File No. N/A Item No. 3A

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force Date: August 3, 2022

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OTHER Referral From Ethics 54

Completed by: C. Leger **Date** 7/28/22

* An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file on a disk

Leger, Cheryl (BOS)

From: Matt Yankee <myankee.sotf@gmail.com>
Sent: Monday, July 25, 2022 4:48 PM
To: Leger, Cheryl (BOS); Young, Victor (BOS)
Cc: Jenn
Subject: Fwd: Ethics Commission Complaint Referral 2122-112
Attachments: 2022.03.15, SOTF, Sullivan.pdf

Hi Cheryl and Victor,

Please create a new item for this on the August agenda under the Administrator's Report as follows:

3A. **Communication and Referral from the Ethics Commission**: Development of appropriate procedures for handling this matter and related matters when the Sunshine Ordinance Task Force is named as a respondent. (*Discussion and action*) (*attachments*)

Both the email from Ashley and its attachment should be included as attachments to this item.

Note that we will **not** be discussing the merits of this complaint. This agenda item will focus entirely on the process for complaints against the SOTF itself.

Thanks!

Matt

---------- Forwarded message ---------
From: **Mockett, Ashley (ETH)** <ashley.mockett@sfgov.org>
Date: Fri, Jul 22, 2022 at 1:21 PM
Subject: Ethics Commission Complaint Referral 2122-112
To: myankee.sotf@gmail.com <myankee.sotf@gmail.com>

Good Afternoon Chair Yankee,

Please find attached a complaint the Ethics Commission is referring to the Sunshine Ordinance Task Force.

Ethics Commission investigators concluded that the Ethics Commission does not have jurisdiction over this matter because SOTF is not a department and therefore then Chair Bruce Wolfe is not the department head. Accordingly, the Ethics Commission is referring this complaint to the Sunshine Ordinance Task Force in accordance with SF Admin. Code section 67.34 and Enforcement Reg. section 3(E).

Thank you,

Ashley

Ashley Mockett, Senior Investigator

Enforcement

San Francisco Ethics Commission

25 Van Ness Ave., Suite 220

San Francisco, CA 94102

P: 415-252-3100

Ashley.Mockett@sfgov.org

www.sfethics.org

San Francisco Ethics Commission
25 Van Ness Avenue, Suite 220, San Francisco, CA 94102
Phone: 415.252.3100 . Fax: 415.252.3112
ethics.commission@sfgov.org . www.sfethics.org

Received on:
03-15-2022 | 15:23:40 PDT

Complaint Form

The Ethics Commission has jurisdiction to investigate alleged violations of the City's campaign finance, lobbying, conflicts of interest, governmental ethics, and whistleblower protection laws. The Commission can investigate and enforce only those laws for which it has authority.

For questions regarding specific scenarios that you may have identified as a violation before filing a complaint online, please contact us at ethics.commission@sfgov.org or 415-252-3100 prior to taking action.

You may file this form in any of several ways:
(1) identifying yourself and verifying the truth and accuracy of your statements;
(2) identifying yourself and declining to verify the truth and accuracy of your statements;
(3) anonymously.

Commission Staff review all complaints to determine whether they allege sufficient facts of specific violations of law within the Commission's jurisdiction to warrant a full investigation. The length of that process depends on numerous factors, including the complexity of the allegations and the availability of, or need to obtain, preliminary evidence.

Additionally, investigations can be complex and may take many months to resolve. Under the City's Charter, the Ethics Commission cannot and does not confirm or deny the existence of any complaint or investigation, and may provide only general updates about the status of a complaint to the person who filed it. Commission Staff will not contact you unless we require additional information.

This complaint form does not constitute a written request to commence a civil action against the City and County of San Francisco, nor against any other individual or entity. The Ethics Commission does not act as an advocate for individuals in their disputes with City departments or employees.

For more information, see: https://sfethics.org/enforcement

1. Complainant Information

YOUR NAME
Mark Sullivan

ADDRESS
Left blank prior victim of retaliation though minor.

PHONE NUMBER	**EMAIL**
Left blank prior victim of ret	info@sfneighborhoods.net

If you need more space than is provided on any section on this form, please attach a separate document containing your responses.

2. Respondent Information

Provide the name, title, affiliation (e.g. City department, campaign committee, business entity), business address, and telephone number of each person who committed the alleged violation(s).

Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Pl., Room 244
San Francisco, CA 94102-4689
fax to (415) 554-5163
email: sotf@sfgov.org

3. Description of Allegation(s)

Please describe the facts you believe constitute a violation. Please provide as much specific information as possible, including the dates on which the alleged violations occurred and the names of the persons whom you believe violated the law or otherwise contributed to violations of the law.

The explanation of the complaint and the exhibits are attached as a pdf to this complaint.

4. Witness Information

Please provide the name and contact information of each person you believe may have information that would assist the Commission in its evaluation of this complaint. Also describe the information you believe such witnesses may provide.

Bruce Wolfe sotf@brucewolfe.net
Matt Yankee yankeema@gmail.com
Leger, Cheryl (BOS) cheryl.leger@sfgov.org

There are probably additional e-mail communications between these individuals on the matter of this complaint that are not in the possession of this petitioner.

Young, Victor (BOS) victor.young@sfgov.org only cc in the last e-mail response.

5. Documentation

Please attach copies of any documents in your possession that relate to the allegations stated in this complaint.

If you have documents that cannot be uploaded or attached (e.g. audio or video material, or information available only on the Internet), include below the URL address(es) where that information is available or indicate below that you will mail or deliver such information to the Ethics Commission. In addition, state below whether there are other records, not in your possession, that you believe may assist the Commission in its evaluation of your complaint.

Bruce Wolfe sotf@brucewolfe.net
Matt Yankee yankeema@gmail.com
Leger, Cheryl (BOS) cheryl.leger@sfgov.org

There are probably additional e-mail communications between these individuals on the matter of this complaint that are not in the possession of this petitioner.

6. Additional Information

Provide any additional information you believe may assist the Commission in its evaluation of this complaint.

No more additional information

7. Related Complaints

If you have filed the same or similar allegations regarding the same individuals with another agency or court, identify the agency or court and attach a copy of any complaint or other written description of the allegations submitted to that agency or court.

NA

8. Verification

Informal complaints may be filed anonymously. Complainants who wish to remain anonymous should not complete this verification section. However, please be advised that the Commission is not required to process or respond to unverified complaints.

I certify under penalty of perjury under the laws of the State of California that the above statements are true and correct.

SIGNATURE	DATE SIGNED
Mark Sullivan	03-15-2022 | 15:23:40 PDT

9. Submission

[X] Before you submit this form, check this box to confirm that you have finished completing the form and have attached any relevant documents.

You may also submit your complaint hard copy to the Commission's office address

San Francisco Ethics Commission
Attn: Enforcement Division
25 Van Ness Avenue, Suite 220
San Francisco, California 94102

via e-mail

ethics.commission@sfgov.org

or over the telephone

415-252-3100

2022 3 14 Notice of Special Meeting Complaint and Public Record Request Ethics Commission

This SF Ethic's Commission Complaint is against the Sunshine Ordinance Task Force (SOTF) for violating (The subject of the violations are related):

Administrative Code Sec. 67.6 (f) failing to notify "the local media who have requested written notice of special meetings in writing. Such notice of a special meeting shall be delivered as described in (e) at least 72 hours before the time of such meeting as specified in the notice." for a SOTF special meeting on January 25, 2022.

Administrative Code Sec. 67.25 (a) failing to respond to a "Immediate Disclosure Request" for a a "simple, routine or otherwise readily answerable request."

Administrative Code Sec. 67.21 (a) unreasonable delaying a response to public record and public information request.

California Public Record Act (CPRA) Sec. 6253 (d) for obstructing an inspection or copy of public records act. "Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records." Note: Sunshine Ordinance Administrative **Code Sec. 67.21 (k)** allows for the use of the CPRA "not addressed by this ordinance and in accordance with the enhanced disclosure requirements provided in this ordinance." The CPRA (e) only allows "a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter." The word "obstruct" is not found in the Sunshine Ordinance in regards to request for public records. **CPRA 6253 (d)** is somewhat buried in the current CPRA, but will take a prominent spot in the CPRA rewrite that takes effect January1, 2023.

SOTF says that it cannot adjudicate complaints against itself, which is why this complaint is before the Ethics Commission, though I think I would win this complaint if it came before the full SOTF.

SOTF has stated that it should be the pinnacle of adhering to the San Francisco Sunshine Ordinance, the CPRA, the Brown Act and set an example for other city agencies. SOTF should be held to such an account.

The petitioner, Mark Sullivan, requested to be notified of special meetings as a local media on February 1, 2021 under **AC Sec. 67.6(f)** after missing a special meeting in 2021. **(Exhibit 1)**

There is no definition of "media" in any California state or city government code, including public access codes. The petitioner runs the website https://sfneighborhoods.net. It is an educational internet website has extensive information on public access laws, how to make a public record request, and how to make a SOTF complaint. People trying to get access to

government, government activities, and local organizations can find information and news on the website. The petitioner has other internet presence that would also be media. The petitioner has taken part in many SOTF hearings and is well known to SOTF members.

The Black's Law Dictionary: What is MEDIA?

"1. News, entertainment, **education,** data, and promotional messages are sent world-wide through this type of communication channels. Every broadcasting and narrow casting medium, like newspapers, magazines, TV, radio, billboards, direct mail, telephone, fax, and **internet** are part of what is the Media. depending on the sense intended, Media can take a plural or singular verb as Media is the plural of medium. 2. Three broad recognized categories of data storage material are divided by recording method: (1) Magnetic, as in diskettes, disks, tapes, (2) Optical, as in microfiche, and (3) MagnetoOptical, as in CDs and DVDs."
https://thelawdictionary.org/media/
This definition is even more expansive than in general dictionaries.

On February 25, 2022, SOTF held a special meeting and failed to notify local media, including the petitioner who had given written notice to be notified about a year earlier, violating AC Sec 67.6 (f). The petitioner was not alarmed and simply reminded SOTF of his prior notice and again reiterated the ask to be notified of special meetings and cc SOTF Chair Bruce Wolfe and SOTF Vice Chair Matthew Yankee (**Exhibit 2.** E-mail exchanges to be read bottom to top.)

On January 26, 2022, the reiteration to be notified of special meetings resulted in an exchange of emails between SOTF Chair Wolfe and the petitioner, cc SOTF Vice Chair Matthew Yankee, and SOTF Administrator Ms. Cheryl Leger, with Chair Wolfe questioning the legitimacy of the petitioner qualifying as local media (**Exhibit 3**).

First Chair Wolfe asked how the petitioner defined "local media" only to dismiss my definition in the next e-mail, but not providing a definition himself. Technically, when the petitioner asked Chair Wolfe "Do you have a different definition?", it is a public record/information request. Nothing in any public record law requires a requester to use the word "public record/information request". It just has to "reasonably describes an identifiable record or records, shall make the records promptly available" **CPRA 6253 (b)** and pertains to "Every person having custody of any public record or public information" **AC Sec. 67.21 (a)**. To date, SOTF or Chair Wolfe has not furnished the definition "media", even after two more formal requests for this public information.

In this exchange of e-mail, Chair Wolfe made comments that records existed. One record that he states existed: "Our office keeps a pretty solid service list". This record ended up not existing.

The petitioner did "Immediate Disclosure Request" to SOTF (sotf@sfgov.org) on January 28, 2022 (**Exhibit 4**) for

"1/26/2022, 10:43 PM via e-mail, SOTF Chair Wolfe wrote: "As far as SOTF providing specific notice service, did you put this request in writing? Did you get confirmation of receipt? Our office keeps a pretty solid service list."

This pertains to Sunshine Ordinance 67.6 (f) special meeting notice to local media.

1. Please provide SOTF "solid service list" of local media that you keep.

2. Please provide requirements and procedures to be included on the "solid service list" of local media"

3. Please provide the date and time at which the Jan 25, 2022 Agenda was posted on the SOTF website"

I received no response "on the day following the day of the request" violating AC 67.6 (f). No response after 10 days.

On February 7, 2022, I resent the same "Immediate Disclosure Request" request to SOTF (sotf@sfgov.org) , cc: Chair Wolfe, Vice Chair Matthew Yankee and Karl Olsen (a lawyer specializing in public access laws) (**Exhibit 5**).

On February 8, 2022, I got a response from Ms. Leger: "Mr. Sullivan: We are in receipt of the IDR and invoke a 10-day extension due to the voluminous nature of the information requested and need for any redactions as required or necessary."

My request was not of a voluminous nature. If anything, it should be 2 records that require no redaction and a time and date. What the petitioner was requesting should be routine and readily available. The use of a 10 day extension under the false pretension that the request was voluminous where no records exist should be considered a delay and obstructing the inspection of public records, a violation of **AC Sec. 67.21 (a)** and **CPRA Sec. 6253 (d).**

On February 8, 2022, I responded to SOTF that the request should not be voluminous and since they were making this claim "please help me make a more focused request under **Sunshine Ordinance Sec. 67.21(c)** in assisting "in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian" and "provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity" that I can narrow my request." SOTF never complied within 7 days, which violates **AC Sec 67.21(c).**

On February 15, 2022, Ms. Leger replied with the time and date that the special meeting agenda was posted on the SOTF website. (**Exhibit 6** All the above e-mail exchange to Exhibit 5)

On March 1, 2022, Ms. Leger replied, "The office of the Sunshine Task Force does not keep a list of local media for special meeting notice purposes." It took 32 days for SOTF to respond to this item that the Chair claimed the record existed, for them to say there is no record.

On March 1, 2022, I responded as to ask for the answer to "**number 2 is there any additional requirement beyond Sunshine Ordinance 67.6 (f) special meeting notice to local media to be noticed for special meeting of SOTF as a local media?"** of record request. There has yet to be a response (**Exhibit 7**).

The questions and resolution of this complaint goes to all City and County of San Francisco bodies that hold special meetings. The petitioner believes that following **Administrative Code Sec. 67.6 (f)** should be the only requirement.

California Constitution, the courts, and the Sunshine Ordinance instruct you to interpret provisions broadly and importantly only narrowly if the law expresses specifically to the contrary. **CA Constitution Article 1, Section 3 (b) (2)** "A statute, court rule, or other authority, shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access."

***Sierra Club v. Superior Court* (2013)** where terms are ambiguous the constitutional canon requires an interpretation that maximizes the public's right of access unless the Legislature has expressly provided to the contrary.

The term "media" should be interpreted broadly for public access.

Additional information:

Ms. Leger has pointed out that at the December 1, 2021 meeting of the full SOTF, the upcoming retreat was discussed. The discussion was about a full day. The petitioner thought it was some sort of team building exercise as "retreat" does not readily translate into a formal special meeting. In fact, the formal special meeting portion of the retreat started at 6:30 PM on January 25, 2022 and was not the whole day.

The petitioner was able to participate in the January 25, 2022 special meeting because 5 minutes before the start of the meeting, he got an e-mail from a person in the public asking if I knew about the meeting. This person had just found out and could not attend. At the meeting, there was another member of the public who was a former SOTF member, who was invited to attend the special meeting in order to give a presentation. Besides the petitioner and this person, we seemed to be the only individuals from the public that were in attendance. This meeting was done via internet, so there is no knowing if other members of the public were just listening.

The petition did a public record request with the Police Department for requirements for a city press pass. The Police Department responded within the required time. In SOTF Chair Wolfe

January 26, 2022 response to the petitioner, he stated: "The city issues press passes to the media." The only city agency that issues press passes is the Police Department. Partial from

SAN FRANCISCO POLICE DEPARTMENT PRESS PASS POLICY

"The Chief of Police is empowered by Section 939 of the Municipal Police Code of the City and County of San Francisco to issue, press passes. The singular purpose of the pass issued by the San Francisco Police Department is to enable the bearer to pass through Police and Fire lines. The pass is not intended to be used as a general press identity card."

The press pass is not intended to be used as identification of local media for notification of special meeting of bodies of the City and County of San Francisco. None of the public record request or records produced by it are in the exhibits of this complaint. They can be provided on request.

The petitioner realizes, volunteers make up SOTF, but the issue of who is "local media" and notifying "local media" of special meetings should be purely procedural and should not be whatever the above is. It boggles the petitioner's mind why any of the above happened. The above only involves SOTF leadership and the Administrator who follows the instructions of SOTF leadership. I do not believe it reflects the views of the full SOTF.

Exhibit 1

Subject: Re: SOTF agenda for February future agendas
From: "sfneighborhoods.net" <info@sfneighborhoods.net>
Date: 2/1/2021, 12:03 PM
To: "SOTF, (BOS)" <sotf@sfgov.org>

Thank you Ms. Leger.

My main problem is with special meetings that fall out the normal schedule of meetings. The only way for me and the public to know about these meetings is if we check in all the time or listen all the time to SOTF meetings.

I am asking to be notified of special meetings of SOTF as a local media pursuant to:

Sunshine Ordinance 67.6
(f) **Special meetings of any policy body, including advisory bodies** that choose to establish regular meeting times, may be called at any time by the presiding officer thereof or by a majority of the members thereof, by delivering personally or by mail written notice to each member of such policy body **and the local media who have requested written notice of special meetings in writing. Such notice of a special meeting shall be delivered as described in (e) at least 72 hours before the time of such meeting as specified in the notice.** The notice shall specify the time and place of the special meeting and the
business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the presiding officer or secretary of the body or commission a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Each special meeting shall be held at the regular meeting place of the policy body except that the policy body may designate an alternate meeting place provided that such alternate location is specified in the notice of the special meeting; further provided that the notice of the special meeting shall be given at least 15 days prior to said special meeting being held at an alternate location. This provision shall not apply where the alternative meeting location is located within the same building as the regular meeting place.

Thank you for your help on this,

mark sullivan

On 2/1/2021 11:40 AM, SOTF, (BOS) wrote:

> Here is the link to the February SOTF hearing. In the future, you can go to the Board of Supervisors' Webpage and select Sunshine to get to the uploaded agendas.
>
> https://sfgov.org/sunshine/sites/default/files/sotf_020321_agenda.pdf
>
> Cheryl Leger
> Assistant Clerk, Board of Supervisors
> Cheryl.Leger@sfgov.org
> Tel: 415-554-7724

Fax: 415-554-5163
www.sfbos.org

Click here to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

-----Original Message-----
From: sfneighborhoods.net <info@sfneighborhoods.net>
Sent: Thursday, January 28, 2021 10:34 AM
To: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>
Subject: SOTF agenda for February future agendas

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Ms. Lerger,

Would you please send me the SOTF agenda for the February meeting when it becomes available?

Would you please send me any future agendas that have any discussion around my Complaint File Number 20131 against SOTF until the matter is closed?

Thank you,

mark sullivan

EXHIBIT 2

Subject: RE: Notification of Special Meetings
From: "SOTF, (BOS)" <sotf@sfgov.org>
Date: 1/26/2022, 12:31 PM
To: sfneighborhoods.net <info@sfneighborhoods.net>

Mr. Sullivan: The entire retreat was recorded and concluded at 10:00 PM yesterday. An Agenda was published and the meeting was open to the public. There are several items from yesterday's agenda that were not discussed and will be carried over to the next retreat. That retreat will take place in February, but at what date I do not know. You are welcome to listen in a provide public comment when that happens.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

Click here to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

From: sfneighborhoods.net <info@sfneighborhoods.net>
Sent: Wednesday, January 26, 2022 10:59 AM
To: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>
Subject: Re: Notification of Special Meetings

Ms. Leger,

SOTF Retreat does not sound to me like SOTF Retreat meeting open to the public. I just thought you were going on a retreat not open to the public and I am sure parts were not open to the public.

Also 67.6 (f), (e) and CPRA 54956 all say to some degree "by **delivering personally or by mail written notice** to each member of such policy body **and** the **local media who have requested written notice of special meetings in writing.** " and " The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice." which seems to me that an e-mail would suffice. I would just have a list of special meeting notice e-mail addresses.

I am not upset or anything, just constantly swimming upstream with SOTF (like on the combining compliant or issues) and custodian of records violations. We just work our way through it all.

It would be great to get notice when special meetings are decided but 24 hours is all that is required by law. You can also just send me the special meeting agenda when made since it will contain all the information required by law.

I was happy to participate. I will be coming out with something soon that will help SOTF meetings go faster and should also help you.

best,
m sullivan

On 1/26/2022 10:40 AM, Leger, Cheryl (BOS) wrote:

> Mr. Sullivan: I was pleased that you were able to participate in last night's SOTF Retreat. I do not know when the second part of that meeting will take place, but probably in the near future. I will do my best to keep you posted of special meetings, however the SOTF announced a possible retreat back in December, so you were notified.
>
> Cheryl Leger
> Assistant Clerk, Board of Supervisors
> Cheryl.Leger@sfgov.org
> Tel: 415-554-7724
> Fax: 415-554-5163
> www.sfbos.org
>
> Click here to complete a Board of Supervisors Customer Service Satisfaction form
>
> The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.
>
>

From: sfneighborhoods.net <info@sfneighborhoods.net>
Sent: Wednesday, January 26, 2022 10:12 AM
To: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; Bruce Wolfe (Chair, SOTF, SF) <sotf@brucewolfe.net>; Matt Yankee <yankeema@gmail.com>
Subject: Notification of Special Meetings

Hello Ms. Leger,

I want to remind you back in early 2022 that I wanted to be notified of any special meetings of the taskforce. Please consider this again as a standing request in writing to be notice of all special meetings that are out of the ordinary pursuant to 67.6 (f), (e) and CPRA 54956.

67.6 (f) Special meetings of any policy body, including advisory bodies that choose to establish regular meeting times, may be called at any time by the presiding officer thereof or by a majority of the members thereof, by delivering personally or by mail written notice to each member of such policy body and the **local media who have requested written notice of special meetings in writing.**

There is also 67.6 (e) for passive meeting bodies in case SOTF still consider itself such and CPRA 54956
(a) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's Internet Web site, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.
Thank you for help in this matter,
m sullivan

Exhibit 3

Subject: Re: Notification of Special Meetings
From: Bruce Wolfe <sotf@brucewolfe.net>
Date: 1/26/2022, 10:43 PM
To: "sfneighborhoods.net" <info@sfneighborhoods.net>
CC: "Leger, Cheryl (BOS)" <cheryl.leger@sfgov.org>, Matt Yankee <yankeema@gmail.com>

Not sure I understand, "why does everything have to be a fight?" I have no recollection of direct or challenging interchanges between us. I'm not making any decisions nor suggesting any resistance...yet.

You made a claim, actually a strong assertion which raises concern for me, and I asked a question out of curiosity, **NOT** judgement, about your status and credentials. It's a perfectly reasonable question.

The "media" is not just easily defined by a basic dictionary definition but by legality when you cite law to be complied with. The city issues press passes to the media. The definition needs to be equally corroborated by law, too.

As far as SOTF providing specific notice service, did you put this request in writing? Did you get confirmation of receipt? Our office keeps a pretty solid service list.

Best regards,

Bruce Wolfe, Chair
SF Sunshine Ordinance Task Force

(Response is very limited during business hours on business days and holidays)

On Wed, Jan 26, 2022, 9:34 PM sfneighborhoods.net <info@sfneighborhoods.net> wrote:

> https://www.dictionary.com/browse/media
>
> noun
> a plural of medium.
> (usually used with a plural verb) the means of communication, as radio and television, newspapers, magazines, and the internet, that reach or influence people widely:
>
> I have multiple website on the internet, but lets go with sfneighborhoods.net, which I would consider local media. I am a means of communication. I do and try and influence people. I write articles.
>
> Media is a means of communication at the heart of it.
>
> How come everything has to be a fight? Do you have a different definition?
>
> Look if you do not want to extend me the courtesy because you do not consider me and sfneighborhoods a means of communication trying to influence people, I don't know what. I am speechless.
>
> Not only do I think I fit within the definition, but the courts have ruled that public access laws are to be construed broadly for greater public access and the people's right to know.
>
> That is what I am advocating for and also for a strong Sunshine Ordinance Task Force.
>
> Respectfully please tell me where I am wrong.
>
> m sullivan
>
> On 1/26/2022 8:06 PM, Bruce Wolfe wrote:
>
> > Mr. Sullivan,
> > Are you claiming "local media" status? How is this defined for you?
> >
> > SOTF has been deemed a "policy body" despite being mostly advisory as was created by ordinance in 1993 by the Board of Supervisors prior to Prop G in 1999.
> >
> > ***Bruce Wolfe, Chair***
> > ***SF Sunshine Ordinance Task Force***

(Response is very limited during business hours on business days and holidays)

On Wed, Jan 26, 2022 at 10:11 AM sfneighborhoods.net <info@sfneighborhoods.net> wrote:

Hello Ms. Leger,

I want to remind you back in early 2022 that I wanted to be notified of any special meetings of the taskforce. Please consider this again as a standing request in writing to be notice of all special meetings that are out of the ordinary pursuant to 67.6 (f), (e) and CPRA 54956.

67.6 (f) Special meetings of any policy body, including advisory bodies that choose to establish regular meeting times, may be called at any time by the presiding officer thereof or by a majority of the members thereof, by delivering personally or by mail written notice to each member of such policy body and the **local media who have requested written notice of special meetings in writing.**

There is also 67.6 (e) for passive meeting bodies in case SOTF still consider itself such and CPRA 54956

(a) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's Internet Web site, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

Thank you for help in this matter,

m sullivan

Exhibit 4

Subject: Immediate Disclosure Request - Public Record Request
From: "sfneighborhoods.net" <info@sfneighborhoods.net>
Date: 1/28/2022, 10:06 AM
To: "SOTF, (BOS)" <sotf@sfgov.org>

Immediate Disclosure Request - Public Record Request

1/26/2022, 10:43 PM via e-mail, SOTF Chair Wolfe wrote: "As far as SOTF providing specific notice service, did you put this request in writing? Did you get confirmation of receipt? Our office keeps a pretty solid service list."

This pertains to Sunshine Ordinance 67.6 (f) special meeting notice to local media.

1 Please provide SOTF "solid service list" of local media that you keep.

2 Please provide requirements and procedures to be included on the "solid service list" of local media"

3 Please provide the date and time at which the Jan 25, 2022 Agenda was posted on the SOTF website

If you cannot fulfill this request under Sunshine Ordinance Sec 67.25 Immediacy of Response, please provide legal justification as to why not.

Instructions

1. With each listed public record and public information request, please provide all the public records and public information concerning that request.

2. If partial public record and public information fulfillment, please state so, the reason why, and all entities that may hold the rest of the public record and public information (SFSO Sec. 67.21(b)).

3. If the answer is no responsive public record and public information, please state any entity(s) that may hold the public record(s) and public information. ((SFSO Sec 67.21 (c)).

4. If you believe the public record(s) and public information can be withheld from public disclosure for any reason, please state the reason (SFSO Sec. 67.27, 67.21 (b), CPRA Sec. 6253(a),(b), 6254, 6254.4.5, 6254.15, 6254.19, 6255(a)).

5. If you believe the public records and public information are with another organization or person and not with the city, please state the reason you do not think you are required to acquire the public record(s) and public information.

If any of the above request is not clear or specific enough, please do not close the request. Please work with me in making my request effective to obtain identifiable public records and public information. If you do not have possession of any public records and public information requested and believe the public records and public information are with another office or person, please assist in directing those requests to the proper office or staff person. (CPRA 6253.1 and SFSO 67.21 (c))

Thank You

m sullivan

Exhibit 5

Subject: Immediate Disclosure Request - Public Record Request
From: "sfneighborhoods.net" <info@sfneighborhoods.net>
Date: 2/7/2022, 3:11 PM
To: "SOTF, (BOS)" <sotf@sfgov.org>, "Bruce Wolfe (Chair, SOTF, SF)" <sotf@brucewolfe.net>, Matt Yankee <yankeema@gmail.com>
CC: Karl Olson <kolson@cofolaw.com>

So I am re sending this immediate record request. Note I am cc Karl Olsen on this.

-------- Forwarded Message --------
Subject: Immediate Disclosure Request - Public Record Request
Date: Fri, 28 Jan 2022 10:06:25 -0800
From:sfneighborhoods.net <info@sfneighborhoods.net>
To:SOTF, (BOS) <sotf@sfgov.org>

Immediate Disclosure Request - Public Record Request

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Thank You

m sullivan

Exhibit 6

Subject: RE: Immediate Disclosure Request - Public Record Request
From: "SOTF, (BOS)" <sotf@sfgov.org>
Date: 2/15/2022, 3:37 PM
To: sfneighborhoods.net <info@sfneighborhoods.net>

Mr. Sullivan: The SOTF retreat agenda was posted on January 21 at approximately 7:50 pm.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

From: sfneighborhoods.net <info@sfneighborhoods.net>
Sent: Tuesday, February 8, 2022 1:11 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Karl Olson <kolson@cofolaw.com>
Subject: Re: Immediate Disclosure Request - Public Record Request

Hello Ms. Leger,

I am not interested in a voluminous amount of records or information. To clarify, I am only requesting (1) the service list of local media that SOTF uses to notify local media of any SOTF special meetings (should be 1 document), (2) the requirements and procedures to be included on this SOTF service list of local media for special meeting notification (should be 1 document and readily available), and (3) the date and time at which the SOTF Jan 25, 2022 retreat meeting (special meeting) Agenda was posted on the SOTF website (should be readily available).

If there are voluminous records or information on any of the above, please help me make a more focused request under Sunshine Ordinance Sec. 67.21(c) in assisting "in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian" and "provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity" that I can narrow my request.

Since you are saying voluminous amount of information, if you could give me an approximate number or records for each of the requests 1-3, the sooner you do this, the less burdensome I can possibly make my request.

Both 2 and 3 request should be readily available and should be made public within the IDR time. Sunshine Ordinance

Sec 67.25 says "Maximum deadlines provided in this article are appropriate for more extensive or demanding requests, but shall not be used to delay fulfilling a simple, routine or otherwise readily answerable request." Sec 67.21 "without unreasonable delay" and CPRA 6253 (d) "Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records."

My Immediate Disclosure Request was made:

Subject: Immediate Disclosure Request - Public Record Request
Date: Fri, 28 Jan 2022 10:06:25

Thank you for your help in this matter,

m sullivan

On 2/8/2022 9:46 AM, SOTF, (BOS) wrote:

> Mr. Sullivan: We are in receipt of the IDR and invoke a 10-day extension due to the voluminous nature of the information requested and need for any redactions as required or necessary.
>
> Cheryl Leger
> Assistant Clerk, Board of Supervisors
> Cheryl.Leger@sfgov.org
> Tel: 415-554-7724
> Fax: 415-554-5163
> www.sfbos.org
>
> Click here to complete a Board of Supervisors Customer Service Satisfaction form.
>
> The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.
>
> ***Disclosures:*** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: sfneighborhoods.net <info@sfneighborhoods.net>
Sent: Monday, February 7, 2022 3:12 PM
To: SOTF, (BOS) <sotf@sfgov.org>; Bruce Wolfe (Chair, SOTF, SF) <sotf@brucewolfe.net>; Matt Yankee <yankeema@gmail.com>
Cc: Karl Olson <kolson@cofolaw.com>
Subject: Immediate Disclosure Request - Public Record Request

> This message is from outside the City email system. Do not open links or attachments from untrusted sources.

So I am re sending this immediate record request. Note I am cc Karl Olsen on this.

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From:sfneighborhoods.net <info@sfneighborhoods.net>
To:SOTF, (BOS) <sotf@sfgov.org>

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Thank You
m sullivan

Exhibit 7

Subject: Re: Immediate Disclosure Request - Public Record Request
From: "sfneighborhoods.net" <info@sfneighborhoods.net>
Date: 3/1/2022, 10:01 AM
To: "SOTF, (BOS)" <sotf@sfgov.org>
CC: Karl Olson <kolson@cofolaw.com>, "Young, Victor (BOS)" <victor.young@sfgov.org>

Hello Ms. Leger,

How about the answer to number 2 is there any additional requirement beyond Sunshine Ordinance 67.6 (f) special meeting notice to local media to be noticed for special meeting of SOTF as a local media?

This goes to 1/26/2022, 10:43 PM via e-mail, SOTF Chair Wolfe wrote: "As far as SOTF providing specific notice service, did you put this request in writing? Did you get confirmation of receipt? Our office keeps a pretty solid service list."

It has been over a month from my original IDR public record request 1/28/2022 to get this information.

Ms. Leger, thank you for getting Number 3 " Please provide the date and time at which the Jan 25, 2022 Agenda was posted on the SOTF website" on 2/15/2022.

Thank you for your help in this matter,

m sullivan

On 3/1/2022 9:47 AM, SOTF, (BOS) wrote:

> Dear Mr. Sullivan: The office of the Sunshine Task Force does not keep a list of local media for special meeting notice purposes.
>
> Cheryl Leger
> Assistant Clerk, Board of Supervisors
> Cheryl.Leger@sfgov.org
> Tel: 415-554-7724
> Fax: 415-554-5163
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