



Memorandum

TO: SAN FRANCISCO
ETHICS COMMISSION

FROM: LISA HERRICK
Sr. Deputy City Attorney

SUBJECT: Referral from Sunshine
Ordinance Task Force re
Ethics Complaint No. 09-110816

DATE: October 24, 2012

SUPPLEMENTAL MEMO

At the hearing on Ethics Complaint No. 09-110816 on October 22, 2012, the Ethics Commission directed me to review the written correspondence between the Ethics Commission and the City Controller's Office.

I reviewed twenty-four (24) pages of email correspondence, some of which include email strings with duplicate emails. Most of the email is confidential pursuant to San Francisco City Charter Section F1.110(b), which provides:

Notwithstanding any other provision of this Charter, or any ordinance or regulation of the City and County of San Francisco, and except to the extent required by state or federal law, all drafts, notes, preliminary reports of Controller's benchmark studies, audits, investigations and other reports shall be confidential.

However, I am enclosing three (3) pages of email that may be disclosed; the emails are internal communications within the Ethics Commission which relate to communications between the Commission and the Controller's Office. These emails are not records of any investigation by the Ethics Commission which are protected under Appendix C3.699-13(a) of the San Francisco City Charter:

The investigation shall be conducted in a confidential manner. Records of any investigation shall be considered confidential information to the extent permitted by state law. ...

I have redacted all confidential information.

Memo to San Francisco Ethics Commission
Re: Complaint No. 09-110816
October 24, 2012
Page 2 of 2

RICHARD DOYLE
City Attorney

By: 
LISA HERRICK
Sr. Deputy City Attorney

For questions, please contact Lisa Herrick, Sr. Deputy City Attorney, at 408-535-1900.¹

¹ I am leaving the San Jose City Attorney's Office on October 26, 2012. As of October 30, 2012, my title will be General Counsel, Santa Clara County Superior Court. Staff to the Ethics Commission will be able to contact me if the Commission wishes to discuss this matter further.