

**SUNSHINE ORDINANCE
TASK FORCE**

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ORDER OF DETERMINATION
October 31, 2017

DATE ISSUED
October 4, 2017

CASE TITLE – Michael Petrelis v. Supervisor Jeff Sheehy, Board of Supervisors
(File No. 17071)

FACTS OF THE CASE

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

File No. 17071: Complaint filed by Michael Petrelis against Supervisor Jeff Sheehy, Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and complete manner.

HEARING ON THE COMPLAINT

On July 25, 2017, the Complaint Committee (Committee) acting in its capacity to hear petitions/complaints heard the matter and referred it to the SOTF for hearing.

Michael Petrelis (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Petrelis stated that an extension of time to respond is only allowed under certain circumstances and questioned which department was consulted in regards to the public records in question. Bill Barnes, Office of Supervisor Jeff Sheehy (Respondent), objected to the personal attacks and provided a summary of Supervisor Sheehy's position. Mr. Barnes stated that after the initial review of the requested public records, the Office of the City Attorney was consulted to determine if Supervisor Sheehy's records regarding his membership on a state agency should also be disclosed. Mr. Barnes stated that it was determined only the records related to Supervisor Sheehy's time with the Board of Supervisors would be disclosed. Mr. Barnes provided the following timeline: 6/14/17 IDR received, 6/16/17, extension of time requested; 6/23/17, additional extension of time requested; 7/5/17, final response provided. Mr. Barnes stated that the Office of Supervisor Sheehy may not send a representative to the Full Task Force Hearing.

The Committee opined that Sunshine Ordinance, Section 67.25(a), may be relevant.

On September 6, 2017, the SOTF held a hearing to review the recommendation from Committee and/or to review the merits of the petition/complaint and continued the matter to the call of the chair.

Michael Petrelis (Petitioner) provided a summary of the complaint and requested the Task Force to find violations. Mr. Petrelis stated that there are no provision for Supervisor Sheehy to request two separate extension of time. Mr. Petrelis stated that he did receive the requested documents but they were not provided in a timely manner. Ray Hartz spoke in support of the Petitioner and pointed out Section 67.24 which list information that must be disclosed. The Respondent was not present but did provide testimony during the committee hearing. 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.

On October 4, 2017, the SOTF held a hearing to review the recommendation from Committee and/or to review the merits of the petition/complaint.

The Petitioner was not present for the hearing on the matter. There were no speakers in support of the Petitioner. The Respondent was not present for the hearing on the matter. There were no speakers in support of the Respondent. A question and answer period followed.

Member Tesfai cautioned the SOTF regarding the allowance of a continuance based upon the number of SOTF members present at any particular meeting unless all parties are allowed the same opportunity.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented the SOTF found that Supervisor Jeff Sheehy, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Section 67.25.

ORDER OF DETERMINATION

Member Maass, seconded by Member Tesfai, moved to find that Supervisor Jeff Sheehy, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely manner.

The motion PASSED by the following vote:

Ayes: 8 – Eldon, Tesfai, Maass, Cannata, Fischer, Hinze, Hyland, B. Wolfe

Noes: 0 – None

Absent: 2 – Chopra, J. Wolf



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Supervisor Jeff Sheehy, Board of Supervisors (Respondent)
Michael Petrelis (Petitioner)