

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
January 30, 2017**

DATE ISSUED
January 4, 2017

CASE TITLE – Shawn Monney v. Assessor/Recorder's Office
(File No. 16090)

FACTS OF THE CASE

On September 28, 2016, the following complaint was filed with the Sunshine Ordinance Task Force (SOTF):

File No. 16090: Complaint filed by Shawn Mooney against the Assessor/Recorder's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21(b), for failure respond to a public records request in a timely and complete manner.

HEARING ON THE COMPLAINT

On December 20, 2016, the Education, Outreach and Training Committee acting in its capacity to hear complaints heard the matter and referred it to the Task Force for hearing

On January 4, 2017, the SOTF reviewed the recommendation from Committee and held a hearing to review the merits of the complaint.

The Complainant was not present but requested that the Task Force proceed with the hearing via email. Mr. Mooney (Complainant) stated in writing that he received all of the requested records but wanted to proceed with the hearing for a finding regarding timeliness. There were no speakers in support of the Complainant. Edward McCaffrey (Assessor/Recorder's Office) (Respondent), provided a summary of the department's position. Mr. McCaffrey acknowledged that the response was not timely due to the volume and complexity of the request. Mr. McCaffrey stated that the department has made improvements and will make additional improvements via technology and procedures to improve their ability to respond in a timely manner. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent and Complainant were provided the opportunity for rebuttals.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the SOTF found no violations of Administrative Code (Sunshine Ordinance), Section 67.25.

ORDER OF DETERMINATION

The Sunshine Ordinance Task Force found no violations of Administrative Code (Sunshine Ordinance), Section 67.25.

The motion to find that no violations occurred PASSED by the following vote:

Ayes: 7 - Eldon, Maass, Cannata, Fischer, Hinze, Hyland, B. Wolfe

Noes: 1 - J. Wolf

Absent: 2 - Chopra, Baranetsky

Excused: 1 - Tesfai



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Shawn Mooney (Complainant)
Edward McCaffrey, Assessor/Recorder's Office (Resondent)