

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**

**DATE DECISION ISSUED**  
May 3, 2023

**CASE TITLE**

**File No. 22007:** Complaint filed by Anonymous (PAN) against Thomas Campbell and the Fine Arts Museums for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

**HEARING AND ACTION ON THE COMPLAINT**

On February 22, 2022, the Compliance and Amendments Committee acting in its capacity to hear petitions/complaints heard the matter.

Action: Moved by Member Wong, seconded by Member Neighbors, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing with the recommendation to find violations of Administrative Code, (Sunshine Ordinance) Section(s) 67.21(b) for not justifying withholding; 67.21(c) for not assisting the petitioner in directing them to the proper office; 67.21(d) for failing to communicate with the petitioner on why the records are not being provided and 67.25 for not responding to the Immediate Disclosure Request in a timely manner.

The motion PASSED by the following vote:

Ayes: 3 - Wong, Neighbors, LaHood  
Noes: 0 - None

On May 3, 2023, the SOTF held a hearing to review the recommendation from the committee and/or to review the merits of the petition/complaint.

Action: Moved by Vice-Chair Wong, seconded by Member LaHood, to find that Thomas Campbell and the Fine Arts Museums violated Administrative Code, Sunshine Ordinance, Section(s) 67.21(b), by failing to justifying withholding; 67.26, failing to keep withholding to a minimum; 67.21(c), failing to assist the petitioner by providing a statement as to the existence, form or quantity and nature of the records and order Thomas Campbell and Fine Arts Museums of San Francisco to provide the records even if those records were created by the

Co-FAM (Corporation-Fine Arts Museum) or the (FAMF) Fine Arts Museums Foundation.

The motion PASSED by the following vote:

Ayes: 6 - Wong, LaHood, Hyland, Yankee, Stein, Schmidt

Noes: 0 - None

Absent: 2 - Wolfe, Hill

Action: Moved by Member Schmidt, seconded by Member Hyland, to find that the SOTF issue an order that the Fine Arts Museum must request that representatives of Co-FAM review the document request at issue in light of the obligations of the *Epstein v. Hollywood Entertainment, District 2* and *Community Youth Athletic Center v. City of National City* to determine whether it possesses any documents that need to be produced as the law requires.

The motion PASSED by the following vote:

Ayes: 6 - Schmidt, Hyland, Wong, LaHood, Stein, Yankee

Noes: 0 - None

Absent: 2 - Wolfe, Hill

The Order of Determination was approved  
by the Sunshine Ordinance Task Force  
on: June 7, 2023

cc. Petitioner  
Respondent