

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION
June 29, 2015

DATE DECISION ISSUED
June 3, 2015

CASE TITLE - Michael Petrelis v. Angela Calvillo, Clerk of the Board, President London Breed and Supervisor David Campos, Board of Supervisors (File No. 15029)

FACTS OF THE CASE

Micahel Petrelis (Complainant) made a complaint alleging that Angela Calvillo, Clerk of the Board, President London Breed and Supervisor David Campos, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.

COMPLAINT FILED

On March 19, 2015, Mr. Petrelis filed a complaint with the Sunshine Ordinance Task Force (SOTF) regarding the alleged violation.

HEARING ON THE COMPLAINT

On April 21, 2015, the Complaint Committee held a hearing to review the complaint and referred it to the SOTF for additional review and testimony.

On June 3, 2015, the SOTF held a hearing on the matter. Michael Petrelis (Complainant) provided an overview of the complaint and requested the Sunshine Ordinance Task Force (SOTF) to find violations. Wilson Ng, Records Manger, Clerk of the Board's Office, and Carolyn Goossen, Legislative Aide to Supervisor David Campos, (Respondents), provided a summary of their department's positions. Mr. Ng stated that the Clerk of the Board's Office responded in a timely manner by requesting clarifying information but did not receive a response from the Complainant. There was no representative in attendance to present President Breed's position.

Mr. Petrelis agreed to the following determinations of the SOTF and further agreed to clarify and limit his request:

1. The request for records directed to Angela Calvillo, Clerk of the Board, shall be refined to limit the request to sent emails by former Supervisor David Chiu for the month of January 2014. It was determined that the Clerk of the Board had not violated the Sunshine Ordinance as a response requesting clarifying information was provided to Mr. Petrelis in a timely manner.
2. Supervisor Campos' Office did not violate the Sunshine Ordinance as they provided the requested records in a timely manner.
3. The request for records directed to President London Breed, Board of Supervisors, shall be refined to limit the request to sent emails by President Breed for the month of January 2014. As a representative from President Breed's Office was not present to answer question, the SOTF could not determine if Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, were violated. Therefore, a violation of Sunshine Ordinance, Section 67.21(e) was found for failure to send a knowledgeable representative to the SOTF hearing.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the SOTF finds the testimony of the both Complainant and Respondents present at the meeting to be persuasive and found that Angela Calvillo, Clerk of the Board, and Supervisor David Campos, Board of Supervisors, did not violate the Sunshine Ordinance.

The SOTF could not make a determination regarding the complaint against President Breed and found Administrative Code (Sunshine Ordinance), Section 67.21(e) applicable for failure to send a knowledgeable representative to the SOTF hearing.

DECISION AND ORDER OF DETERMINATION

The SOTF finds President London Breed, Board of Supervisors, in violation of Administrative Code (Sunshine Ordinance), Section 67.21(e), for failure to send a knowledgeable representative to the SOTF hearing.

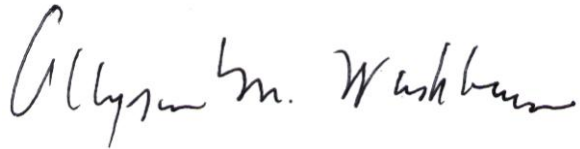
As the SOTF could not determine if President Breed violated additional provisions of the Sunshine Ordinance due to the lack of the testimony of a knowledgeable representative, the matter shall be referred to the Compliance and Amendments Committee (CAC) for additional review. It is requested that President Breed send a knowledgeable representative to the CAC hearing.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on June 3, 2015, by the following vote:

Ayes: 7 - Pilpel, Hepner, Haines, Fischer, Hinze, Hyland, Washburn

Noes: 0 - None

Absent: 2 - Chopra, Wolf

A handwritten signature in black ink that reads "Allyson Washburn". The signature is written in a cursive, flowing style.

Allyson Washburn, Chair
Sunshine Ordinance Task Force

- c. Members, Sunshine Ordinance Task Force
 - Nicholas Colla, Deputy City Attorney
 - Michael Petrelis, Complainant
 - Wilson Ng, Office of the Clerk of the Board
 - Angela Calvillo, Clerk of the Board
 - President London Breed, Board of Supervisors
 - Conor Johnston, Office of President London Breed
 - Supervisor David Campos, Board of Supervisors
 - Carolyn Goossen, Office of Supervisor David Campos