

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
December 7, 2022**

DATE DECISION ISSUED
May 4, 2022

CASE TITLE: Mark Sullivan v. The Department of Technology
File No. 21144

Complaint filed by Mark Sullivan against the Department of Technology for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(a), 67.21-1(a), 67.25(a), 67.26, and 67.27, and California Public Records Act, Section(s) 6253(b)(c)(d) 6253.3, and 6253.10(a), by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner and failing to keep withholdings to a minimum.

HEARING AND ACTION ON THE COMPLAINT

On December 21, 2021, Compliant Committee acting in its capacity to hear petitions/complaints heard the matter.

Moved by Chair Schmidt, seconded by Member Stein, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing on all contentions made by the Petitioner.

The motion PASSED by the following vote:

Ayes: 2 - Schmidt, Stein
Noes: 0 - None

On May 4, 2022, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

Moved by Vice-Chair Yankee, seconded by Member Schmidt, to find that the Department of Technology violated the California Public Records Act 6253(c) by failing to respond to the records request in a timely and complete manner.

The motion PASSED by the following vote:

Ayes: 10 - Yankee, Schmidt, Padmanabhan, Neighbors, LaHood, Hyland, Wong, B. Wolfe, Stein, Hill
Noes: 0 - None

The Order of Determinations was approved
by the Sunshine Ordinance Task Force
on: May 4, 2022

cc. Mark Sullivan (Petitioner)
Linda Gerull, Department of Technology (Respondent)