

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**  
October 18, 2022  
*(replaces all previous versions)*

**DATE DECISION ISSUED**  
September 7, 2022

**CASE TITLE - File No. 21153**

Complaint filed by Anonymous (ARE) against Dennis Herrera for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5(a), by failing to keep or cause to be kept a calendar with certain minimum information about his business meetings, and to disclose them as public records and willful failure to discharge any duties imposed by the Sunshine Ordinance, Brown Act or the Public Records Act and 67.34 willful violation constituting official misconduct.

**HEARING AND ACTION ON THE COMPLAINT**

On December 11, 2021, the Education, Outreach and Training Committee acting in its capacity to hear petitions/complaints heard the matter.

Moved by Member Yankee, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction, that the requested records are public and referred the matter to the SOTF for hearing with the recommendation that the SOTF find a violation of Administrative Code, (Sunshine Ordinance) Sections 67.29-5(a) for failing to provide complete information kept on the daily calendar and that the SOTF consider a possible 67.34 violation for willful misconduct.

On September 7, 2022, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

Moved by Member Wolfe, seconded by Vice-Chair Wong to find Dennis Herrera in violation of Administrative Code, Sunshine Ordinance, Section(s) 67.29-5(a) by failing to keep calendars or providing calendars in a timely manner and that such calendars shall be public records and shall be available to any requestor three business days subsequent to the calendar date and this item be referred to CAC for monitoring and to find a violation of 67.34 for continued willful failure to not providing the requested calendar entries.

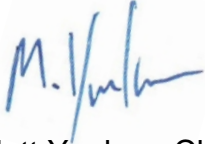
It was noted that Member Wolfe shall take the lead on developing a presentation to the Ethics Commission to be presented in person.

The motion was passed by the following vote:

Ayes: 9 - Wolfe, Wong, Schmidt, Neighbors, Hyland, Yankee, LaHood,  
Padmanabhan, Stein

Noes: 0 - None

Absent: 1 - Hill



Matt Yankee, Chair  
Sunshine Ordinance Task Force

cc. Anonymous ([arecordsrequestor@protomail.com](mailto:arecordsrequestor@protomail.com))  
Dennis Herrera, Esq. (Respondent)  
Mayara Ruski Augusto Sa, Public Utilities Commission (Respondent)