SUNSHINE ORDINANCE TASK FORCE

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ORDER OF DETERMINATION and ADVISORY OPINION

DATE DECISION ISSUED: 9/3/2025

File No. 25043: Complaint filed by Anmarie against Fine Arts Museums of San Francisco for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 12L.2, for failing to include requirements for nonprofit organizations in its contracts, Section 12L.4, for failing to provide public access to meetings, and Section 12L.5(a), for failing to provide public access to financial information. Complainant requests per Section 12L.5(b) that the Task Force issue an advisory opinion as to whether COFAM is subject to the requirements of Section 12L.

HEARING AND ACTION ON THE COMPLAINT

On 8/19/2025, the Complaint Committee, acting in its capacity to hear petitions/complaints, heard the matter.

Action: Moved by Vice-Chair Stein, seconded by Member Sugarman, that under 12L.5(b), the SOTF is authorized to issue an advisory opinion as to whether COFAM is subject to the requirements of section 12L, and referred the matter to the Full Task Force to consider whether this matter is under the jurisdiction of the SOTF. The Committee further requests that the Task Force consider whether this department has jurisdiction to decide if a department is violating 12L by not establishing a contractual obligation with regard to contracts.

The matter **PASSED** by the following vote:

Ayes: 3 – Stein, Sugarman, Schmidt
Noes: 0 – None
Absent: 0 - None

On 9/3/2025, 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 LaHood, to issue an advisory opinion under Administrative Code, Section 12L, that the Corporation of the Fine Arts Museums (COFAM) is subject to the requirements of Section 12L, and to find that the Task Force does not have jurisdiction to find whether the Fine Arts Museums of San Francisco (FAMSF) is subject to Section 12L.2 because Section 12L.5 only provides the Task Force with jurisdiction over complaints regarding nonprofit organizations.

The action **PASSED** by the following vote:

Ayes: 8 - Yankee, LaHood, Schmidt, Sugarman, Kumar, Anderson, Pilpel, Stein
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

Action: Moved by Member Schmidt to include in the Task Force's advisory opinion regarding COFAM and Administrative Code, Section 12L, that Petitioner has demonstrated COFAM failed to comply with Section 12L.4 regarding public access to meeting requirements and failed to comply with 12L.5 regarding the disclosure of financial information.

The motion **DIED** for lack of a second.

This Order of Determination was approved
by the Sunshine Ordinance Task Force
on: 10/15/2025

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