

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

August 5, 2009
Amended August 13, 2009

DATE THE DECISION ISSUED

July 28, 2009

DOMINIC MAIONCHI v. RECREATION AND PARK DEPARTMENT (09032)

FACTS OF THE CASE

Dominic Maionchi made a Public Records Request for the address of slip holders who have signed contracts with the Recreation and Park Department. Dominic Maionchi received word from the department that it would be redacting the mailing addresses of the slip holders.

COMPLAINT FILED

Dominic Maionchi filed a complaint against the department alleging that the department violated Section 67.24 of the Sunshine Ordinance on June 18, 2009.

HEARING ON THE COMPLAINT

On July 28, 2009, complainant Dominic Maionchi appeared before the Task Force and presented his claim. Respondent Agency was represented by Olive Gong of the Recreation and Park Department.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Task Force found that addresses must be released, and only withheld if it pertained to whistle-blower and retribution issues.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the agency violated Section 67.24 for withholding information and Sec 67.27 for not providing justification for the withholding. The agency shall

release the records requested within 5 business days of the issuance of this Order and appear before the Compliance and Amendments Committee on September 8, 2009.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on July 28, 2009, by the following vote: (Knoebber / Cauthen)

Ayes: Cauthen, Washburn, Knoebber, Chan, Goldman, Williams, Knee

Excused: Craven-Green, Johnson, Chu

A handwritten signature in black ink, reading "Richard A. Knee". The signature is written in a cursive, flowing style.

Richard Knee, Chair
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney
Dominic Maionchi, complainant
Olive Gong, respondent