

**SUNSHINE ORDINANCE  
TASK FORCE**



City Hall  
1 Dr Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-7724  
Fax No. (415) 554-7854  
TTD/TTY No. (415) 554-5227

**ORDER OF DETERMINATION  
October 5, 2022**

**DATE DECISION ISSUED**  
August 3, 2022

**CASE TITLE - File No. 22036**

Complaint filed by Anonymous (ARE) against Charles Jung (Elections Commission) for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 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 June 21, 2022, the Complaint Committee acting in its capacity to hear petitions/complaints heard the matter.

Moved by Chair Schmidt, seconded by Member Stein, to find that there is jurisdiction, that the requested records are public and to forward File No. 22036 to the Sunshine Ordinance Task Force (SOTF) with the recommendation to find violations of Administrative Code, Sunshine Ordinance, Sections 67.21(b) for failure to respond in a complete and timely manner and 67.21(e) for failure to send a knowledgeable representative to attend the hearing and explain the decision to withhold the records and that the involved named entities including the Custodian of Records Charles Jung of the Elections Commission, the Redistricting Task Force and the Clerk of the Board have failed to cure the lack of designation of any responsible custodian.

On August 3, 2022, the SOTF held a hearing to review the recommendation from committee and/or to review the merits of the petition/complaint.

Action: Moved by Member Schmidt, seconded by Member Wolfe, to find that Charles Jung (Elections Commission) violated Administrative Code, Sunshine Ordinance, Section(s) 67.21(b) by failing to respond to an Immediate Disclosure Request in a complete and timely manner; 67.25 by failing to acknowledge within one business day of the receipt of the Immediate Disclosure Request and California Public Records Act 6253(c) by failing to provide notice that there were any disclosable records within 10 days.

The motion was passed by the following vote:

Ayes: 8 - Schmidt, Wolfe, Wong, Hyland, Yankee, LaHood, Neighbors,  
Padmanabhan,

Noes: 0 - None

Absent: 2 - Hill, Stein

Moved by Chair Yankee, seconded by Member Wolfe, to order a representative of the Department of Elections search Charles Jung's email address and ask them to reach out to Mr. Jung to obtain records in his possession under *Smith v. San Jose*.

The motion was passed by the following vote:

Ayes: 6 - Yankee, Wolfe, Wong, Hyland, LaHood, Neighbors

Noes: 2 - Schmidt, Padmanabhan

Absent: 2 - Hill, Stein

Matt Yankee, Chair  
Sunshine Ordinance Task Force

cc. Anonymous (Complainant)  
Charles Jung (Respondent)  
John Arntz, Department of Elections  
Angela Calvillo, Clerk of the Board of Supervisors