

**SUNSHINE ORDINANCE  
TASK FORCE**



City Hall  
1 Dr Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-7724  
Fax No. (415) 554-7854  
TTD/TTY No. (415) 554-5227

**ORDER OF DETERMINATION**  
March 28, 2020

**DATE DECISION ISSUED**  
January 21, 2020

**CASE TITLE** – Library Users Association v. Theresa Buckley, Jose Cisneros, Christa Brown, Anne Stuhldreher and the Office of the Treasurer  
(File No. 19011)

**FACTS OF THE CASE**

The following petition/complaint was filed with the Sunshine Ordinance Task Force (SOTF):

**File No. 19011:** Complaint filed by the Library Users Association against Theresa Buckley, Jose Cisneros, Christa Brown, Anne Stuhldreher and the Office of the Treasurer and Tax Collector for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(a)(b)(c), by failing to respond to a request for public records in a timely and/or complete manner and by failing to provide the requestor with assistance by directing the requestor to the proper office or staff person.

**HEARING ON THE COMPLAINT**

On February 26, 2019, the Complaint Committee acting in its capacity to hear petitions/complaints heard the matter.

Peter Warfield, Library Users Association (Petitioner), provided a summary of the complaint and requested the Committee to find a violation. Mr. Warfield stated that he requested the contact information of Mr. Monardo, a contractor retained by the department to create a report regarding abolishing fines for all categories of users of the Library. Mr. Warfield stated that he did not receive a satisfactory response from them and inquired with multiple parties in the Office of the Treasurer and Tax Collector.

Theresa Buckley, Office of Treasurer and Tax Collector (Respondent), provided a summary of the department's position. Ms. Buckley stated that privacy regulations precluded the department from providing Mr. Monardo's personal contact information and stated that the department does not have a business contact for Mr. Monardo. Ms. Buckley stated that several people in her office had multiple conversations with Mr. Warfield and have responded to his request in a

timely manner. Ms. Buckley stated that she did not refer Mr. Warfield to another department because the Office of Treasurer and Tax Collector is the custodian of the requested record.

The Complaint Committee moved to find that the SOTF has jurisdiction, that the requested records are public and referred the matter to the SOTF for hearing.

The Committee referred the matter to the SOTF. On January 21, 2020, the SOTF held a hearing to review the recommendation from Committee and/or to review the merits of the petition/complaint.

Peter Warfield (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Warfield stated that Library Users Association asked the Treasurer and Tax Collector's Office (TTX) for the contact information of an author who contracted with their office. Mr. Warfield stated that the author performed work and provided library advice on what they should do regarding fines. Mr. Warfield stated that he was refused the contact information. Mr. Warfield stated that the author was a UC scholar who provided recommendations and research for the TTX with regard to the Library. Mr. Warfield stated that respondent's claim for withholding was that the information that it was confidential. Mr. Warfield asked the SOTF to find a violation against TTX.

Theresa Buckley (Treasurer and Tax Collector's Office) (Respondent), provided a summary of the department's position. Ms. Buckley stated that Mr. Warfield was seeking the contact information of the person who drafted the Library Report for TTX. Ms. Buckley stated that the author was a UC Berkeley graduate student who took on this project as part of his graduate studies. Ms. Buckley stated that his contact information was not a business address or business telephone number and that her office was maintaining the privacy of the scholar. Ms. Buckley stated that the student was hired not as a formal RFQ, but that her office can provide records with regard to when and why he was hired. Ms. Buckley stated that their response was timely and that TTX has responded to Mr. Warfield's request.

#### FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the SOTF found that the Treasurer and Tax Collector's Office violated Administrative Code, Sections 67.21(b) and 67.27(a), by failing to provide the contact information of the author in a timely and/or complete manner and providing justification for withholding this information.

## DECISION AND ORDER OF DETERMINATIONS

Action: Moved by Member Martin seconded by Member Hyland to find that the Treasurer and Tax Collector's Office violated Administrative Code, Sections 67.21(b) and 67.27(a), by failing to provide the contact information of the author in a timely and/or complete manner and providing justification for withholding this information.

The motion PASSED by the following vote:

Ayes: 8 - Martin, Hyland, Yankee, J. Wolf, Tesfai, LaHood, Hinze,  
B. Wolfe  
Noes: 0 - None  
Absent: 0 - None



Bruce Wolfe, Chair  
Sunshine Ordinance Task Force

cc. Library Users Association (Petitioner/Complainant)  
Theresa Buckley, Jose Cisneros, Christa Brown, Anne Stuhldreher and the  
Office of the Treasurer (Respondent)