

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION
August 30, 2017

DATE ISSUED
August 2, 2017

CASE TITLE – Ray Hartz v. Angela Calvillo, Clerk of the Board of Supervisors
(File No. 17048)

FACTS OF THE CASE

On May 15, 2017, the following petition/complaint was filed with the Sunshine Ordinance Task Force (SOTF):

File No. 17048: Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.16 and 67.34, by willfully failing to place a written summary of the public comment, if no more than 150 words, into the body of the minutes (March 14, 2017, and March 21, 2017, meetings).

HEARING ON THE COMPLAINT

On June 20, 2017, the Education, Outreach and Training Committee (Committee) acting in its capacity to hear petitions/complaints heard the matter and referred it to the SOTF for hearing.

Ray Hartz (Complainant) provided an overview of the complaint and requested the Committee to find violations. Mr. Hartz stated that the Task Force has previously found various departments including the Board of Supervisors in violation of the Sunshine Ordinance in regards to the placement of the 150 word public comment summary. There were no speakers in support of the Complainant. A representative from the Office of the Clerk of the Board (Respondent) was not present to present their position. There were no speakers in support of the Respondent. A question and answer period followed. The Complainant was provided the opportunity for rebuttals.

On August 2, 2017, the SOTF held a hearing to review the recommendation from Committee and/or to review the merits of the petition/complaint.

Ray Hartz (Petitioner) provided a summary of the complaint and requested the Task Force to find violations. Mr. Hartz provided a history of the various Task Force Orders of Determination over multiple hearings regarding the matter and stated that Ms. Calvillo is willfully violating the Sunshine Ordinance. There were no speakers in support of the Petitioner. The Respondent was not present. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent and Petitioner were provided the opportunity for rebuttals.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented the SOTF found that Angela Calvillo, Clerk of the Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Sections 67.16 and 67.34.

ORDER OF DETERMINATION

Member J. Wolf, seconded by Member Maass, moved to find that Angela Calvillo, Clerk of the Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Sections 67.16 and 67.34 by willfully failing to place a written summary of public comment, if no more than 150 words, into the body of the minutes.

The motion PASSED by the following vote:

Ayes: 8 – Eldon, J. Wolf, Maass, Cannata, Fischer, Hinze, Hyland,
B. Wolfe
Noes: 0 – None
Absent: 2 – Chopra, Tesfai

The Task Force referred the matter to the Ethics Commission.



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Ray Hartz (Petitioner/Complainant)
Angela Calvillo, Clerk of the Board of Supervisors (Respondent)