

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

DATE DECISION ISSUED: 10/2/2024

File No. 24042: Complaint filed by Rosa L. against the Office of the Mayor 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 8/20/2024, 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 the Task Force has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Task Force with a recommendation to find a violation of Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and or complete manner.

The Committee further requested that the Mayor's Office produce its retention policy prior to the hearing.

The motion PASSED by the following vote:

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

On 10/2/2024, the Sunshine Ordinance Task Force held a hearing to review the recommendation from the Committee and/or review the merits of the petition/complaint.

Action: Moved by Chair Yankee, seconded by Member Anderson, to find that Mayor London Breed violated Administrative Code (Sunshine Ordinance), Section(s) 67.29-7, by failing to maintain and preserve in a professional and businesslike manner the requested correspondence and failing to disclose such records in accordance with this Ordinance.

The SOTF requests that Mayor Breed confirm with the SOTF if she intends to maintain her correspondence in compliance with Administrative Code Section 67.29-7 going forward.

The motion PASSED by the following vote:

Ayes: 8 – Yankee, Anderson, Schmidt, LaHood, Sugarman, Kumar, Hyland, Stein

Noes: 0 - None

Absent: 2 – Wolfe, Pilpel

Action: Motion by Member Schmidt, seconded by Member Hyland, to find that the Mayor’s non-production in this case constitutes a willful failure to comply with Administrative Code (Sunshine Ordinance) Section(s) 67.29-7 and therefore a willful failure under Section 67.34, and refer this matter to the Ethics Commission.

The motion PASSED by the following vote:

Ayes: 8 – Schmidt, Hyland, LaHood, Sugarman, Kumar, Anderson, Stein, Yankee

Noes: 0 - None

Absent: 2 – Wolfe, Pilpel

This Order of Determination was approved by the Sunshine Ordinance Task Force on:
11/19/2024

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