your request will require us to consult with another department, we are invoking an extension for up to 14 additional days to respond, as permitted by San Francisco Administrative Code ? 67.25 (b) and California Government Code ? 6253(c). Therefore, instead of responding by the close-of-business today, we will respond to you on or before Tuesday, December 2, 2008. I will contact as soon as the documents are ready for you to view.

I will attempt to transmit the requested information to you via e-mail. If that cannot be accomplished or if hard copies are needed, copies of any documents that are made available to you will cost $0.10 per copy, as allowed by the San Francisco Administrative Code ? 67.28(c). This section states "a fee not to exceed 10 cents per page may be charged." Postage would be extra. Checks should be made out to "The Department of Public Works."

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Tuesday, November 18, 2008 9:48 AM
To: 'dgl888@pacbell.net'
Cc: Moy, Barbara L; Storrs, Bruce; DPW
Subject: FW: Immediate disclosure request

Dear Mr. Larkin:

Your e-mail below that we received through our general DPW e-mail address appears to be a duplication to the public records request that you submitted to us (to Barbara Moy and Bruce Storrs) on Friday, November 14. Could you confirm?

If it is acceptable to you, we would like to consider the e-mail below as a duplication and will instead work to respond to your November 14 request.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: DPW
Sent: Monday, November 17, 2008 11:22 AM
To: Lee, Frank W
Subject: FW: Immediate disclosure request

-----Original Message-----
From: dgl888@pacbell.net [mailto:dgl888@pacbell.net]
Sent: Monday, November 17, 2008 11:15 AM
To: Storrs, Bruce
Cc: DPW; Moy, Barbara L
Subject: Immediate disclosure request

IMMEDIATE DISCLOSURE REQUEST

I am requesting under the Sunshine Ordinance a copy of the corrected survey returned to Mr. Ron on 11/12/08 for Block 1269 Lot#008

I am requesting under the sunshine Ordinance a copy of all correspondences between the Department of Permit and Mapping/ Mr. Bruce Storrs/ his department and Mr. Ben Ron/ Martin M. Ron Associates and any other documents related to block 1269 lot 008. between September 1, 2008 and present.

IMMEDIATE DISCLOSURE REQUEST

Thank You
David Larkin

RECORD OF SURVEY SUBMITTAL PACKAGE

Property Address: 833 ASHBURY STREET

Assessor's Block: 1269 Lot Number(s): 8

For DPW-BSM use only
ID No.: 5423

Firm/surveyor preparing the Record of Survey:			
Name:	MARTIN M. RON ASSOCIATES, INC. - BEN RON		
Address:	859 HARRISON STREET, Suite 200 S.F. CA. 94107		
Phone:	415-543-4500	E-mail:	BEN@MARTINRON.COM
Person to be contacted concerning this project (If different from firm or surveyor)			
Name:			
Address:			
Phone:		E-mail:	
Name:			
Address:			
Phone:		E-mail:	

Check the following items enclosed where applicable:

Submitted per guidelines and in this order? Yes	Submitted per guidelines and in this order? No	Official Use Only OK?	No.	Item Description and Order	Total # of copies
☒	☐	☐	1.	Processing Fee $500.00	1
☐	☒	☐	2.	Preliminary Title Report (dated within 6 months- if available)	1
☒	☐	☐	3.	Two (2) copies of map- 18"x 26" (460mm x 660mm) standard sheet	2
☒	☐	☐	4.	Most current vesting grant deed(s) and adjoining deeds (clearly legible with lot numbers circled): ☒ *Subject Site* and ☒ *Adjoiners*	1 ea
☐	☐	☐	5.	Closure Calculations: if non-rectangular lot	1 ea
☐	☐	☐	6.	Information used to establish boundary not referenced above	1 ea

08 OCT 30 AM 11:44

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

MARTIN M. RON, L.S. (1923-1983)
BENJAMIN B. RON, P.L.S.
ROSS C. THOMPSON, P.L.S.
BRUCE A. GOWDY, P.L.S.

FACSIMILE DATA SHEET

Date 11-7-08

The following telecopied material is to be forwarded to:

NORM Daly

Recipient's Phone No. _____

Recipient's FAX No. 554-5324

There are a total of 3 pages (including this page) in this transmission.

Remarks:

Donegan Surveys

Should you have any questions or problems with this transmittal please call:

(415) 543-4500.

From Ben Ron

859 HARRISON STREET, SUITE 200, SAN FRANCISCO, CA 94107 • TEL (415) 543-4500 • FAX (415) 543-6255

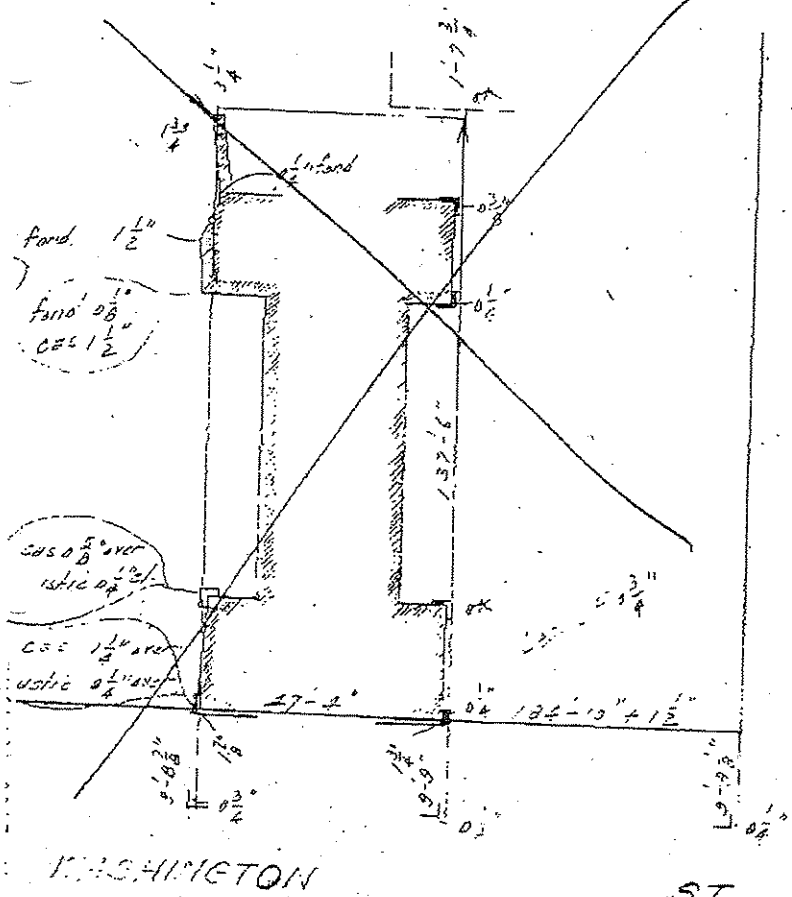
59
#4329
Apr 8-15

DONEGAN

W. F. CORDES

Cor. 222

F-33



#4330
Apr. 14-15

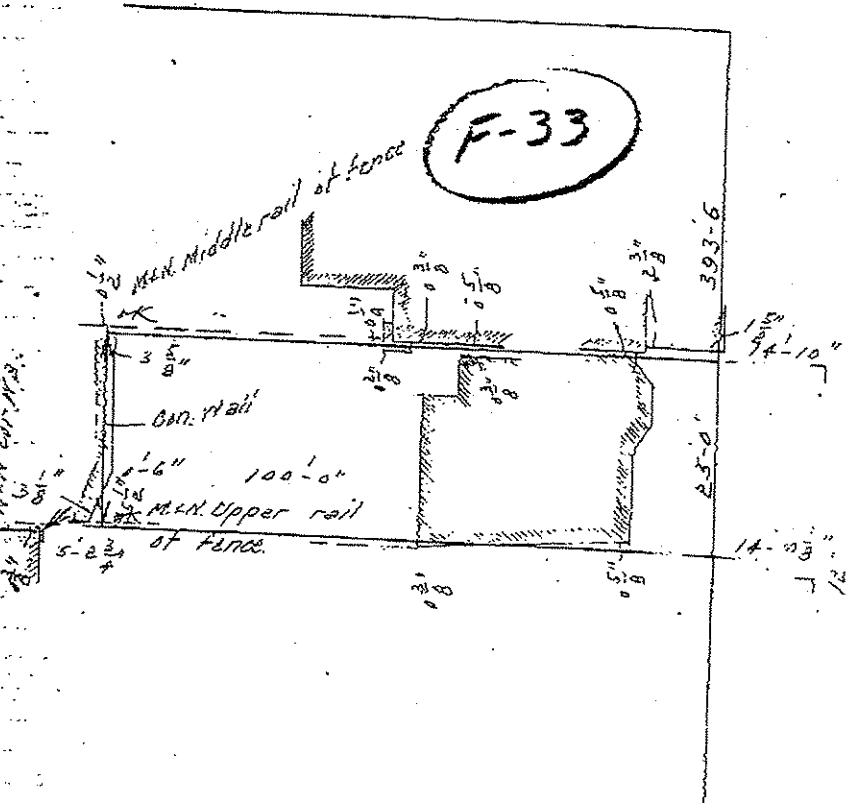
DONEGAN

M.86.77

ROSE C. PATTERSON

FREDERICK ST.

F-33



City and County of San Francisco

Gavin Newsom, Mayor
Edward D. Reiskin, Director

(415) 554-5827
FAX (415) 554-5324
http://www.sfdpw.com

Department of Public Works
Bureau of Street-Use and Mapping
875 Stevenson Street, Room 410
San Francisco, CA 94103-0942

Barbara L. Moy, Bureau Manager
Bruce Storrs, City and County Surveyor

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS
859 HARRISON STREET #200
SAN FRANCISCO, CA.
94107

Assessor's Block No.	1269
Lot(s)	8
Address:	833 ASHBURY STREET
Transmittal	MYLAR REQUEST
Date:	NOVEMBER 12, 2008

To

The ROS **Map #** 5423 which you submitted to this Agency for review and checking needs:

- [x] Revisions / Corrections as shown in Red
- [ ] Return two (2) corrected prints for additional review **prior to submitting mylars**
- [ ] Send calculations as noted
- [ ] Submit updated Title Report on just the land covered by the map (do not include other lands)
- [ ] Submit Final Mylars - 1 set fully executed (Approval for mylars is valid for 6 months)

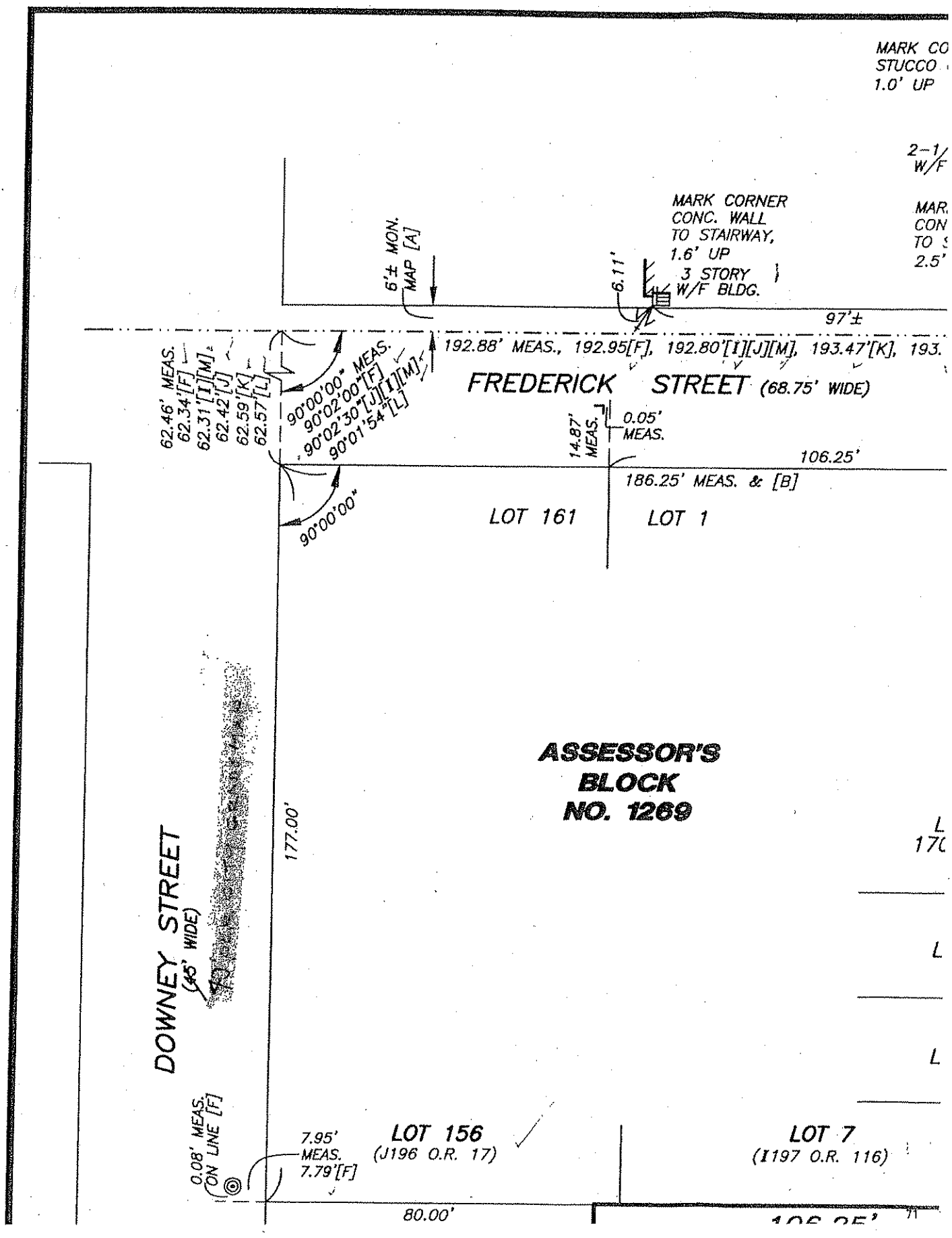
Second Boundary check by _____

Approved for mylars N.D

- [x] Recording check ($ 9 made payable to S.F. County Recorder)
- [ ] Certificate of Final Completion and Occupancy (CFCO obtained from DBI, 1660 Mission St.) **CFCO must be submitted prior to our office before mylar can be accepted.**
- [ ] Tax Certificate-Obtained from the Controller Office, Room 306, City Hall, 1Dr. Carlton B. Goodlett Place, S.F. (Call 554-7521 in Controller's Office and request Tax Cert. to be sent to 875 Stevenson Street, Room 410). This must show ALL taxes paid in FULL, that is, both installments and no tax liens. **Tax certificate must be submitted prior to our office before mylar can be accepted.**
- [ ] **Send copy of Certificate sheet of map to Title Company**
- [ ] **Other:**

Sincerely,

Norman Daley, PLS
Chief Surveyor
City and County of San Francisco


MARK CO
STUCCO
1.0' UP
2-1/
W/F
MAR
CON
TO
2.5'
MARK CORNER
CONC. WALL
TO STAIRWAY,
1.6' UP
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W/F BLDG.
6'± MON.
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97'±
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62.57'[L]
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90°02'00"[F]
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90°01'54"[L]
14.87' MEAS.
0.05' MEAS.
106.25'
186.25' MEAS. & [B]
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LOT 1
ASSESSOR'S
BLOCK
NO. 1269
177.00'
DOWNEY STREET
(45' WIDE)
0.08' MEAS.
ON LINE [F]
7.95'
MEAS.
7.79'[F]
LOT 156
(J196 O.R. 17)
LOT 7
(I197 O.R. 116)
80.00'
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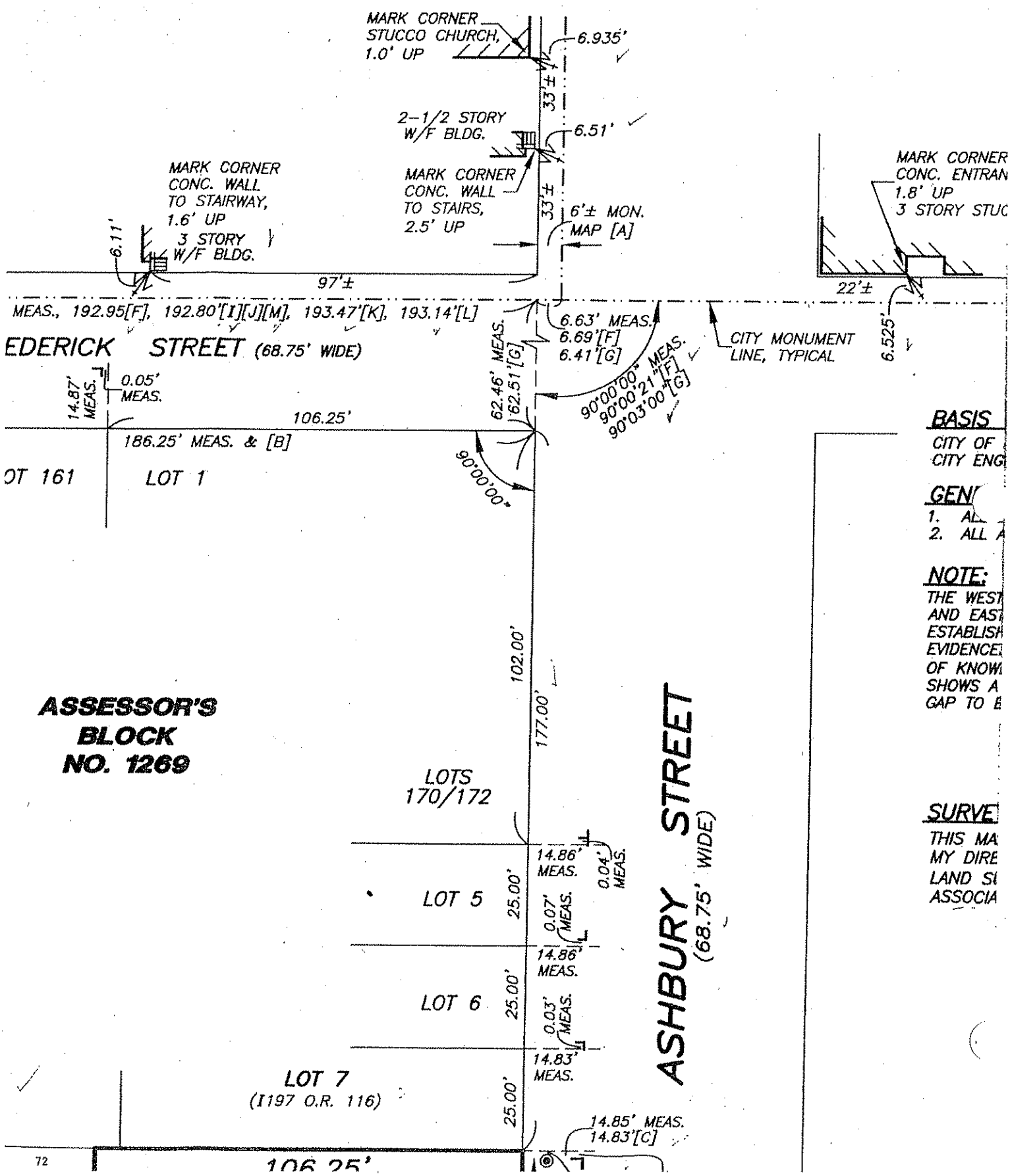
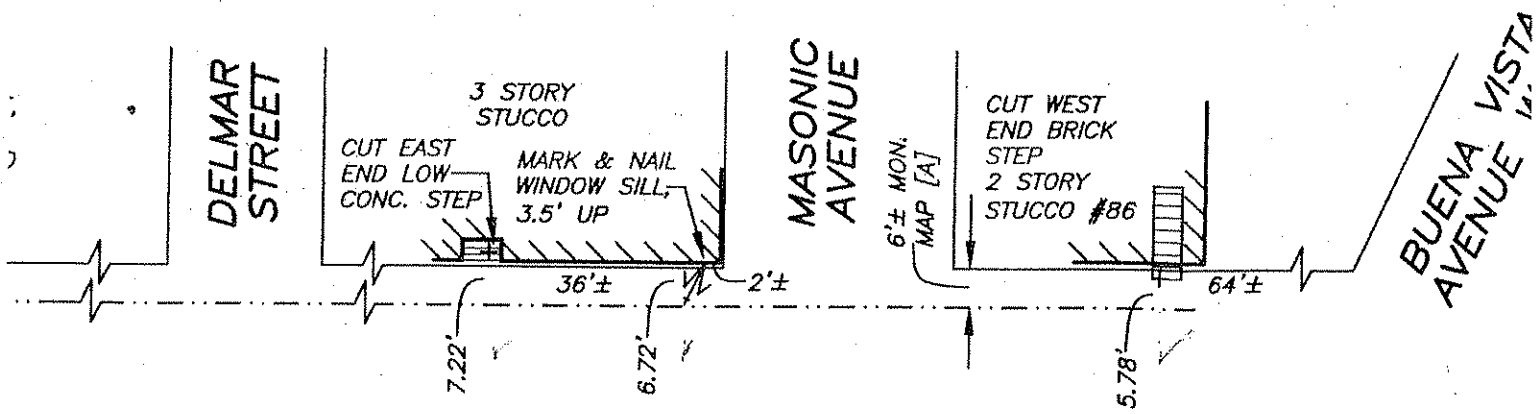
17(
L
L


MARK CORNER
STUCCO CHURCH,
1.0' UP
6.935'
33'±
2-1/2 STORY
W/F BLDG.
6.51'
MARK CORNER
CONC. WALL
TO STAIRS,
2.5' UP
33'±
6'± MON.
MAP [A]
MARK CORNER
CONC. WALL
TO STAIRWAY,
1.6' UP
3 STORY
W/F BLDG.
6.11'
97'±
MARK CORNER
CONC. ENTRAN
1.8' UP
3 STORY STUC
22'±
6.525'
MEAS., 192.95[F], 192.80'[I][J][M], 193.47'[K], 193.14'[L]
EDERICK STREET (68.75' WIDE)
6.63' MEAS.
6.69'[F]
6.41'[G]
62.46' MEAS.
62.51'[G]
90°00'00" MEAS.
90°00'21"[F]
90°03'00"[G]
CITY MONUMENT
LINE, TYPICAL
14.87'
MEAS.
0.05'
MEAS.
106.25'
186.25' MEAS. & [B]
90°00'00"
OT 161
LOT 1
BASIS
CITY OF
CITY ENG
GEN
1. AL
2. ALL A
NOTE:
THE WEST
AND EAST
ESTABLISH
EVIDENCE
OF KNOW
SHOWS A
GAP TO E
102.00'
177.00'
ASSESSOR'S
BLOCK
NO. 1269
LOTS
170/172
SURVE
THIS MA
MY DIRE
LAND SU
ASSOCIA
14.86'
MEAS.
0.04'
MEAS.
LOT 5
25.00'
0.07'
MEAS.
14.86'
MEAS.
LOT 6
25.00'
0.03'
MEAS.
14.83'
MEAS.
LOT 7
(I197 O.R. 116)
25.00'
ASHBURY STREET
(68.75' WIDE)
14.85' MEAS.
14.83'[C]
106.25'



F SURVEY:

N FRANCISCO MONUMENT MAP NO. 39 ON FILE IN THE OFFICE OF THE ER.

NOTES:

ES ARE SHOWN IN FEET AND DECIMALS THEREOF.
ARE 90° UNLESS OTHERWISE NOTED.

LY LINE OF ASHBURY STREET, SOUTHERLY LINE OF FREDERICK STREET
LY LINE OF DOWNEY STREET WERE ESTABLISHED BY OCCUPANCY. THIS WAS
BY A SURVEY OF THE LINES OF POSSESSION ON THIS BLOCK AS
BY THE LOCATION OF THE STRUCTURES AND SURVEY REFERENCE POINTS
AND UNKNOWN ORIGIN. THE AMENDED RECORD OF SURVEY SHOWN AS [F]
TLE GAP BETWEEN LOTS 8 AND 155. OUR SURVEY DID NOT FIND A TITLE
ST.

R'S STATEMENT:

CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER
ON IN CONFORMANCE WITH THE REQUIREMENTS OF THE
EYOR'S ACT AT THE REQUEST OF MARTIN M. RON
, INC. ON OCTOBER 30TH, 2008.

SIGNED _____

BENJAMIN B. RON
P.L.S. NO. 5015, EXP. 12/30/09

REFERENCES:

[A] CITY OF SAN FRANCISCO MONUME
CITY AND COUNTY SURVEYOR.

[B] BLOCK DIAGRAM OF WESTERN ADD
THE CITY AND COUNTY SURVEYOR.

[C] JANUARY 26, 1920 BOUNDARY SU

[D] APRIL 14, 1915 BOUNDARY SURVE

[E] AMENDED RECORD OF SURVEY 34
JANUARY 2007 AND FILED IN BOO

[F] AMENDED RECORD OF SURVEY 52
DATED AUGUST 2008 AND FILED I

[G] CONDOMINIUM MAP OF 871–873 A
BOOK 87 OF CONDO MAPS, PAGES

[H] AMENDED CONDOMINIUM MAP OF 8
AND FILED IN BOOK 40 OF CONDO

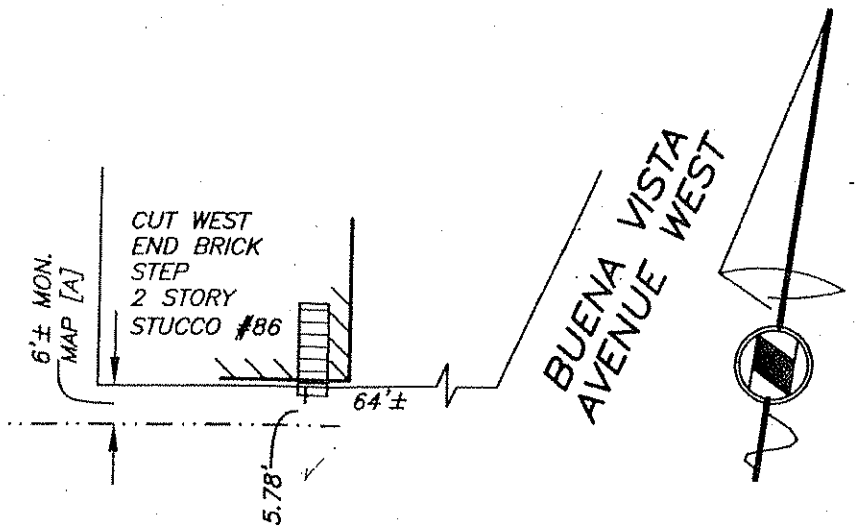
[I] CONDOMINIUM MAP OF 116 DOWNE
BOOK 40 OF CONDO MAPS, PAGES

[J] CONDOMINIUM MAP OF 144–148 D
BOOK 45 OF CONDOMINIUM MAPS,

[K] CONDOMINIUM MAP OF 244 DOWNE
BOOK 40 OF CONDO MAPS, PAGES

[L] CONDOMINIUM MAP OF 252–254 D
FILED IN BOOK 72 OF CONDO MA

[M] CONDOMINIUM MAP OF 192–194 D
FILED IN BOOK 83 OF CONDO MA



LEGEND

MEAS.	MEASURED
W/F	WOOD FRAME
BLDG.	BUILDING
CONC.	CONCRETE
O.R.	OFFICIAL RECORDS
MON.	MONUMENT
◉	FOUND NAIL & TAG, LS 3602 PER [E]
◉	FOUND NAIL & TAG, LS 7639 PER [F]

REFERENCES:

[A] CITY OF SAN FRANCISCO MONUMENT MAP NO. 39 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

[B] BLOCK DIAGRAM OF WESTERN ADDITION BLOCK 677 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

[C] JANUARY 26, 1920 BOUNDARY SURVEY OF LOT 8 BY DONEGAN – JOB NO. 5634.

[D] APRIL 14, 1915 BOUNDARY SURVEY OF LOT 15 BY DONEGAN – JOB NO. 4330.

[E] AMENDED RECORD OF SURVEY 3482 OF 833 ASHBURY STREET (LOT 8) DATED JANUARY 2007 AND FILED IN BOOK BB OF SURVEY MAPS, PAGES 124.

[F] AMENDED RECORD OF SURVEY 5252 OF 128–134 DOWNEY STREET (LOT 155) DATED AUGUST 2008 AND FILED IN BOOK CC OF SURVEY MAPS, AT PAGES 71–72.

[G] CONDOMINIUM MAP OF 871–873 ASHBURY STREET DATED MAY 2004 AND FILED IN BOOK 87 OF CONDO MAPS, PAGES 9–11.

[H] AMENDED CONDOMINIUM MAP OF 815–819 ASHBURY STREET DATED APRIL 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 101–103.

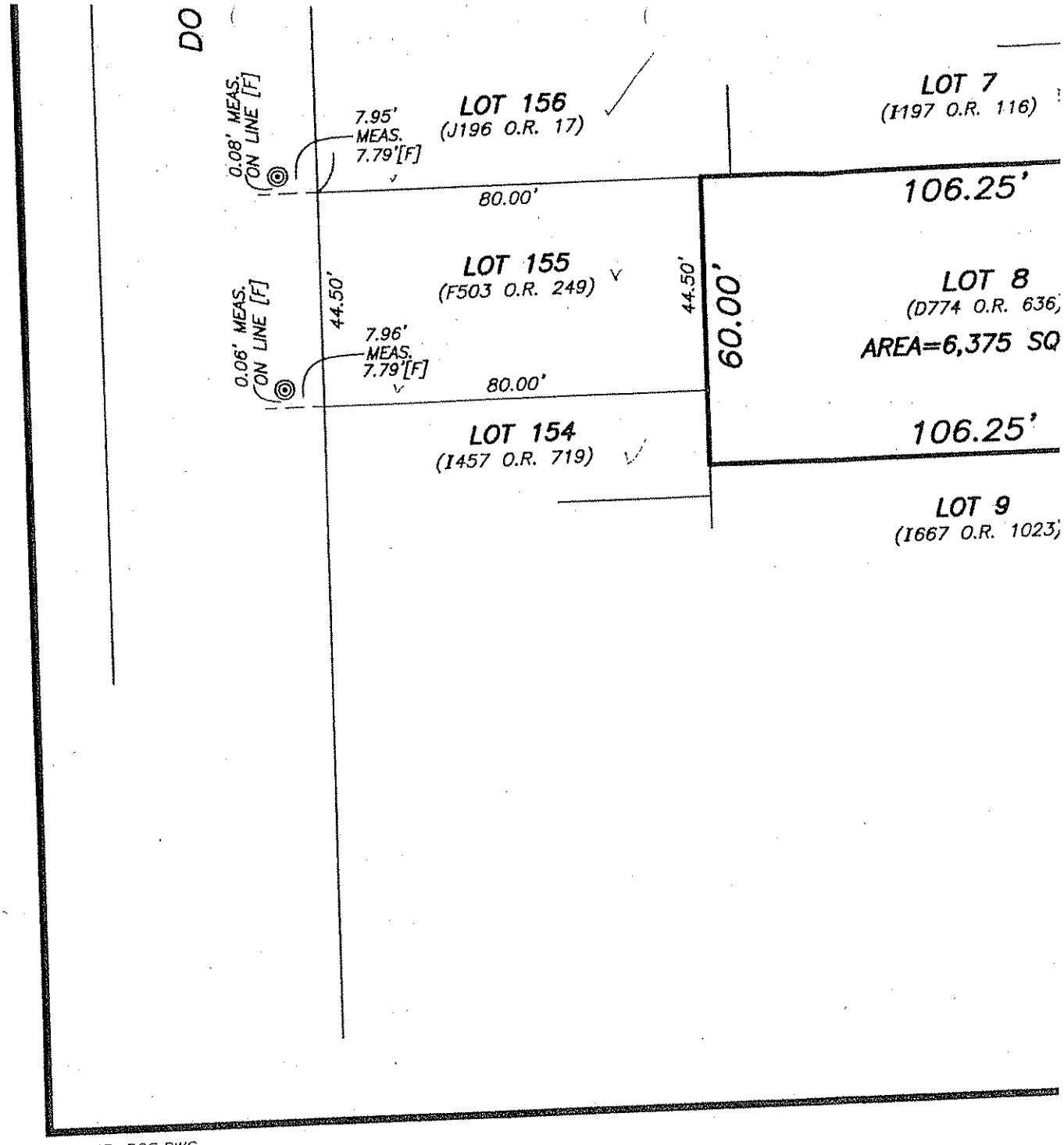
[I] CONDOMINIUM MAP OF 116 DOWNEY STREET DATED OCTOBER 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 53–55.

[J] CONDOMINIUM MAP OF 144–148 DOWNEY STREET DATED MAY 1993 AND FILED IN BOOK 45 OF CONDOMINIUM MAPS, PAGES 24–26.

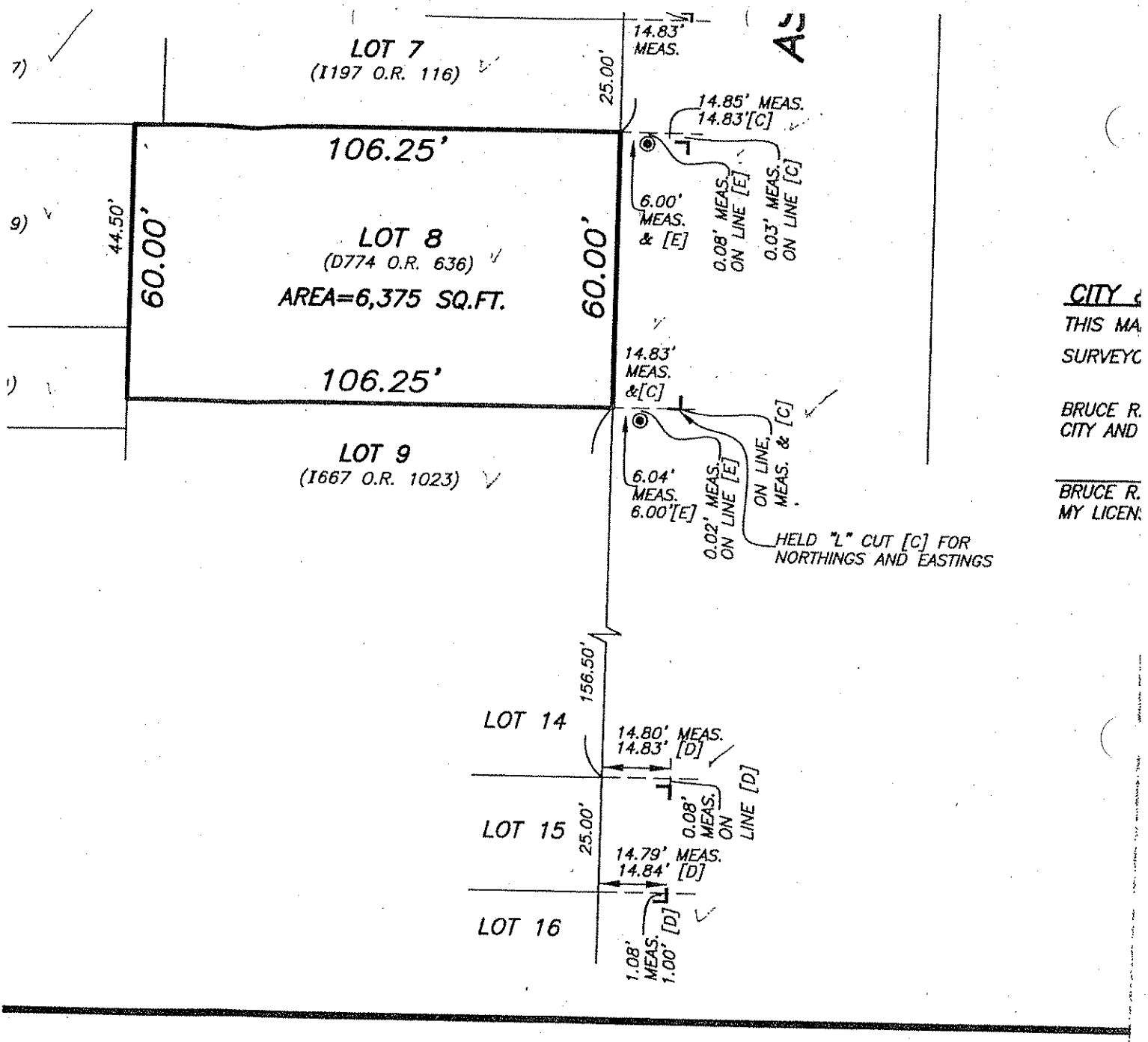
[K] CONDOMINIUM MAP OF 244 DOWNEY STREET DATED JULY 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 135–137.

[L] CONDOMINIUM MAP OF 252–254 DOWNEY STREET DATED JANUARY 2002 AND FILED IN BOOK 72 OF CONDO MAPS, PAGES 159–162.

[M] CONDOMINIUM MAP OF 192–194 DOWNEY STREET DATED NOVEMBER 2003 AND FILED IN BOOK 83 OF CONDO MAPS AT PAGES 155–157.



S-6237-ROS.DWG



CITY
THIS MA
SURVEYC
BRUCE R.
CITY AND
BRUCE R.
MY LICEN

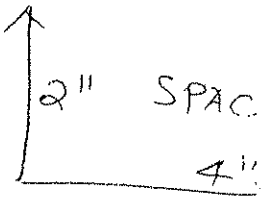
FILED IN BOOK 83 OF CONDO M

RECORDER'S STATEMENT:

FILED FOR RECORD ON THIS ____
AT _____ MINUTES PAST _____ r
AT PAGE _____, OFFICIA
SAN FRANCISCO, STATE OF CALIFO
MARTIN M. RON, ASSOCIATES, INC.

BY: _____

COUNTY RECORDER
CITY AND COUNTY OF SAN FI
STATE OF CALIFORNIA



COUNTY SURVEYOR'S STATEMENT:

HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND
S ACT THIS _____ DAY OF _____, 2008.

TORRS, CITY AND COUNTY SURVEYOR
UNTY OF SAN FRANCISCO

_____ DATE: _____

TORRS LS 6914
EXPIRES SEPTEMBER 30, 2009

RECORD OF

OF THE LANDS DESCRIBED IN
JANUARY 11, 1985 IN REEL D77

CITY AND COUNTY OF SAI

MARTIN M. RON
Land Su
859 HARRISON
San Francisco

OCTOBER 2008 SCALE:

0'

OFFICE

[L] CONDOMINIUM M[illegible] OF 202–204 DOWNEY STREET DATED JA[illegible] RY 2002 AND FILED IN BOOK [illegible] OF CONDO MAPS, PAGES 159–162.

[M] CONDOMINIUM MAP OF 192–194 DOWNEY STREET DATED NOVEMBER 2003 AND FILED IN BOOK 83 OF CONDO MAPS AT PAGES 155–157.

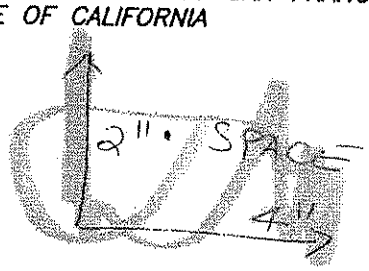
RECORDER'S STATEMENT:

FILED FOR RECORD ON THIS _____ DAY OF _____, 2008, AT _____ MINUTES PAST _____ m., IN BOOK _____ OF **SURVEY MAPS** AT PAGE _____, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AT THE REQUEST OF MARTIN M. RON, ASSOCIATES, INC.

LAND

BY: _____ DATE: _____

COUNTY RECORDER
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA



RECORD OF SURVEY No. 542

OF THE LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED JANUARY 11, 1985 IN REEL D774 IMAGE 636 OFFICIAL RECORDS

CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

MARTIN M. RON ASSOCIATES, INC.
Land Surveyors
859 HARRISON STREET, SUITE 200
San Francisco, California 94107

OCTOBER 2008 SCALE: 1" = 30' SHEET 1 OF 1

833 ASHBURY STREET, AB 1269, LOT 8

RECORDED
08 OCT 30 AM 11:44

OFFICE COPY / CHECK PRINT
11-12-08
N.D

Lee, Frank W

From: Lee, Frank W
Sent: Tuesday, November 25, 2008 2:56 PM
To: 'dgl888@pacbell.net'
Cc: Rodis, Nathan
Subject: RE: new sunshine request


ROS
5423_0001.tif

Dear Mr. Larkin:

Our department has completed our research and found the attached document that is responsive to your immediate disclosure request of November 21.

Due to privacy concerns, we have redacted personal information, such as personal phone numbers and e-mail addresses, from these documents. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Monday, November 24, 2008 4:57 PM
To: 'dgl888@pacbell.net'
Cc: Rodis, Nathan
Subject: RE: new sunshine request

Dear Mr. Larkin:

Our department is still in the process of identifying and compiling the records responsive to your request. However, because your request will require us to consult with another department, we are invoking an extension for up to 14 additional days to respond, as permitted by San Francisco Administrative Code ? 67.25 (b) and California Government Code ? 6253(c). Therefore, instead of responding by the close-of-business today, we will respond to you on or before Monday, December 8, 2008. I will contact as soon as the documents are ready for you to view.

I will attempt to transmit the requested information to you via e-mail. If that cannot be accomplished or if hard copies are needed, copies of any documents that are made available to you will cost $0.10 per copy, as allowed by the San Francisco Administrative Code ? 67.28(c). This section states "a fee not to exceed 10 cents per page may be charged." Postage would be extra. Checks should be made out to "The Department of Public Works."

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Friday, November 21, 2008 11:18 AM
To: 'dgl888@pacbell.net'
Cc: Rodis, Nathan
Subject: RE: new sunshine request

Dear Mr. Larkin:

Since we received your clarification of what you are requesting this morning, I would like to consider today as the day we received your Immediate Disclosure request. Therefore, this is to confirm that we received your Immediate Disclosure request today, November 21, 2008. (See your e-mails below.)

Please note that the Sunshine Ordinance requires departments to respond as soon as possible or by the end of the next business day from receipt of records requests. At this time, our department is in the process of identifying and compiling the documents responsive to your request. I will contact you as soon as these documents are ready for you to view. Therefore, we will respond to you on of before the end of business on Monday, November 24, 2008, as permitted by San Francisco Administrative Code § 67.25(a).

I will attempt to transmit the requested information to you via e-mail. If that cannot be accomplished or if hard copies are needed, copies of any documents that are made available to you will cost $0.10 per copy, as allowed by the San Francisco Administrative Code § 67.28(c). This section states "a fee not to exceed 10 cents per page may be charged." Postage would be extra. Checks should be made out to "The Department of Public Works."

In the future, you could make public records requests directly with me because I handle such requests for our department.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: dgl888@pacbell.net [mailto:dgl888@pacbell.net]
Sent: Thursday, November 20, 2008 5:28 PM
To: Lee, Frank W
Subject: RE: new sunshine request

Mr. Lee

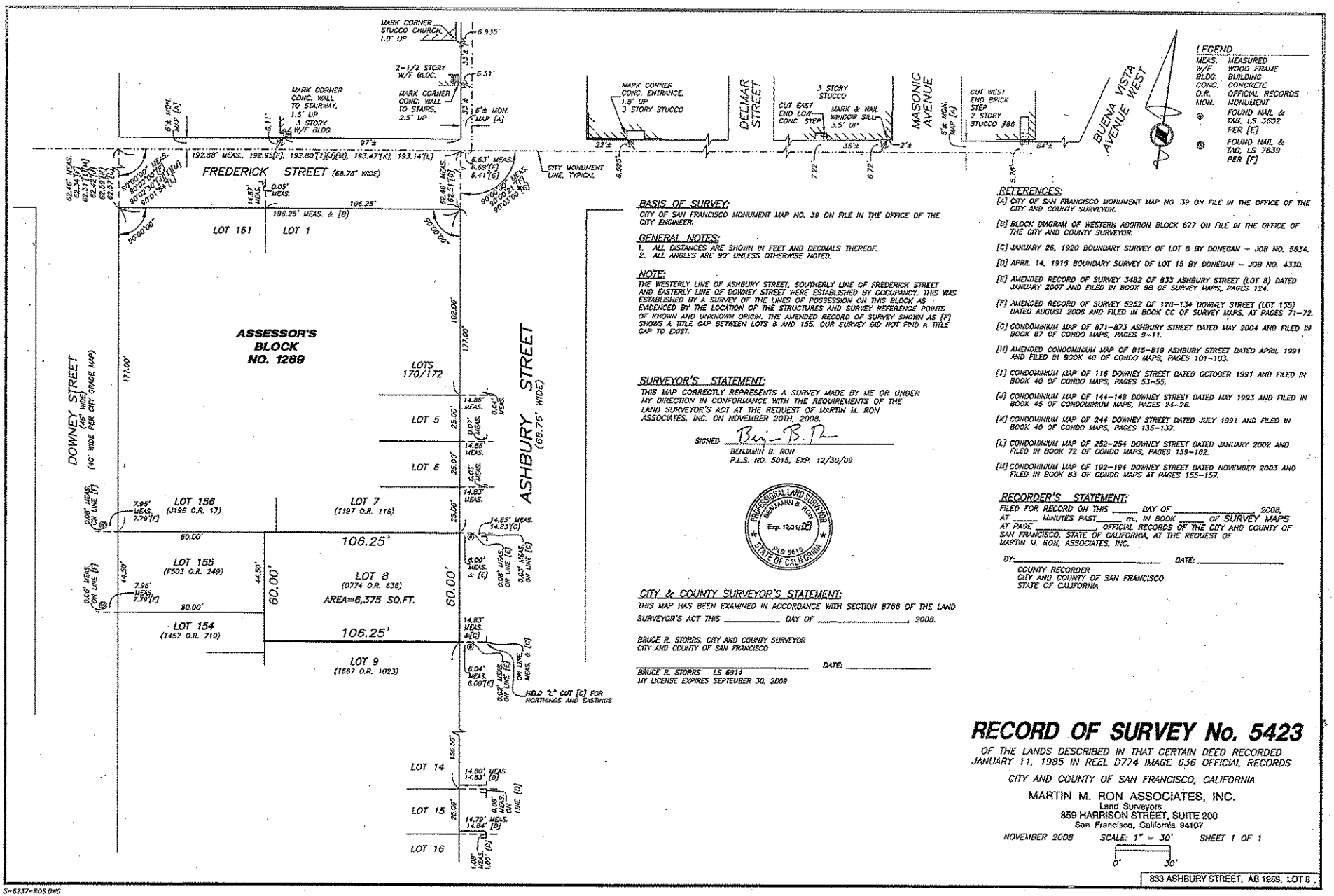
This is not the same request as I submitted last week

This is a different map that was just submitted today 11/20/08 to the Department of Mapping for block 1269 lot 008 by Mr. Ron. If you have any questions please call me at 415-948-5117 or email me.

Thanks
David Larkin

--- On Thu, 11/20/08, Lee, Frank W <Frank.W.Lee@sfdpw.org> wrote:

> From: Lee, Frank W <Frank.W.Lee@sfdpw.org>
> Subject: RE: new sunshine request
> To: "'dgl888@pacbell.net'" <dgl888@pacbell.net>
> Date: Thursday, November 20, 2008, 4:36 PM
> Mr. Larkin:
>
> Are you requesting the same information that you requested
> last Friday and this past Monday?
>
> Frank
>
>
>
> -----Original Message-----
> From: dgl888@pacbell.net [mailto:dgl888@pacbell.net]
> Sent: Thursday, November 20, 2008 4:30 PM
> To: Lee, Frank W
> Subject: new sunshine request
>
>
> Mr. Lee
>
> IMMEDIATE DISCLOSURE REQUEST
>
>
> Block 1269 Lot 008
>
> I am requesting under the sunshine Ordinance a copy of the
> survey by Ron and Associates for Block 1269 Lot 008
> recieved by department of mapping on 11/20/08.
>
> If you have any question please let me know
>
>
> Thank You
>
> David Larkin



BASIS OF SURVEY:

CITY OF SAN FRANCISCO MONUMENT MAP NO. 39 ON FILE IN THE OFFICE OF THE CITY ENGINEER.

GENERAL NOTES:

1. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.

NOTE:

THE WESTERLY LINE OF ASHBURY STREET, SOUTHERLY LINE OF FREDERICK STREET AND EASTERLY LINE OF DOWNEY STREET WERE ESTABLISHED BY OCCUPANCY. THIS WAS ESTABLISHED BY A SURVEY OF THE LINES OF POSSESSION ON THIS BLOCK AS EVIDENCED BY THE LOCATION OF THE STRUCTURES AND SURVEY REFERENCE POINTS OF KNOWN AND UNKNOWN ORIGIN. THE AMENDED RECORD OF SURVEY SHOWN AS [E] SHOWS A TITLE GAP BETWEEN LOTS 8 AND 155. OUR SURVEY DID NOT FIND A TITLE GAP TO EXIST.

SURVEYOR'S STATEMENT:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF MARTIN M. RON ASSOCIATES, INC. ON NOVEMBER 20TH, 2008.

SIGNED _____

BENJAMIN B. RON
P.L.S. NO. 5015, EXP. 12/30/09

PROFESSIONAL LAND SURVEYOR BENJAMIN B. RON Exp. 12/31/09 PLS 5015 STATE OF CALIFORNIA

CITY & COUNTY SURVEYOR'S STATEMENT:

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND SURVEYOR'S ACT THIS _____ DAY OF _____, 2008.

BRUCE R. STORRS, CITY AND COUNTY SURVEYOR
CITY AND COUNTY OF SAN FRANCISCO

_____ DATE: _____

BRUCE R. STORRS LS 6914
MY LICENSE EXPIRES SEPTEMBER 30, 2009

REFERENCES:

[A] CITY OF SAN FRANCISCO MONUMENT MAP NO. 39 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

[B] BLOCK DIAGRAM OF WESTERN ADDITION BLOCK 677 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

[C] JANUARY 26, 1920 BOUNDARY SURVEY OF LOT 8 BY DONEGAN – JOB NO. 5634.

[D] APRIL 14, 1915 BOUNDARY SURVEY OF LOT 15 BY DONEGAN – JOB NO. 4330.

[E] AMENDED RECORD OF SURVEY 3482 OF 833 ASHBURY STREET (LOT 8) DATED JANUARY 2007 AND FILED IN BOOK BB OF SURVEY MAPS, PAGES 124.

[F] AMENDED RECORD OF SURVEY 5252 OF 128–134 DOWNEY STREET (LOT 155) DATED AUGUST 2008 AND FILED IN BOOK CC OF SURVEY MAPS, AT PAGES 71–72.

[G] CONDOMINIUM MAP OF 871–873 ASHBURY STREET DATED MAY 2004 AND FILED IN BOOK 87 OF CONDO MAPS, PAGES 9–11.

[H] AMENDED CONDOMINIUM MAP OF 815–819 ASHBURY STREET DATED APRIL 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 101–103.

[I] CONDOMINIUM MAP OF 116 DOWNEY STREET DATED OCTOBER 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 53–55.

[J] CONDOMINIUM MAP OF 144–148 DOWNEY STREET DATED MAY 1993 AND FILED IN BOOK 45 OF CONDOMINIUM MAPS, PAGES 24–26.

[K] CONDOMINIUM MAP OF 244 DOWNEY STREET DATED JULY 1991 AND FILED IN BOOK 40 OF CONDO MAPS, PAGES 135–137.

[L] CONDOMINIUM MAP OF 252–254 DOWNEY STREET DATED JANUARY 2002 AND FILED IN BOOK 72 OF CONDO MAPS, PAGES 159–162.

[M] CONDOMINIUM MAP OF 192–194 DOWNEY STREET DATED NOVEMBER 2003 AND FILED IN BOOK 83 OF CONDO MAPS AT PAGES 155–157.

RECORDER'S STATEMENT:

FILED FOR RECORD ON THIS _____ DAY OF _____, 2008, AT _____ MINUTES PAST _____ m., IN BOOK _____ OF SURVEY MAPS AT PAGE _____, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AT THE REQUEST OF MARTIN M. RON, ASSOCIATES, INC.

BY: _____ DATE: _____

COUNTY RECORDER
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

RECORD OF SURVEY No. 5423

OF THE LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED JANUARY 11, 1985 IN REEL D774 IMAGE 636 OFFICIAL RECORDS

CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

MARTIN M. RON ASSOCIATES, INC.
Land Surveyors
859 HARRISON STREET, SUITE 200
San Francisco, California 94107

NOVEMBER 2008 SCALE: 1" = 30' SHEET 1 OF 1

0' 30'

833 ASHBURY STREET, AB 1289, LOT 8

S-8237-ROS.DWG

Lee, Frank W

From: Lee, Frank W
Sent: Wednesday, December 10, 2008 2:11 PM
To: 'dgl888@pacbell.net'
Cc: Rodis, Nathan
Subject: RE: YOUR IMMEDIATE DISCLOSURE RECEIVED ON DECEMBER 9: block 1269 lot #008

Dear Mr. Larkin:

We have completed our research on your Immediate Disclosure request.

(1) We do not currently possess a copy of the Block 1269 Lot 008 map that we sent for recording on December 3, 2008. We did not make a copy of the original mylar that was stamped, signed and forwarded to the Recorder's Office. However, we do know that this map is similar to the map that I sent to you on November 25, 2008.

(5) For all of 2008, we have not received any requests for map file information through the Public Records Request or Sunshine Ordinance process, except for the ones from you. I have been handling our department's Public Records Requests since January 2008. Prior to that, someone else handled them for our department, but that person is no longer with DPW. I also do not have records of requests made prior to 2008.

Since I have never received map file information requests before, I have been working with Barbara Moy, Bureau Manager of the Bureau of Street-Use and Mapping, to determine an efficient process for handling map file information requests.

We would like to propose that requests for copies of maps could be made in a less formal manner than through a Public Records Request. Ms. Moy has agreed to accept such requests directly from any public member and will inform her staff of this. However, we would like the public to understand that though our staff will act diligently, such requests will take time to process, scan or copy. Her staff will also check on the cost for copies.

Please also note that some requests, especially for items other than copies of maps, may require consultation with another department, such as the City Attorney's Office. We do this because we have an obligation to protect all parties. These consultations will unfortunately add time to the process.

Of course, if at any time the requestor or the Bureau feels that the request should be put in the form of a Public Records Request, we could do so at that time.

We trust that the above procedure is satisfactory to you and the public. You could contact Ms. Moy at (415) 554-5801 or at Barbara.Moy@sfdpw.org.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Tuesday, December 09, 2008 10:07 AM
To: 'dgl888@pacbell.net'

Cc: Rodis, Nathan
Subject: YOUR IMMEDIATE DISCLOSURE RECEIVED ON DECEMBER 9: block 1269 lot #008

Dear Mr. Larkin:

This is to confirm that we received your Immediate Disclosure request today, December 9, 2008. (See your e-mails below.)

Please note that the Sunshine Ordinance requires departments to respond as soon as possible or by the end of the next business day from receipt of Immediate Disclosure requests. At this time, our department is in the process of identifying and compiling the documents responsive to your request. I will contact you as soon as these documents are ready for you to view. Therefore, we will respond to you on of before the end of business on Wednesday, December 10, 2008, as permitted by San Francisco Administrative Code ? 67.25(a).

I will attempt to transmit the requested information to you via e-mail. If that cannot be accomplished or if hard copies are needed, copies of any documents that are made available to you will cost $0.10 per copy, as allowed by the San Francisco Administrative Code ? 67.28(c). This section states "a fee not to exceed 10 cents per page may be charged." Copies larger than 8.5x11 will cost more. Postage would be extra. Checks should be made out to "The Department of Public Works."

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: dgl888@pacbell.net [mailto:dgl888@pacbell.net]
Sent: Tuesday, December 09, 2008 7:41 AM
To: Lee, Frank W
Subject: Re: block 1269 lot #008

Mr. Lee

I withdrawl my request to #2,#3, and #4, The mapping department corrected their web page.
My request for #1 and #5 are still valid

David Larkin

--- On Mon, 12/8/08, dgl888@pacbell.net <dgl888@pacbell.net> wrote:

> From: dgl888@pacbell.net <dgl888@pacbell.net>
> Subject: block 1269 lot #008
> To: "Lee, Frank W" <Frank.W.Lee@sfdpw.org>
> Date: Monday, December 8, 2008, 6:10 PM
> Mr. Li

>
>
>
> Immediate disclosure request
> I am requesting under the sunshine ordiance act
>
> (1) a hard copy on 18"x26" paper of the survey
> sent for recording on 12/03/08 for block #1269 Lot#008.
>
> FYI The mapping department and I believe the permit
> department has the ability to enlarge maps to this size, in
> fact it is the legal size for R.O.S. surveys as required by
> the California Bussiness Code 8763.
>
> (2) I would like an explaniation of what and why this
> survey (block 1269 lot 008) as of 12/05/08 is going through
> a "Review for Technical Detail Begun" after it has
> been recorded?
>
> You can locate information this by going to
> http://209.77.149.18/subdivision/tracking/subdivision.htm
> go to block and highlight 1269, hit search scroll to the
> botton of page click on 1269/008 see 12/05/08
>
>
> (3) I would like a hard copy on 18"x26" paperof
> this survey after it has completed it "Review for
> Technical Detail Begun" process
>
> (4) I would like to know if any other survey (s) have gone
> through this "Review for Technical Detail Begun"
> process after they have been recorded? Which ones, the date
> this occured and why
>
> (5) I would like to know how mamy request have been made
> through the sunshine ordinance for copies of maps in the
> last 2-3 years
>
> If you have any question about what I am requesting please
> contact me, I will be happy to assist and answer any
> question you have
>
>
>
>
> David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Thursday, January 22, 2009 6:33 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: immediate disclosure request

Complaint
erial for David

Dear Mr. Larkin:

Our department has completed our research and found the attached documents that are responsive to your immediate disclosure request of January 7, 2009.

Due to privacy concerns, we have redacted personal information, such as personal phone numbers and e-mail addresses, from these documents. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

There were other documents related to what you have requested. However, as allowed by California Public Records Act Section 6254(c), we are withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy. Of these documents, you are already in possession of one because it was an email addressed to you on December 17, 2008. That document is not attached to this email.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Wednesday, January 07, 2009 10:40 AM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: immediate disclosure request

Dear Mr. Larkin:

We received your immediate disclosure request via email today.

Please note that the Sunshine Ordinance requires departments to respons as soon as possible or by the end of the next business day from receipt of immediate disclosure requests. At this time, our department is in the process of identifying and compiling the documents responsive to your request.

However, since we need to consult with another department, we are invoking an extension of up to 14

additional days to respons, as permitted by San Francisco Administrative Code Section 67.25(b) and California Goverment Code Section 6253(c). Therefore, instead of responding to you by the end of tomorrow, January 8, 2009, we will respond to you on or before Thursday, January 22, 2009.

I will attempt to transmit the requested information to you via email. If that cannot be accomplished or if hard copies are needed, copies of any letter-size documents that are made available to you will cost $0.10 per copy, as allowed by San Francisco Administrative Code Section 67.28(c). Postage would be extra. Checks should be made out to "The Department of Public Works".

If you have any questions, please fee free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant, Nathan Rodis, at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Tuesday, January 06, 2009 5:11 PM
To: Lee, Frank W
Subject: immediate disclosure request

I am requesting a copy of any and all communications, including but not limited to emails, memos etc, by Mr. Bruce Storrs, Ms. Barbara Moy, Ms Christine Falvey, , Mr. Frank Lee or any city employee or agency that has any reference to the complaint/investigation brought by or concerning David Larkin. Please contact me as soon as possible with any questions you may have.

David Larkin

From: Falvey, Christine
Sent: Tuesday, November 18, 2008 12:29 PM
To: Moy, Barbara L
Subject: FW: Burce Storrs

what can i tell him (just that I forwarded complaint to you, and you will be contacting him?)

-----Original Message-----
From: [mailto:]
Sent: Tuesday, November 18, 2008 11:31 AM
To: Falvey, Christine
Subject: Burce Storrs

Ms. Falvey

I would like to get an update on the situations that occured last week concerning Mr. Bruce Storrs.

Thank You
David Larkin

From: Moy, Barbara L
Sent: Tuesday, November 18, 2008 12:43 PM
To: Falvey, Christine
Subject: RE: Burce Storrs

Yes I will call him tomorrow.

I'll be at City hall all afternoon...

-----Original Message-----
From: Falvey, Christine
Sent: Tuesday, November 18, 2008 12:29 PM
To: Moy, Barbara L
Subject: FW: Burce Storrs

what can i tell him (just that I forwarded complaint to you, and you will be contacting him?)

-----Original Message-----
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Sent: Tuesday, November 18, 2008 11:31 AM
To: Falvey, Christine
Subject: Burce Storrs

Ms. Falvey

. would like to get an update on the situations that occured last week concerning Mr. Bruce Storrs.

Thank You
David Larkin

From: Falvey, Christine
Sent: Tuesday, November 18, 2008 1:12 PM
To:
Subject: RE: Burce Storrs

David,

Thank you for checking in. I referred your complaint to Barbara Moy, Bureau Manager of the Bureau of Street Use and Mapping and Ed Reiskin, Director of Public Works. Ms. Moy will be responding to your complaint this week.

-----Original Message-----
From: [mailto:
Sent: Tuesday, November 18, 2008 11:31 AM
To: Falvey, Christine
Subject: Burce Storrs

Ms. Falvey

I would like to get an update on the situations that occured last week concerning Mr. Bruce Storrs.

Thank You
David Larkin

From:
Sent: Monday, December 01, 2008 9:45 AM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: Bruce Storss

Mrs. Moy

I would like an update of my complaint against Mr. Storrs.

David Larkin

From: Moy, Barbara L
Sent: Monday, December 01, 2008 10:16 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

Christine,

I'll call him.. I spoke to him week before last.

-----Original Message-----
From: [mailto:]
Sent: Monday, December 01, 2008 9:45 AM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: Bruce Storss

Mrs. Moy

I would like an update of my complaint against Mr. Storrs.

David Larkin

From: Moy, Barbara L
Sent: Monday, December 01, 2008 10:32 AM
To:
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

Thank you.

Barbara Moy

-----Original Message-----
From: [mailto:]
Sent: Monday, December 01, 2008 9:45 AM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: Bruce Storss

Mrs. Moy

I would like an update of my complaint against Mr. Storrs.

David Larkin

From:
Sent: Monday, December 08, 2008 6:22 PM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Ms. Moy

I am very unhappy with this entire matter and the way it is being handled. This is not the first time or even the second time Mr. Storrs has shown bias towards me.

It has been a week since we last communicated and I still have not received your reply. I do not understand why it has taken over three weeks to talk to a couple of people in his office with no visible progress/results. Mr. Storrs came out of his office, confronted me, made false accusations, made what might be consider threatening remarks and refused to supply me with a copy of a survey that I am legally entitled to.

The first time I asked for the D.P.W.s help they looked the other way forcing me to seek help from and outside agency at my time and expense. I hope the D.P.W. is not asking me to do so a second time

Over two years ago I asked the D.P.W. to intervene on my behalf and have Mr. Storrs simply follow the rules of the California Business and Professions Code. After numerous emails the D.P.W. took the position that Mr. Storrs was head of that department, competent, and his decisions were final. By taking that stand the D.P.W. left me no choice but get a second opinion from the B.P.E.L.S. The B.P.E.L.S. immediately upon reviewing Mr. Storrs's and the D.P.W. responses opened a complaint against Mr. Storrs (County Surveyor of San Francisco). I did not open a complaint, listed in that complaint nor was I involved in any way with that complaint other than asking for the State's opinion if Mr. Storrs was following state law, and getting my survey recorded in a timely manner as legally required by the State. Mr. Storrs now holds me responsible for that complaint when in fact it was his failure to follow State law even after being asked numerous times to do so. I can supply all the emails and other documents to back up my claim.

(1) It has taken me nearly a month just to get copies of the two surveys on 8 ½ x 11 size paper. I have been unsuccessful and it should not be my responsibility in getting these 8 ½ x 11 size maps enlarged to the California State required size of 16"x24". Previously Mr. Gallup upon receiving my email would always make me a 16" x 24" copy usually that day, the cost would be $5.00 and hassle free. The Department of Mapping has that capability but apparently they do not wish to do so in my case.

(2) I also firmly believe that not all of the correspondence that I originally asked for in my sunshine act request of 11/14/08 has been turned over to me.

Until this matter is resolved, The Mapping Department should not treat me any differently than anyone else.

(1) I am now demanding that the Department of Mapping stop producing 16" x 24" maps to anyone, (surveyors, or public). All maps from the Department of Mapping (even maps retuned to surveyors for corrections), should now be produced on 8 ½" x 11" size paper only.

(2) I am now demanding that the Department of Mapping immediately change its procedures and require all request for maps, condo records or any other information be made through the sunshine act as I have to do.

Mr. Storrs is well aware of the sunshine ordinance and its rules and regulations. Mr. Storrs once tried to charge me staff time of $125 to produce some maps. I was again forced to have an outside agency (the sunshine ordinance taskforce) informed Mr. Storrs that was he was doing was inappropriate. I have the documents to back this up

I believe Mr. Storrs forced me to be the first person ever, to go through the sunshine act to get a copy of a map from his department that I was legally entitled to.

I should not be treated differently than anyone else asking for information from the Mapping Department.

Mr. Storrs through his actions of telling me to leave his office (I was not in his office but the public area), came out of his office and confronted me, falsely accused me of filing a complaint against him with the State of California, making remarks such as "I should know who my friends are" and refused to give me a map I am legally entitled to has left me very hesitant and somewhat afraid to ever deal with the Department of Mapping in the future.

Mr. Storrs uninitiated this fiasco over two years ago and continues to make this personal. All I originally wanted was one copy of one map that I requested the day before, was legally entitled to and could have been produced in less than 5 minutes. Mr. Storrs turned this simply request into a never ending three year nightmare for me.

I am seriously considering filing a formal complaint against Mr. Bruce Storrs.

David Larkin

--- On Mon, 12/1/08, Moy, Barbara L <Barbara.Moy@sfdpw.org> wrote:

> From: Moy, Barbara L <Barbara.Moy@sfdpw.org>
> Subject: RE: Bruce Storss
> To: "' " < >
> Cc: "Falvey, Christine" <Christine.Falvey@sfdpw.org>
> Date: Monday, December 1, 2008, 10:32 AM
> Mr. Larkin,
>
> I will be completing my review shortly. I should be back
> to you in a day or so. Need to talk to additional staff who
> were off last week.
>
> Thank you.
>
> Barbara Moy
>
> -----Original Message-----
> From: mailto:
> Sent: Monday, December 01, 2008 9:45 AM
> To: Moy, Barbara L
> Cc: Falvey, Christine
> Subject: Bruce Storss
>
>
>
> Mrs. Moy
>
> I would like an update of my complaint against Mr. Storrs.
>
> David Larkin

From: Falvey, Christine
Sent: Tuesday, December 09, 2008 8:28 AM
To: Moy, Barbara L
Subject: RE: Bruce Storss

has the dept. formally responded to his complaint?

-----Original Message-----
From: [mailto:]
Sent: Monday, December 08, 2008 6:22 PM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Ms. Moy

I am very unhappy with this entire matter and the way it is being handled. This is not the first time or even the second time Mr. Storrs has shown bias towards me.

It has been a week since we last communicated and I still have not received your reply. I do not understand why it has taken over three weeks to talk to a couple of people in his office with no visible progress/results. Mr. Storrs came out of his office, confronted me, made false accusations, made what might be consider threatening remarks and refused to supply me with a copy of a survey that I am legally entitled to.

The first time I asked for the D.P.W.s help they looked the other way forcing me to seek help from and outside agency at my time and expense. I hope the D.P.W. is not asking me to do so a second time

Over two years ago I asked the D.P.W. to intervene on my behalf and have Mr. Storrs simply follow the rules of the California Business and Professions Code. After numerous emails the D.P.W. took the position that Mr. Storrs was head of that department, competent, and his decisions were final. By taking that stand the D.P.W. left me no choice but get a second opinion from the B.P.E.L.S. The B.P.E.L.S. immediately upon reviewing Mr. Storrs's and the D.P.W. responses opened a complaint against Mr. Storrs (County Surveyor of San Francisco). I did not open a complaint, listed in that complaint nor was I involved in any way with that complaint other than asking for the State's opinion if Mr. Storrs was following state law, and getting my survey recorded in a timely manner as legally required by the State. Mr. Storrs now holds me responsible for that complaint when in fact it was his failure to follow State law even after being asked numerous times to do so. I can supply all the emails and other documents to back up my claim.

(1) It has taken me nearly a month just to get copies of the two surveys on 8 ½ x 11 size paper. I have been unsuccessful and it should not be my responsibility in getting these 8 ½ x 11 size maps enlarged to the California State required size of 16"x24". Previously Mr. Gallup upon receiving my email would always make me a 16" x 24" copy usually that day, the cost would be $5.00 and hassle free. The Department of Mapping has that capability but apparently they do not wish to do so in my case.

(2) I also firmly believe that not all of the correspondence that I originally asked for in my sunshine act request of 11/14/08 has been turned over to me.

Until this matter is resolved, The Mapping Department should not treat me any differently than anyone else.

(1) I am now demanding that the Department of Mapping stop producing 16" x 24" maps to anyone, (surveyors, or public). All maps from the Department of Mapping (even maps retuned to surveyors for

corrections), should now be produced on 8 ½" x 11" size paper only.

(2) I am now demanding that the Department of Mapping immediately change its procedures and require all request for maps, condo records or any other information be made through the sunshine act as I have to do.

Mr. Storrs is well aware of the sunshine ordinance and its rules and regulations. Mr. Storrs once tried to charge me staff time of $125 to produce some maps. I was again forced to have an outside agency (the sunshine ordinance taskforce) informed Mr. Storrs that was he was doing was inappropriate. I have the documents to back this up

I believe Mr. Storrs forced me to be the first person ever, to go through the sunshine act to get a copy of a map from his department that I was legally entitled to.

I should not be treated differently than anyone else asking for information from the Mapping Department.

Mr. Storrs through his actions of telling me to leave his office (I was not in his office but the public area), came out of his office and confronted me, falsely accused me of filing a complaint against him with the State of California, making remarks such as "I should know who my friends are" and refused to give me a map I am legally entitled to has left me very hesitant and somewhat afraid to ever deal with the Department of Mapping in the future.

Mr. Storrs uninitiated this fiasco over two years ago and continues to make this personal. All I originally wanted was one copy of one map that I requested the day before, was legally entitled to and could have been produced in less than 5 minutes. Mr. Storrs turned this simply request into a never ending three year nightmare for me.

I am seriously considering filing a formal complaint against Mr. Bruce Storrs.

David Larkin

--- On Mon, 12/1/08, Moy, Barbara L <Barbara.Moy@sfdpw.org> wrote:

> From: Moy, Barbara L <Barbara.Moy@sfdpw.org>
> Subject: RE: Bruce Storss
> To: "" <>
> Cc: "Falvey, Christine" <Christine.Falvey@sfdpw.org>
> Date: Monday, December 1, 2008, 10:32 AM
> Mr. Larkin,
>
> I will be completing my review shortly. I should be back
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> were off last week.
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> Thank you.
>
> Barbara Moy
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> -----Original Message-----
> From: [mailto:]
> Sent: Monday, December 01, 2008 9:45 AM
> To: Moy, Barbara L
> Cc: Falvey, Christine
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>

>
>
> Mrs. Moy
>
> I would like an update of my complaint against Mr. Storrs.
>
> David Larkin

From: Moy, Barbara L
Sent: Tuesday, December 09, 2008 8:32 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

No... I am still working on that.... I wrote to Mr Larkin late last week that I was getting more statements which was taking longer than I thought given the thanksgiving holidays.

-----Original Message-----
From: Falvey, Christine
Sent: Tuesday, December 09, 2008 8:28 AM
To: Moy, Barbara L
Subject: RE: Bruce Storss

has the dept. formally responded to his complaint?

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David Larkin

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> From: Moy, Barbara L <Barbara.Moy@sfdpw.org>
> Subject: RE: Bruce Storss
> To: "" <>
> Cc: "Falvey, Christine" <Christine.Falvey@sfdpw.org>
> Date: Monday, December 1, 2008, 10:32 AM
> Mr. Larkin,
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> to you in a day or so. Need to talk to additional staff who
> were off last week.
>
> Thank you.
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> From: [mailto:]
> Sent: Monday, December 01, 2008 9:45 AM
> To: Moy, Barbara L
> Cc: Falvey, Christine
> Subject: Bruce Storss
>
>
>
> Mrs. Moy
>
> I would like an update of my complaint against Mr. Storrs.
>
> David Larkin

From:
Sent: Monday, December 15, 2008 9:12 AM
To: Falvey, Christine
Subject: My complaint

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Falvey

It has been over a month and still no results on my complaint against Mr. Storrs.

I contacted Ms. Moy over two weeks ago,(December 1,) asking about the status of my complaint. Her reply was

"Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

Thank you.

Barbara Moy"

She never replied and this is not the first time my complaint against Mr.Storrs has been ignored by the D.P.W.

I am asking you to intervene on my behalf. If I do not hear back with the results of my complaint by Wednesday afternoon I will be left with no choice but to file a complaint with the "Whistle Blowers program"

Thank You
David Larkin

From: Falvey, Christine
Sent: Monday, December 15, 2008 10:02 AM
To: Moy, Barbara L
Subject: FW: My complaint

barbara, any update?
-----Original Message-----
From: [mailto:]
Sent: Monday, December 15, 2008 9:12 AM
To: Falvey, Christine
Subject: My complaint

Ms. Falvey

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Thank You
David Larkin

From: Moy, Barbara L
Sent: Monday, December 15, 2008 11:03 AM
To: Falvey, Christine
Subject: RE: My complaint

I will write to him... I got some more statements.

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From: Falvey, Christine
Sent: Monday, December 15, 2008 10:02 AM
To: Moy, Barbara L
Subject: FW: My complaint

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Thank You
David Larkin

From: Falvey, Christine
Sent: Tuesday, December 16, 2008 4:05 PM
To: Moy, Barbara L; Reiskin, Ed
Subject: FW: My complaint

Follow Up Flag: Follow up
Flag Status: Flagged

Barbara and Ed, Want to send this along. Do we have anything to report to D. Larkin?

-----Original Message-----
From: [mailto:]
Sent: Monday, December 15, 2008 9:12 AM
To: Falvey, Christine
Subject: My complaint

Ms. Falvey

It has been over a month and still no results on my complaint against Mr. Storrs.

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Thank You
David Larkin

From:
Sent: Thursday, December 18, 2008 7:56 AM
To: Falvey, Christine
Subject: Re: Your Complaint regarding Bruce Storrs

Mr. Falvey

I believe Ms. Moy decision was bias as was her decision 2 years ago. The actions of Mr. Storrs should not be condoned. This is the second time she allowed Mr. Storrs to violate either State law or city code. Mr. Storrs has no right to treat me differently than any one else,or Imake threats but apparently Ms. Moy disagrees. I asked 311 to intervene through the whistle blower's program. I also do not agree with Ms. Moy decision to have the public go through her department to get maps, simple because of Mr. Storrs childish behavior.

I do not believe Ms. Moy addressed Mr. Storrs behavior that day, with him personally demanding I leave the public area of the mapping department, or bringing up a complaint as the reason he is treating me as the first person ever to have to go through the sunshine act to get a map. She did not address many other parts of my complaint but simple said Mr. Storrs acted appropratly. By allowing this type of behavior to continue shows her bias and allows Mr. Storrs to continue to act in a way that the city should not tolerate.

Please email me if you wish to discuss this further.

David Larkin

--- On Wed, 12/17/08, Moy, Barbara L <Barbara.Moy@sfdpw.org> wrote:

> From: Moy, Barbara L <Barbara.Moy@sfdpw.org>
> Subject: Your Complaint regarding Bruce Storrs
> To: "" "" <>
> Date: Wednesday, December 17, 2008, 7:42 AM
> Mr. Larkin,
>
>
>
> I am addressing your specific complaint about Bruce Storrs,
> County Surveyor related to your visit to our offices on the
> afternoon of November 14th. You have expressed other
> concerns regarding the process for getting copies of maps
> and other documents. You requested maps as well as
> letters/documents which required review and possible
> redaction of private information in consultation with the
> City Attorney's office as necessary. Mr. Frank Lee has
> responded to your various requests for documents from our
> files and has provided all that you have requested. I will
> therefore only address the incident of November 14th and
> your specific complaint about Mr. Storrs
>
>
>
> Background on your complaint:
>
>

>
> You contacted Christine Falvey, in the Director's
> office on Friday November 14th. Ms. Falvey contacted me to
> share your concerns.
>
>
>
> I called you on November 19th, to discuss your complaint.
> In summary, you indicated you came to our office on Friday
> afternoon and were not given a copy of a map during your
> visit. You felt that you were being treated differently
> than other members of the public. You believe that Mr.
> Storrs holds you responsible for a "complaint" to
> the Board of Professional Engineers and Land Surveyors
> regarding a map review a few years ago. You indicated that
> you did not file a complaint but did make an inquiry to the
> BPELS. I advised you that I would need to review the
> situation and that I would get back to you as soon as
> possible
>
>
>
> On Monday December 8th, after not hearing the results of my
> review, you wrote to me, unhappy that I had not yet replied
> to you. In your email you stated that on November 14th,
> "Mr. Storrs came out of his office, confronted me, made
> false accusations, made what might be consider threatening
> remarks and refused to supply me with a copy of a survey
> that I am legally entitled to." You also voiced your
> issues with the timeliness of the review and approval of a
> Record of Survey "more than 2 years ago". While
> this is not the specific issue at hand, you felt that the
> inquiry you made to the State Board concerning the
> timeliness of map reviews led to Mr. Storrs' actions on
> November 14th.
>
>
>
> I have individually interviewed the staff who were present
> during your visit on November 14th. Based on those
> interviews, I cannot substantiate the claims you put
> forward. I believe Mr. Storrs and his staff have provided
> you with the level of service that is consistent with our
> customer service protocols. I recognize that in the past
> you have received copies of maps directly from Mr.
> Storrs' staff in person and have obtained a copy on the
> spot. This will not always be possible due to staff
> priorities and the need to assure that the documents you
> have requested do not contain personal information, which
> must be redacted. In a communication last week to you, Mr.
> Frank Lee outlined a process for future requests, which I
> trust will work for you.
>

>
> If you have any further questions or comments, please do
> not hesitate to contact me.

From: [redacted]
Sent: Tuesday, January 06, 2009 5:53 PM
To: Falvey, Christine
Cc: Lee, Frank W; DPW; Moy, Barbara L
Subject: complaint Bruce Storrs, Barbara Moy

Ms. Falvey

You failed to respond to my letter dated December 18, 08, As you can guess I am very disappointed in Ms. Moy's decision that Mr. Storrs actions that day were acceptable. I find it ridiculous that his behavior was found acceptable. I would like to hear from you and get your opinion if Mr. Storrs actions that day were at the level of service that is consistent with the mapping customer service protocols.

This is the second time Ms. Moy has sided with Mr. Storrs when he is clearly in violation of the law and in the wrong.

If you do not address my concerns I will have my complaint professional written and forwarded to various employees of the D.P.W., other city agencies, my attorney, the city attorney, the Mayor, every supervisor, any publication willing to read it and to Mr. Jeffery N. Lucas, PLS, Esq. of P.O.B. who has expressed an interested in my predicament.

Ms. Moy wrote
"I have individually interviewed the staff who were present during your visit on November 14th. Based on those interviews, I cannot substantiate the claims you put forward. I believe Mr. Storrs and his staff have provided you with the level of service that is consistent with our customer service protocols. I recognize that in the past you have received copies of maps directly from Mr. Storrs' staff in person and have obtained a copy on the spot. This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you.

1)Mr. Storrs has no right to threaten me. "I should know who my friends are"
(2)Mr. Storrs has no right to confront me in public and accuse me of opening a complaint against him. I did not open a complaint against him, the State of California did and I was not party to that complaint. (Check it out)
(3)Mr. Storrs has no right to force me leave the public area of the Mapping Department. I was not in his office but in the public area.
(4)Mr. Storrs has no right to refuse to supply me with a copy of a map I am legally entitled to. Mr. Storrs has no right to make me the first person in the history of the Mapping Department to go through the sunshine ordinance to get a copy of a map. This was a deliberate act by Mr. Storrs against me, and you take no action. Why?
(5) Mr. Storrs is well aware of the sunshine ordinance and that I am legally entitled to those maps. In 03/06 Mr. Storrs tried to charge me $125 in staff time to get some maps, after he was notified by Mr. Frank Darby of the Sunshine Ordinance Task Force Mr. Storrs withdrew his fees.

(6) I will not accept the process Mr. Frank Lee and Ms. Moy suggest. This process discriminatory and sets the way I am treated differently as opposed to the public. If Ms. Moy makes me go through the sunshine ordinance to request a map that I am legally entilted to, then I demand that everyone else including all surveyors be expected to do the same. What is Ms. Moy's logic in allowing Mr. Storrs to refuse to provide me the maps that I am legally entitled to and been getting for over 4 years to suddenly change this process because Mr. Storrs throws a tantrum.

I believe I am entitled to know not only the basis behind Ms. Moy decision but specific details of why she found that Mr. Storrs did nothing wrong that day and why it took her over two weeks just to interview some mapping personal. I have requested additional information through the sunshine ordinance.

This started out with me just asking for one copy of a map I am legally entilted to, and look how have it has progressed.

Dave Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Thursday, January 22, 2009 6:35 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Investigation
aterial for Dav

Dear Mr. Larkin:

Our department has completed our research and found the attached documents that are responsive to your immediate disclosure request of January 9, 2009.

Due to privacy concerns, we have redacted personal information, such as personal phone numbers and e-mail addresses, from these documents. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

There were other documents related to what you have requested. However, as allowed by California Public Records Act Section 6254(c), we are withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy. Of these documents, you are already in possession of one because it was an email addressed to you on December 17, 2008. That document is not attached to this email.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: Lee, Frank W
Sent: Friday, January 09, 2009 5:30 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

We received your immediate disclosure request via email yesterday.

Please note that the Sunshine Ordinance requires departments to respons as soon as possible or by the end of the next business day from receipt of immediate disclosure requests. At this time, our department is in the process of identifying and compiling the documents responsive to your request.

However, since we need to consult with another department, we are invoking an extension of up to 14

additional days to respons, as permitted by San Francisco Administrative Code Section 67.25(b) and California Goverment Code Section 6253(c). Therefore, instead of responding to you by the end of today, January 9, 2009, we will respond to you on or before Friday, January 23, 2009.

I will attempt to transmit the requested information to you via email. If that cannot be accomplished or if hard copies are needed, copies of any letter-size documents that are made available to you will cost $0.10 per copy, as allowed by San Francisco Administrative Code Section 67.28(c). Postage would be extra. Checks should be made out to "The Department of Public Works".

If you have any questions, please fee free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant, Nathan Rodis, at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Thursday, January 08, 2009 10:26 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Immediate Disclosure Request

I am requesting a copy of the Department of Public Works investigating of Mr. Bruce Storrs, County Surveyor. I am requesting all communications in any form related to the complaint I filed per this investigation.

I am requesting all communications on all past investigations and or complaints against Mr. Bruce Storrs.

From: Moy, Barbara L
Sent: Monday, December 01, 2008 10:32 AM
To:
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

Thank you.

Barbara Moy

-----Original Message-----
From: [mailto:]
Sent: Monday, December 01, 2008 9:45 AM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: Bruce Storss

Mrs. Moy

I would like an update of my complaint against Mr. Storrs.

David Larkin

From: Moy, Barbara L
Sent: Monday, December 15, 2008 11:03 AM
To: Falvey, Christine
Subject: RE: My complaint

I will write to him... I got some more statements.

-----Original Message-----
From: Falvey, Christine
Sent: Monday, December 15, 2008 10:02 AM
To: Moy, Barbara L
Subject: FW: My complaint

barbara, any update?
-----Original Message-----
From: [mailto:]
Sent: Monday, December 15, 2008 9:12 AM
To: Falvey, Christine
Subject: My complaint

Ms. Falvey

.t has been over a month and still no results on my complaint against Mr. Storrs.

I contacted Ms. Moy over two weeks ago,(December 1,) asking about the status of my complaint. Her reply was

"Mr. Larkin,

I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.

Thank you.

Barbara Moy"

She never replied and this is not the first time my complaint against Mr.Storrs has been ignored by the D.P.W.

I am asking you to intervene on my behalf. If I do not hear back with the results of my complaint by Wednesday afternoon I will be left with no choice but to file a complaint with the "Whistle Blowers program"

Thank You
David Larkin

From: Moy, Barbara L
Sent: Tuesday, December 09, 2008 8:32 AM
To: Falvey, Christine
Subject: RE: Bruce Storss

No... I am still working on that.... I wrote to Mr Larkin late last week that I was getting more statements which was taking longer than I thought given the thanksgiving holidays.

-----Original Message-----
From: Falvey, Christine
Sent: Tuesday, December 09, 2008 8:28 AM
To: Moy, Barbara L
Subject: RE: Bruce Storss

has the dept. formally responded to his complaint?

-----Original Message-----
From: [mailto:
Sent: Monday, December 08, 2008 6:22 PM
To: Moy, Barbara L
Cc: Falvey, Christine
Subject: RE: Bruce Storss

Ms. Moy

I am very unhappy with this entire matter and the way it is being handled. This is not the first time or even the second time Mr. Storrs has shown bias towards me.

It has been a week since we last communicated and I still have not received your reply. I do not understand why it has taken over three weeks to talk to a couple of people in his office with no visible progress/results. Mr. Storrs came out of his office, confronted me, made false accusations, made what might be consider threatening remarks and refused to supply me with a copy of a survey that I am legally entitled to.

The first time I asked for the D.P.W.s help they looked the other way forcing me to seek help from and outside agency at my time and expense. I hope the D.P.W. is not asking me to do so a second time

Over two years ago I asked the D.P.W. to intervene on my behalf and have Mr. Storrs simply follow the rules of the California Business and Professions Code. After numerous emails the D.P.W. took the position that Mr. Storrs was head of that department, competent, and his decisions were final. By taking that stand the D.P.W. left me no choice but get a second opinion from the B.P.E.L.S. The B.P.E.L.S. immediately upon reviewing Mr. Storrs's and the D.P.W. responses opened a complaint against Mr. Storrs (County Surveyor of San Francisco). I did not open a complaint, listed in that complaint nor was I involved in any way with that complaint other than asking for the State's opinion if Mr. Storrs was following state law, and getting my survey recorded in a timely manner as legally required by the State. Mr. Storrs now holds me responsible for that complaint when in fact it was his failure to follow State law even after being asked numerous times to do so. I can supply all the emails and other documents to back up my claim.

(1) It has taken me nearly a month just to get copies of the two surveys on 8 ½ x 11 size paper. I have been unsuccessful and it should not be my responsibility in getting these 8 ½ x 11 size maps enlarged to the California State required size of 16"x24". Previously Mr. Gallup upon receiving my email would always make me a 16" x 24" copy usually that day, the cost would be $5.00 and hassle free. The Department of Mapping

has that capability but apparently they do not wish to do so in my case.

(2) I also firmly believe that not all of the correspondence that I originally asked for in my sunshine act request of 11/14/08 has been turned over to me.

Until this matter is resolved, The Mapping Department should not treat me any differently than anyone else.

(1) I am now demanding that the Department of Mapping stop producing 16" x 24" maps to anyone, (surveyors, or public). All maps from the Department of Mapping (even maps retuned to surveyors for corrections), should now be produced on 8 ½" x 11" size paper only.

(2) I am now demanding that the Department of Mapping immediately change its procedures and require all request for maps, condo records or any other information be made through the sunshine act as I have to do.

Mr. Storrs is well aware of the sunshine ordinance and its rules and regulations. Mr. Storrs once tried to charge me staff time of $125 to produce some maps. I was again forced to have an outside agency (the sunshine ordinance taskforce) informed Mr. Storrs that was he was doing was inappropriate. I have the documents to back this up

I believe Mr. Storrs forced me to be the first person ever, to go through the sunshine act to get a copy of a map from his department that I was legally entitled to.

I should not be treated differently than anyone else asking for information from the Mapping Department.

Mr. Storrs through his actions of telling me to leave his office (I was not in his office but the public area), came out of his office and confronted me, falsely accused me of filing a complaint against him with the State of California, making remarks such as "I should know who my friends are" and refused to give me a map I am legally entitled to has left me very hesitant and somewhat afraid to ever deal with the Department of Mapping in the future.

Mr. Storrs uninitiated this fiasco over two years ago and continues to make this personal. All I originally wanted was one copy of one map that I requested the day before, was legally entitled to and could have been produced in less than 5 minutes. Mr. Storrs turned this simply request into a never ending three year nightmare for me.

I am seriously considering filing a formal complaint against Mr. Bruce Storrs.

David Larkin

--- On Mon, 12/1/08, Moy, Barbara L <Barbara.Moy@sfdpw.org> wrote:

> From: Moy, Barbara L <Barbara.Moy@sfdpw.org>
> Subject: RE: Bruce Storss
> To: "" <>
> Cc: "Falvey, Christine" <Christine.Falvey@sfdpw.org>
> Date: Monday, December 1, 2008, 10:32 AM
> Mr. Larkin,
>
> I will be completing my review shortly. I should be back to you in a day or so. Need to talk to additional staff who were off last week.
>
> Thank you.
>

> Barbara Moy
>
> -----Original Message-----
> From: [mailto: .]
> Sent: Monday, December 01, 2008 9:45 AM
> To: Moy, Barbara L.
> Cc: Falvey, Christine
> Subject: Bruce Storss
>
>
>
> Mrs. Moy
>
> I would like an update of my complaint against Mr. Storrs.
>
> David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Wednesday, January 28, 2009 6:24 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

Our department has completed our research to your previous requests on January 5 and 7, 2009. Those documents that we found to be responsive to your two previous requests were forwarded to you on January 22. Under the California Public Records Act Section 6254(c), we withheld other responsive documents at that time because disclosing them would constitute an unwarranted invasion of personal privacy. We also did not include a responsive document that we sent to you previously.

The documents that we found to be responsive to your "Immediate Disclosure Request #1" are part of those documents that we withheld previously. Therefore, as allowed by the California Public Records Act Section 6254(c), we are, again, withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant, Nathan Rodis, at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Monday, January 26, 2009 9:38 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Mr. Lee

Immediate Disclosure Request #1 January 24, 2008

I am requesting a copy of the report that Ms. Barbara Moy wrote and used to make her determination that Mr. Storrs and his staff have provided (me) with the level of service that is consistent with our customer service protocols. I did not get a copy of that report/investigation per my previous sunshine request.

David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Wednesday, January 28, 2009 6:24 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

Our department has completed our research to your previous requests on January 5 and 7, 2009. Those documents that we found to be responsive to your two previous requests were forwarded to you on January 22. Under the California Public Records Act Section 6254(c), we withheld other responsive documents at that time because disclosing them would constitute an unwarranted invasion of personal privacy. We also did not include a responsive document that we sent to you previously.

The documents that we found to be responsive to your "Immediate Disclosure Request #2" are part of those documents that we withheld previously. Therefore, as allowed by the California Public Records Act Section 6254(c), we are, again, withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant, Nathan Rodis, at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Monday, January 26, 2009 9:39 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Mr. Lee

Immediate Disclosure Request #2

I am requesting the names of the people that Ms. Moy interviewed for this report, and a copy of their statements, whether or not they are included in this report.

David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Wednesday, January 28, 2009 6:24 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

I believe that you may have misinterpreted what we had proposed to you as a policy change. Ms. Moy and the Bureau of Street-Use and Mapping did not recently implement any changes regarding processing public requests. Members of the public can still walk up to the Bureau's counter and make requests with any employee that is stationed at the counter.

We suggested that you could contact Ms. Moy directly with your requests because it appeared that making such requests with employees at the counter did not work for you. We also made this suggestion to you because making such requests through the Public Records Request process is cumbersome and would require several layers of communications. Since Ms. Moy oversees the entire Bureau of Street-Use and Mapping, which would include the employees working at the Bureau's counter, Ms. Moy can help you directly by ensuring that her employees handle your requests properly.

You can continue to make your requests with those employees stationed at the counter or you can contact Ms. Moy directly with your requests. Both options are available to you.

However, we hope that all requesters understand that, though our staff will act diligently, requests will take time to process, scan or copy. Given workload demands and/or other priorities, your request for documents may require a few days to fulfill. In addition, some requests -- especially for items other than copies of maps -- may require consultation with another department, such as the City Attorney's Office. We do this because we have an obligation to protect all parties. These consultations will unfortunately add time to the process.

In summary, any public members can walk up to the Bureau of Street-Use and Mapping's counter and make requests, including requests for maps, with any employee that is stationed at the counter. No, these public members do not need to go through Ms. Moy's office with these requests. Going through Ms. Moy is an option that we offered to you. And, yes, land surveyors and contractors are considered members of the public.

Sincerely,
Frank W. Lee
Executive Assistant to the Director

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Monday, January 26, 2009 9:43 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Immediate Disclosure Request #3

Ms Moy wrote December 17, 2008

"This will not always be possible due to staff priorities and the need to assure that the documents you have requested do not contain personal information, which must be redacted. In a communication last week to you, Mr. Frank Lee outlined a process for future requests, which I trust will work for you."

Mr Lee did not outline the process but only proposes one December 10, 2008

"We would like to propose that requests for copies of maps could be made in a less formal manner than through a Public Records Request. Ms. Moy has agreed to accept such requests directly from any public member and will inform her staff of this. However, we would like the public to understand that though our staff will act diligently, such requests will take time to process, scan or copy. Her staff will also check on the cost for copies."

Immediate Disclosure Request #3

I am requesting a copy of the policy Ms. Moy recently implemented and informed her staff about regarding how she now will process public request from her department.

I am requesting a copy of what departments in the D.P.W. Ms. Moy will require to follow this new policy.

I am requesting to know if this policy only cover only "maps" or does it cover all request for any and all public documents.

I am requesting to know if all requests without exception will have to go through Ms. Moy's office. Will Department of Mapping personal including Mr. Storrs have the discretion to be able to provide maps and or documents to the public without going through Ms. Moy's office?

I am requesting to know if land surveyor's and contractors are considered "public" and will have to go through the same process to get maps, and documents as I will have to.

David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Friday, January 30, 2009 5:11 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

We have completed our research and found no documents responsive to your request.

If you have any questions, please fee free to contact me at Frank.W.Lee@sfdpw.org or at (415) 554-6993.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Thursday, January 29, 2009 10:27 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Mr. Lee

I am requesting all communications between with the City Attorney's Office and/or any other city agency with regard to my complaint and the DPW's determination not to release information requested through the Sunshine Ordinance.

Thanks

David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Friday, January 30, 2009 5:11 PM
To: 'davidlarkin1@yahoo.com'
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

Our department has completed our research to your previous requests. Those documents that we found to be responsive to your two previous requests were forwarded to you on January 22. Under the California Public Records Act Section 6254(c), we withheld other responsive documents at that time because disclosing them would constitute an unwarranted invasion of personal privacy. We also did not include a responsive document that we sent to you previously.

The documents that you are requesting again are part of those documents that we withheld previously. Therefore, as allowed by the California Public Records Act Section 6254(c), we are, once again, withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy.

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant, Nathan Rodis, at Nathan.Rodis@sfdpw.org with any questions.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Thursday, January 29, 2009 10:31 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Mr. Lee

I am requesting a copy of all reports and material previously denied by the DPW. I am requesting this per 67.26

No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or of some other statute. Information that is exempt from disclosure shall be masked, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released, and keyed by footnote or other clear reference to the appropriate justification for withholding required by section 67.27 of this article

David Larkin

Lee, Frank W

From: Lee, Frank W
Sent: Friday, January 30, 2009 5:11 PM
To: 'davidlarkin1@yahoo.com'
Cc: Rodis, Nathan
Subject: RE: Immediate Disclosure Request

Dear Mr. Larkin:

In your Immediate Disclosure #2 made on January 26, you requested "the names of the people that Ms. Moy interviewed for this report, and a copy of their statements, whether or not they are included in this report". On January 28, 2009, I responded to this request by letting you know that we found to be responsive to this request are part of those documents that we withheld because disclosing them would constitute an unwarranted invasion of personal privacy.

Therefore, to answer your question, the material being withheld are those documents: names of the people interviewed, their statements, and the report. In addition to these documents, a preliminary draft of the report was also withheld. We are withholding these documents as allowed by California Public Records Act Section 6254(c). Although we withheld the report, you were given this report or the outcome of Ms. Moy's investigation of your complaint in a previous email to you.

Sincerely,
Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

-----Original Message-----
From: davidlarkin1@yahoo.com [mailto:dgl888@pacbell.net]
Sent: Thursday, January 29, 2009 10:35 AM
To: Lee, Frank W
Subject: Immediate Disclosure Request

Mr. Lee

Immediate Disclosure Request

I am requesting a list of all material that I was denied by the DPW per 6254 (c). I am not requesting the material just a list of what the DPW said I was not entitled to.

David Larkin

<complaints@sfgov.org>
01/29/2009 10:11 AM

To <sotf@sfgov.org>
cc
bcc
Subject Sunshine Complaint

Submitted on: 1/29/2009 10:11:07 AM

Department: DPW

Contacted: Mr. Frank Lee and Ms. Barbara Moy

Public_Records_Violation: Yes

Public_Meeting_Violation: No

Meeting_Date:

Section(s)_Violated: the use of 6254 (c) to deny my request and possibly others

Description: Brief history
I filed a complaint against Mr. Bruce Storrs with the Dpw. Ms. Moy of the DPW determined Mr.Storrs did nothing wrong. I requested a copy of her investigation and other material. I was denied this material per 6254 (c).

I submitted a complaint on 1/26/09 to the Sunshine Ordinance Committee in regards to the D.P.W.'s refusal to supply me with information I requested on 1/7/09. Mr. Frank Lee cited Section 6254 (c) of the California Public Records Act as the basic for his refusal to disclose.

On 1/26/09 I submitted 2 additional requests for information and again Mr. Frank Lee again refused to provide me the information I requested again citing section 6254 (c).

Mr. Frank Lee turned down all of my requests citing the following.

"There were other documents related to what you have requested. However, as allowed by California Public Records Act Section 6254(c), we are withholding these documents because disclosing them would constitute an unwarranted invasion of personal privacy. Of these documents, you are already in possession of one because it was an email addressed to you on December 17, 2008. That document is not attached to this email."

Section 6254 (c)
6254. Except as provided in Sections 6254.7 and 6254.13, nothing in this chapter shall be construed to require disclosure of records that are any of the following:
(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

I do not believe Section 6254 (c) pertains in any way to my situation and the information I requested should be made available. I believe this is a deliberate attempt by Ms. Barbara Moy to stall my request in her attempt to

shield Mr. Storrs and herself by not making this report public.

I will be happy to answer any question you have.

Thank You

[redacted]@yahoo.com

Hearing: Yes

Date: 1/27/08

Name: David Larkin

Address:

City: San Francisco

Zip:

Phone: 415-[redacted]

Email: [redacted]@yahoo.com

Anonymous:

Confidentiality_Requested: Yes

[redacted]@yahoo.com"
[redacted]@pacbell.net>
03/18/2009 05:27 PM

To sotf@sfgov.org
cc
bcc
Subject continuance for 9007

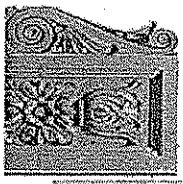
Sunshine Task Force

I will be out of town and unable to attend the March 24, meeting

I would like to be granted a continuance for complaint #9007.

Thank You

David Larkin



Chris Rustom/BOS/SFGOV
04/08/2009 09:02 AM

To SOTF@sfgov.org
cc
bcc
Subject Fw: #09007_David Larkin v Public Works

History: This message has been forwarded.

"Lee, Frank W" <Frank.W.Lee@sfdpw.org>
04/02/2009 12:27 PM

To "Rustom, Chris" <Chris.Rustom@sfgov.org>
cc
Subject FW: #09007_David Larkin v Public Works

Chris:

Please note that I will be on vacation when the next SOTF meets. I will not be in San Francisco on April 28.

Will this matter still come before the SOTF?

Frank

david larkin
<davidlarkin1@yahoo.com>
04/15/2009 11:09 AM

To SOTF <sotf@sfgov.org>
cc
bcc
Subject Re: Fw: #09007_David Larkin v Public Works

History: This message has been forwarded.

Sunshine Task Force

I would prefer to have this matter heard as soon as possible. I believe Mr. Lee's assistance Rodis Nathan should be able stand in and answer any questions the board may have regarding this matter.

Thank You

David Larkin

"Lee, Frank W"
<Frank.W.Lee@sfdpw.org>
04/15/2009 02:40 PM

To SOTF <sotf@sfgov.org>, "Rustom, Chris" <Chris.Rustom@sfgov.org>
cc "Moy, Barbara" <Barbara.Moy@sfdpw.org>
bcc
Subject RE: #09007_David Larkin v Public Works

History: This message has been forwarded.

Chris:

While I understand that Mr. Larkin would like to get this matter before the SOTF as soon as possible, I too would like to have this heard as soon as possible and was prepared to appear at the SOTF March meeting. If I recall correctly from you, it was Mr. Larkin who asked that this matter be postponed. Therefore, may I do the same now?

I will not be physically in San Francisco and cannot attend the April 28 SOTF Meeting. I respectfully ask that this matter be postponed or continued to a later date.

Sincerely,
Frank

david larkin
<arnoldforgovernor2003@yahoo.com>
04/16/2009 03:45 PM
Please respond to dgl888@pacbell.net

To SOTF <sotf@sfgov.org>
cc
bcc
Subject Re: Fw: #09007_David Larkin v Public Works

Sunshine Task Force
Complaint #09007

In response to Mr. Lee's allegations, I was not notified by the SOFT until March 19, 2009 that a meeting was scheduled on March 24, 2009. This was at most a 5 day notice, and my presents were previously required in Southern California. I can prove I have confirmed and paid plane and hotel reservation prior to March 19, 2009.

Confirmation Number
J395N4

Confirmation Date: 03/13/09
Received: WN/DAVID LARKIN BY ICBM

I would also like the Sunshine Task Force to consider that since this matter was started Mr. Lee's assistance Mr. Rodis Nathan has been involved in this process since the beginning and is should be capable of representing the DPW's position.

This message was sent to me by Mr. Lee on December 9, 2008

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org . You could also contact my assistant, Nathan Rodis, at Nathan.Rodis@sfdpw.org with any questions.

This message was sent to me by Mr. Lee on March 13, 2009

If you have any questions, please feel free to contact me at (415) 554-6993 or at Frank.W.Lee@sfdpw.org. You could also contact my assistant Nathan Rodis at Nathan.Rodis@sfdpw.org with any questions.

The DPW has known since March 19, that the next hearing of this matter was April, 28, 2009. I believe Mr. Lee if he knew he had vacation planned during this time should have either notified the Sunshine Ordinance immediately after March 19, or had Mr. Nathan review this matter so he could present the DPW's view on April 28, 2009. If Mr. Lee did not schedule his vacation till just recently knowing this hearing was set for April 28, then Mr. Nathan should have ample time to present the DPW's position.

David Larkin

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