

**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. 22038

Complaint filed by Anonymous (ARE) against Lily Ho (Redistricting Task Force) 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 July 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 Matter No. 22038 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 person Lily Ho of 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 form committee and/or to review the merits of the petition/complaint.

Moved by Member Padmanabhan, seconded by Member Wolfe, to find that Lily Ho violated Administrative Code, Sunshine Ordinance, Section(s) 67.21(b) by failing to provide the requested records within 10 days of receipt; 67.25(a) by failing to acknowledge receipt of an Immediate Disclosure Request within one day and California Public Records Act 6253(c) by failing to provide notice of determination within 10 days from receipt of the request that there were any disclosable records.

The motion was passed by the following vote:

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

Noes: 0 - None.

Absent: 2 - Hill, Stein

Moved by Chair Yankee, seconded by Vice-Chair Wong, to order the City Attorney's Office, Clerk of the Board of Supervisors Office, and Department of Elections to search Lily Ho's email address and ask them to reach out to Ms. Ho to obtain records in her 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)
Lily Ho (Respondent)
John Arntz, Department of Elections
Angela Calvillo, Clerk of the Board of Supervisors
David Chiu, City Attorney