

**SUNSHINE ORDINANCE  
TASK FORCE**



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## ORDER OF DETERMINATION

DATE DECISION ISSUED: 4/1/2026

**File No. 26019:** Complaint filed by Minh Cantarutti against the Department of Emergency Management for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a public records request in a timely and/or complete manner.

### HEARING AND ACTION ON THE COMPLAINT

On 3/17/2026, the Complaint Committee, acting in its capacity to hear petitions/complaints, heard the matter.

**Action: Moved by Vice-Chair Stein, seconded by Member Sugarman, to find that the Task Force has jurisdiction, that the requested records are public, and forward the matter to the Consent Agenda with a recommendation to find that the Department of Emergency Management violated Administrative Code (Sunshine Ordinance), Section(s) 67.21(b), for failing to respond to a public records request in a timely and/or complete manner. The Committee noted that Respondent acknowledged a timeliness violation, that there are still records to produce, ordered Respondent to do so, and asked that the matter be referred to a Committee to monitor or review compliance. The Committee further noted that a proper response includes seeking external contractor documents under the constructive possession obligation set forth in the Community Youth Action Center v. National City case, 220 Cal.App.4<sup>th</sup> 1385 (2013).**

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

Ayes: 3 – Stein, Sugarman Schmidt

Noes: 0 – None

Absent: 0 - None

On 4/1/2026, 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 Member Pilpel, seconded by Member Anderson, to approve the Consent Agenda and adopt the recommendations of the Committee, finding that the Department of Emergency Management violated Administrative Code (Sunshine Ordinance), Section(s) 67.21(b), by failing to respond to a public records request in a timely and/or complete manner, ordered Respondent to produce the requested records, including seeking external contractor documents under the constructive possession obligation set forth in the Community Youth Action Center v. National City case, 220 Cal.App.4<sup>th</sup> 1385 (2013), and referred the matter to a Committee to monitor or review for compliance.**

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

Ayes: 9 – Pilpel, Anderson, LaHood, Sugarman, Kumar, Hyland, Sangirardi, Stein, Yankee

Noes: 1 – Wolfe

Absent: 1 – Schimdt

This Order of Determination was approved  
by the Sunshine Ordinance Task Force  
on: 5/6/2026

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