

Sunshine Ordinance Task Force 2022 Annual Report

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Authored by Laura Stein, Jaya Padmanabhan, Lila LaHood and Dean Schmidt.
Issued on behalf of the San Francisco Sunshine Ordinance Task Force.

Dedicated to former SOTF Member Laurie Jones Neighbors,
whose vision and encouragement inspired this report.

Table of Contents

Executive Summary..... 3

Introduction..... 4

San Francisco’s Public Records Requests and Responses..... 5

 Volume of Requests Received by SF Administrative Bodies..... 6

 Information Provided, Requests Referred and Information Redacted..... 7

 Average Response Time to Fulfill Requests..... 7

 Recordkeeping on Sunshine Requests..... 8

 Summary of SOTF Survey Results..... 8

SOTF Complaint Petition Resolution..... 9

 Timeliness and Efficiency of Complaint Petition Processing..... 10

 SOTF Determinations on Complaint Petitions and Sunshine Violations..... 11

 Summary of SOTF Complaint Petition Resolution..... 13

Practical and Policy Problems Encountered in 2022..... 14

 The City Attorney’s Obligations as the Supervisor of Public Records..... 14

 Who is Responsible for the Redistricting Task Force Records?..... 15

 Lack of Sunshine Regulations for Public Meetings of Nonprofit Organizations..... 15

 Sufficient Resourcing of SOTF..... 16

 Improper Use of the Outdated “Rule of Reason” 16

 Limited Privacy Protection, Especially for Information about Public Employees..... 17

The Online Visibility and Utility of Sunshine Related Resources for the Public..... 18

 The Record Request Portal NextRequest..... 18

 The Sunshine Ordinance’s Index to Records..... 26

 The Visibility of Sunshine Procedures on Administrative Body Websites..... 27

Conclusion & Recommendations..... 27

References..... 30

Appendix A: Text of San Francisco Sunshine Survey..... 31

Appendix B: Sunshine Survey Respondents and Non-Respondents..... 32

Appendix C: Table of Average Number of Days Between Petitions and Hearings.... 34

Appendix D: Table of Number of Hearings Per Complaint Scheduled for SOTF.... 37

Appendix E: Statements from SOTF Member Wolf, Seat 11, Disability Representative..... 40

Appendix F: Table of 2022 Published Requests that Remained Open on NextRequest (as of Jan 7, 2023)..... 45

Appendix G: Administrative Bodies Not Included in the Index to Records..... 48

Executive Summary

San Francisco is one of the few California cities to have its own Sunshine Ordinance. Now in its 30th year, the ordinance extends public rights of access to government information and meetings beyond what is provided by state and federal laws. The report assesses how well the Sunshine Ordinance met its goals in 2022 and makes recommendations for improvement.

Some key findings and recommendations from this report include:

- 57 San Francisco administrative bodies, representing about 78% of those subject to the Sunshine Ordinance, received 13,999 public records requests in 2022. The largest number of requests were received by the Department of Emergency Management (4,543) and the Department of Public Health (2,417).
- The mean response time for records requests across all administrative bodies was 10 days, which is the response time allowed by the Sunshine Ordinance.
- Official complaints alleging Sunshine Ordinance violations represent .9% or less of all public records requests made in 2022.
- The SOTF was a strong advocate for petitioners who filed complaints, ruling against petitioners in only five of 55 cases scheduled before the task force and finding 114 Sunshine violations against city and county bodies in 2022.
- SOTF complaints took on average four times longer to resolve than the 45-day time limit stipulated in the ordinance.
- The SOTF has a significant backlog of complaints and continues to receive more complaint petitions than it can resolve in a year under its current procedures.
- Many administrative bodies do not process or publish records requests online, either on their websites or through San Francisco's Index to Records or other online portals.
- The Board of Supervisors should mandate better tracking of the nature, extent and fulfillment of records requests across all city agencies.
- The SOTF should offer guidance on best practices for custodians of records and records requesters to make the process more accessible, transparent and efficient.
- The SOTF should revise its procedures to improve timeliness and efficiency in processing the complaints it receives.
- The Board of Supervisors should address policy problems that include ensuring that the Supervisor of Records complies with the Sunshine Ordinance to release any records the Supervisor deems public.
- The Board of Supervisors should designate itself or the Elections Commission as the custodial home for records of the Redistricting Task Force, and should ensure that similar custodial home assignments are made for records associated with any policy body that ceases operation or completes its operational mandate.

This report provides a foundation for understanding and strengthening public access to information and meetings in San Francisco. With its uncommonly strong protections for Sunshine rights, San Francisco should continue to improve this process and serve as a model for other cities looking to bolster government transparency and accountability.

Introduction

San Francisco’s Sunshine Ordinance and the task force it creates have a mandate to protect the public’s interest in open government (SF Admin Code § 67.1(e)). Passed by San Francisco voters in 1993 and amended in 1999, the Sunshine Ordinance offers greater access to public records and public meetings than provided for in the California Public Records Act and the state’s Ralph M. Brown Act. The stated purpose of the ordinance is to protect “the public’s access to the workings of government” and to prevent government secrecy and abuse of authority (§§ 67.1(c), 67.1(d)). The ordinance establishes a volunteer, citizen-led body, the Sunshine Ordinance Task Force (SOTF), which has a mandate to advocate for “citizen access and participation in local government” (§ 67.30). It also confers specific duties on the SOTF. In addition to hearing complaints about alleged violations of public records and public meetings laws, the SOTF is charged with advising the Board of Supervisors and administrative bodies on how to implement Sunshine Ordinance provisions in a “practical and timely” manner. The task force may report annually to the Board of Supervisors “on any practical or policy problems encountered” in administering the ordinance, “issue public reports evaluating compliance with this ordinance and related California laws,” propose Sunshine Ordinance amendments to the Board of Supervisors (§ 67.30(c)), and assist the City Attorney’s Office with annual Sunshine trainings for city and county employees (§ 67.33).

This annual report looks at how the Sunshine Ordinance operated in San Francisco in 2022 and considers how the city can improve its Sunshine processes. Rooted in the task force’s mandate, the report has several aims, including:

- gaining a better understanding of how records requests and responses are handled.
- assessing how quickly, efficiently and effectively the SOTF processes and resolves complaint petitions.
- taking stock of the public availability of Sunshine protocols and information online.
- addressing problems encountered while administering the Sunshine Ordinance.

The report also intends to raise awareness of the Sunshine Ordinance as a tool for securing access to public records and meetings, and for strengthening government transparency and accountability.

We begin by presenting the results of a survey of San Francisco administrative bodies that gives an indication of the volume of records requests received by San Francisco and how these were handled in 2022. We next draw on internal SOTF documents to look at the requests that resulted in complaint petitions to the SOTF, examining the timeliness, efficiency and outcomes of petitions heard in 2022. We further examine the visibility and utility of Sunshine-related resources available for the public online, including information on government websites about where and how to make records requests, San Francisco’s Index to Records (which specifies the categories of information that each agency or body

maintains), and NextRequest, the predominant online records request portal used by San Francisco administrative bodies. With this broader picture in place and with reference to specific cases, we address some practical and policy problems raised in 2022. We conclude with a summary of how the Sunshine Ordinance operates in San Francisco and our recommendations for strengthening its implementation.

San Francisco's Public Records Requests and Responses

To obtain overview data, we constructed a short survey designed to gather information from San Francisco administrative bodies on their receipt, processing and recordkeeping of public records requests. We reached out to those that appeared to be within the jurisdiction of the Sunshine Ordinance, although this designation is not always clear. According to section 67.3(d), the ordinance applies to city and county policy bodies, including the Board of Supervisors, commissions, committees and other bodies created by ordinance, by resolutions of the Board of Supervisors, by the policy bodies themselves or enumerated in the City Charter. The ordinance also applies to bodies that are created by federal, state or local grants, and that also have members appointed by city officials, employees or agents. An introductory letter with a link to the survey was sent to the public records contact or to the public email address of each body in January of 2023. The 10-question survey asked about:

- the overall number of requests received.
- the number of requests received through an online portal.
- the number of requests for which they provided information.
- the number of times they referred requesters elsewhere.
- how often they had to redact information.
- the average number of days it took to fulfill requests.
- whether any requests resulted in litigation.
- the kinds of records kept about public records requests.

We also asked the bodies to send us samples of any records they kept on records requests in order to understand the data they collected. We gave them several weeks to complete the survey. We should note that the data we collected pertains to formal public records requests, and does not include informal requests for information or documents which many administrative bodies routinely supply.

Forty-seven respondents completed the survey, which took an average of 13 minutes to complete. Respondents were instructed to leave a question blank if they did not know the answer or the question did not apply. Although the initial survey was sent to a somewhat broader group, we ultimately determined that 74 San Francisco agencies appropriately fell within the jurisdiction of the Sunshine Ordinance. Because some of these shared the same public records contact person, the 47 responses we received ultimately represented some 57 agencies, commissions, departments and other administrative bodies subject to the ordinance, giving the survey a response rate of 78%. The text of the survey can be found in Appendix A, and a list of administrative bodies that did and did not complete the survey appears in Appendix B.

Volume of Requests Received by SF Administrative Bodies

The survey gives us a good sense of the volume of requests received by nearly four-fifths of San Francisco administrative bodies. The 57 bodies included in the study reported that they received a total of 13,999 public records requests in 2022. Respondents received a mean of 292 requests with a median of 51, reflecting a large variance in the number of requests received. Figure 1 below shows the 20 entities reporting the most records requests.

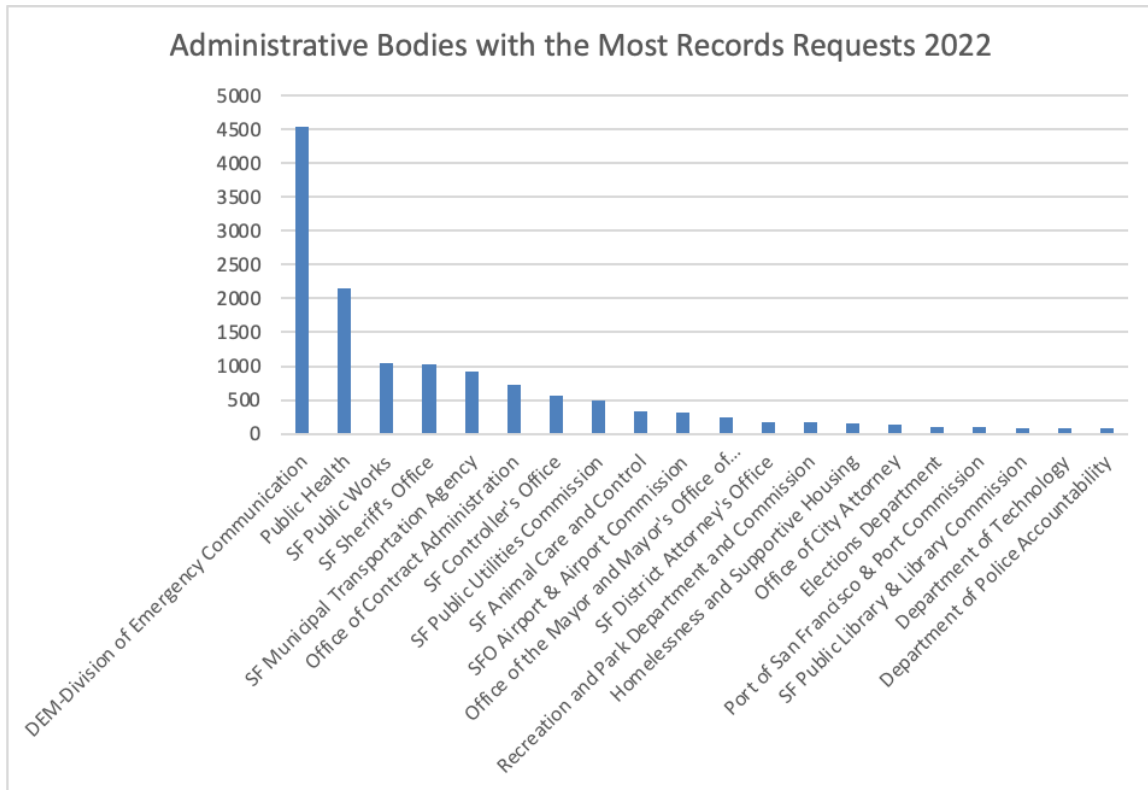


Figure 1: Administrative Bodies with the Most Reported Records Requests in 2022

At the high end of the chart are the Department of Emergency Management’s Division of Emergency Communication with 4,543 requests, the Department of Public Health with 2,147 requests, and the Department of Public Works and the Sheriff’s Office with just upwards of a thousand requests each. At the low end are the Department of Technology and the Department of Police Accountability, which received 87 and 80 requests respectively. According to respondents, the remaining bodies (not represented on this chart) each received fewer than 80 requests during the year. According to our survey, 7,267 requests were either submitted, or subsequently entered and tracked, on the online portals NextRequest or GovQA. Among those using online portals, a mean of 484 and a median of 196 records requests were received via one of these two portals. A NextRequest-generated report provided to the SOTF showed that San Francisco bodies received a total of 7,201 new records requests through the portal in 2022. This report

SOTF 2022 Annual Report

suggests that our survey results closely reflect the actual number of requests received via these portals.

Information Provided, Requests Referred and Information Redacted

The survey also delved into the processing of records requests, looking at how often records requests were fulfilled, referred to others or answered with some information redacted. Respondents collectively indicated that they were able to provide the information requested in 12,680 cases, or about 91% of the time. Records may have been withheld for a variety of reasons, such as those exempted under provisions of the California Public Records Act or the Sunshine Ordinance itself. In 480, or about 3%, of the cases, requests were referred to other bodies, something agencies may do when they do not hold the record requested. We also asked respondents how often their agencies redacted or withheld information when providing public documents. This question was the most often skipped in our survey. Five respondents left the question blank, and others stated that they do not track this data or that they could only guess the answer. Excluding the Department of Emergency Management's Division of Emergency Communication, which reported that it redacts information for about 98% of its requests due to privacy concerns, other respondents answering this question collectively indicated that a total of 1,282 documents, or about 14%, required redactions. Some bodies indicated that the sensitive nature of documents they possess required extensive and time-consuming redactions prior to release. While redactions in many cases may be required by law, they occasionally lead to allegations of improper withholding, which are included in complaints brought to the task force. Four requests received in 2022 either resulted in or were related to litigation. One department said it could not be sure which came first, however, the requests or the litigation.

Average Response Time to Fulfill Requests

We asked respondents the average time it took for them to respond to public records requests. The Sunshine Ordinance allows a maximum of 10 days to respond, although requests that are "voluminous" or "located in a remote storage facility," or that require consulting with other departments, may warrant an extension of this 10-day period and may allow for records to be produced on a rolling basis as they are reviewed and collected (§§ 67.25(b), 67.25 (d)). Survey responses indicated that many requests met the 10-day mandate, with a mean response time of 10.8 days and a median of 10 days across the bodies. The NextRequest report gave a mean of 17 days and a median of eight days as the response time for documents processed on that portal across all San Francisco administrative bodies in 2022, again suggesting that our survey numbers are not far off. However, neither the survey nor the NextRequest report captured the median response time for individual bodies, which may have been significantly less than their mean. Some respondents noted that due to a small number of complicated, lengthy, multipart or labor-intensive requests, their mean response times were much longer than their median response times.

SOTF 2022 Annual Report

Recordkeeping on Sunshine Requests

Our last survey question asked respondents to describe “the existence, quantity, form and nature of any records your department or agency maintains on its public records requests.” Although administrative agencies are not required to keep such records, we wanted to gauge what data was collected and tracked. We further requested a copy or screenshot of their recordkeeping, which 12 respondents provided. Ten respondents did not answer the question, gave non-applicable answers or said they do not track records requests. Fourteen said they kept requests and responses in file folders online, but did not otherwise track requests. Among the remaining 23 respondents, 10 relied on online portals to track requests, with nine relying on NextRequest and one on GovQA. Several departments gave us NextRequest printouts showing the data fields tracked on that portal. These included:

- the date a request was created.
- the request description.
- the response due date.
- the department’s point of contact.
- the request date.
- the request’s open or closed status.
- the visibility of the request (whether to the public or to the department only).
- the closure date.
- closure reasons.
- the format the requested was received in.
- staff time utilized.
- the requester name, contact information and organization.

We also received a GovQA report with fields including:

- request information (allowing for attachments).
- assigned or completed request status.
- assigned staff.
- requester contact email.
- update date (may be request fulfillment date).
- create date (may be date the request was submitted).

Fourteen respondents indicated that they kept logs or spreadsheets to track requests. Their responses were coded to summarize the types of data they tracked. The resulting picture, however partial, provides some sense of the data they maintained. Ten kept records on the date requests were received and descriptions of requests, eight on the requester’s name, six on their own responses, five on the requester’s organization, four on response deadlines, three on the contact person handling the request, two on the date the request was fulfilled, and one on the response time.

Summary of SOTF Survey Results

This survey provided a partial overview of how 57 of the 74 administrative bodies subject to the Sunshine Ordinance handled public records requests in 2022. These bodies

reported that they processed 13,999 requests, fulfilling 12,680 of them and referring 480 to other bodies to answer. The 839 remaining requests may have been in the process of being fulfilled as rolling records releases, withdrawn by petitioners, or denied due to their perceived exempt status, though our survey does not capture this data. Roughly 14% of records were redacted by agencies, excluding the Department of Emergency Management, which redacted the vast majority of records it released. The median response rate of the bodies surveyed suggests that many or even most requests were fulfilled within the 10-day period. Although the mean response time was longer, respondents did not necessarily fail to comply with the law, since it allows voluminous and complicated requests to be released on a rolling basis as and when they become available. Although the 13,999 records requests identified through our survey do not account for all public records requests made, this number does suggest that the 128 complaints filed with the SOTF in 2022 likely represented .9% or less of all requests filed.

This survey data has some limitations, namely it does not account for all San Francisco administrative bodies, is self-reported, and includes some estimated answers. The survey undercounts the total volume of records requests processed in 2022 and cannot tell us about the practices of bodies that did not respond. In addition, we cannot verify self-reported data, which may be subject to inaccuracies due to bias, faulty memory or other factors. Also, the law does not require city and county agencies to keep track of their Sunshine requests, although many did. Some bodies referred to spreadsheets, stored files and online portals to answer some or all survey questions. Others had to estimate their answers where partial or no recorded data existed. Finally, in order to analyze data for the report, it was sometimes necessary to construct a midpoint number where a number or percentage range was given as a response.

SOTF Complaint Petition Resolution

A core function of the Sunshine Ordinance Task Force is to resolve complaints alleging violations of the Sunshine Ordinance. Under Section 67.21(e) of the ordinance, a records requester who believes they have been improperly denied access to information may submit a petition to the task force. The SOTF is required to determine the record's status within 45 days of receiving the petition. If the task force deems a record public and subject to disclosure, it must order the record's custodian to release it. If the custodian does not comply with the task force's determination within five days, the SOTF must notify San Francisco's District Attorney or California's Attorney General, who are expected to ensure compliance with the Sunshine Ordinance and California Public Records Act, and may also alert the San Francisco Board of Supervisors or Ethics Commission about continuing willful violation of the Sunshine Ordinance. The task force is also given the discretion to conduct public hearings on record request denials, which authorized representatives of the denying body must attend. Although the Sunshine Ordinance states that public hearings may be held at the SOTF's discretion, every petition filed currently receives a hearing. Under the SOTF's procedures in 2022, each complaint received was sent first to a committee for a public hearing, which both petitioner and respondent were required to attend. The committee determined whether the complaint fell within the SOTF's jurisdiction, reviewed its merits, and made a recommendation or

SOTF 2022 Annual Report

referral to the full task force. A second hearing, which all parties were required to attend, was then scheduled before the full task force. After hearing from petitioners and respondents and inviting public comment, the task force determined whether violations occurred and, when applicable, issued a determination.

Our review of the SOTF's complaint resolution process in 2022 focuses on its timeliness, efficiency, and outcomes for petitioners and respondents. How quickly and efficiently were complaints processed? How often did the SOTF find Sunshine violations on the part of the city and county or support the public's rights of access to records and meetings? And what happened in cases where the SOTF sought to monitor compliance with their orders?

In accord with the ordinance, we define timeliness as the ability to resolve petitions within a 45-day timeframe. In addition to looking at the number of days it took to resolve complaint petitions, we also examined how many petitions the SOTF processed and the backlog of complaints existing at the beginning and end of 2022. We understood efficiency in relation to the number of hearings held to resolve each complaint. We considered one hearing per complaint to be efficient. We also examined how often the task force supported petitioners' claims of Sunshine Ordinance violations, compared the violations alleged to those found by the task force, and reviewed subsequent actions taken in cases for which the SOTF monitored compliance. We obtained data on these questions from SOTF administrator reports, meeting agendas and minutes, staff notes, and orders of determination pertaining to petitions heard by the full SOTF, since these hearings are where the task force currently makes definitive determinations on petitions.

Timeliness and Efficiency of Complaint Petition Processing

In 2022, a total of 55 complaints were scheduled for a hearing before the full Sunshine Ordinance Task Force. Only four petitions were scheduled within 45 days of their filing, although two of these were subsequently sent to a committee for further hearing, and the other two were a request for reconsideration and a request for compliance regarding previously heard complaints. The vast majority of cases took over four times as long to resolve. Petitioners whose complaints were heard by the full task force in 2022 had waited a mean of 227 days and a median of 201 days before attending their first scheduled hearings. The mean time between filing a request for reconsideration and receiving a hearing was 184 days, with a median of 162 days (See Appendix C for Table Showing Average Number of Days Between Petitions and Hearings). Most cases were heard both in committee and by the full task force, although seven cases went from committee to a SOTF consent agenda that did not require a full hearing. Due to administrative issues, attendance and other problems, cases occasionally appeared more than once before the full task force. The 55 cases were scheduled for hearing before committees 69 times and before the full task force 71 times (Appendix D details the number of hearings scheduled for each complaint petition). Thus, each petition that came before the task force was scheduled a mean of 2.5 times. This number likely underestimates how many times each case was addressed since some petitions, though scheduled for the full SOTF in 2022, were not fully resolved by the end of the year. Similarly, a 2012 study found that cases coming before the task force and its committees

SOTF 2022 Annual Report

in 2011 were heard an average of 2.6 times (City and County of San Francisco Board of Supervisors Legislative Analyst Report, 2012). We also noted that three petitioners brought 25 of the 55 complaints before the SOTF in 2022 and that seven petitioners brought 35 of the 55 complaints.

In addition to multiple hearings on each complaint, a backlog of petitions from prior years contributed to the delayed processing of complaints. As of Jan. 1, 2022, the task force had a backlog of 187 unresolved complaints. These included one petition from 2018, nine from 2019, 57 from 2020, and 120 from 2021 (Administrator’s Report, Jan. 5, 2022). Moreover, more petitions were submitted in 2022 than the SOTF could process in 12 months under its current procedures. Figure 2 below shows that the task force has received more new complaints annually than it could process in each of the past four years.

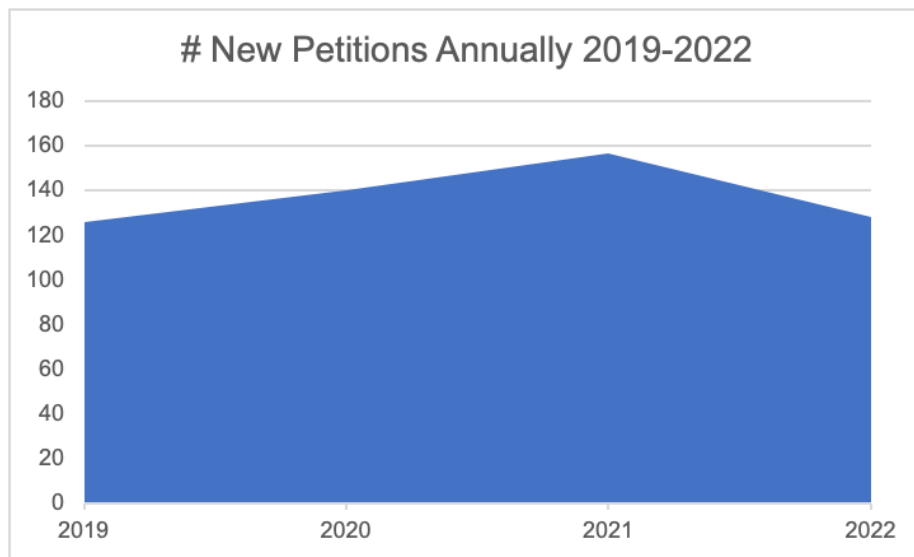


Figure 2: Number of New Petitions Submitted Annually 2019-2022

A total of 128 new petitions were filed in 2022 (C. Leger, personal communication, March 3, 2023). Although the SOTF heard 55 petitions in 2022, at the beginning of 2023, the SOTF still had 196 complaints pending (SOTF Memorandum, Jan. 24, 2023). This backlog was reduced significantly in February of 2023 when a single petitioner withdrew 50 cases.

SOTF Determinations on Complaint Petitions and Sunshine Violations

The Sunshine Ordinance envisions a task force that protects the public’s right of access to meetings and information (§ 67.21(e)) and lays the burden of proof for denying access with the city and county (§ 67.21(g)). To assess whether SOTF determinations supported the public’s Sunshine rights, we first looked at how often the SOTF found in favor of petitioners. We deemed a decision favorable if the SOTF agreed with the petitioner that one or more Sunshine Ordinance violations had occurred. By this metric, the task force ruled favorably for petitioners in 41 cases. Among the other 14 cases, one was continued,

SOTF 2022 Annual Report

two were closed, two were denied reconsideration due to lack of new evidence, and four were sent back to committee for hearings. The SOTF ruled against petitioners in five cases. In two of those cases, the SOTF determined that it lacked jurisdiction over the agencies involved, and in three cases, the SOTF determined that the records requested were exempt or non-existent.

We also compared the overall number of violations alleged by petitioners to the number of violations found by the task force. In 2022, petitioners alleged 129 violations of public records and meeting laws. Most alleged violations referenced broad sections of the Sunshine Ordinance dealing with rules related to: the process for gaining access to records; public meeting requirements for agendas, records and public testimony; withholding records; and timely responses to records requests.

SOTF determinations frequently supported the allegations made by petitioners. In 2022, the SOTF found 114 violations against various administrative bodies. Table 1 (2022 Violations Found by SOTF) lists sections of the Sunshine Ordinance or California Public Records Act (CPRA) that the task force determined had been violated at least three or more times.

Section	Description	# Violations Found
CPRA 6253c	failing to disclose records in complete or timely manner; failing to notify the person making the request of the determination and the reasons for withholding the records; failing to provide determinations notice	16
67.26	non-minimal withholding; failing to redact or justify redactions	8
CPRA 6253b	failing to provide documents in complete or timely manner	8
67.7a	failing to post the agenda in a timely manner; failing to provide adequate description of agenda items and failing to post agenda 72 hours in advance of meetings	8
67.7b	failing to provide clear description of agenda items and failing to post supporting documents online or make them available in timely fashion	8
67.7g	failing to provide notices and agendas for regular and special meetings that include the language Know Your Rights Under Sunshine	8
67.9a	failing to provide agendas and related materials for distribution	8
67.21b	failing to produce records within 10 days and failing to respond in a complete/timely manner	7

67.15a	failing to allow public comment for each item on agenda	7
67.27	failing to provide a redaction key or other reference to the appropriate justifications	7
67.25	failing to follow response requirements for an immediate disclosure request in complete/timely manner	5
67.21c	failing to provide assistance to requestor; failing to assist the requester in identifying the existence, form and nature of any records or information maintained by, available to, or in the custody of the custodian	5
67.21e	not sending knowledgeable person to hearing; failing to provide records access	4

Table 1: 2022 Violations Found by SOTF

Violations found by the task force clustered around issues of timeliness, withholding information, agenda requirements for public meetings, and processes mandated for obtaining access to public records. The outcomes of these cases often served to protect the rights of petitioners.

In 2022, the SOTF’s Compliance and Amendments Committee reviewed 13 cases for compliance with orders of determination issued by the task force, including cases with violations found in prior years. Respondents in five of those cases were asked to return for a second compliance meeting, and respondents in one case were asked to appear three times.

Two of the compliance cases were sent back to the full SOTF for further action. A third was sent back with a recommendation that the SOTF ask the Board of Supervisors to revise the city’s Microsoft Teams records retention policy to be in compliance with the Sunshine Ordinance — which it is currently not.

Five of the compliance case files were closed either when petitioners said agency practices for maintaining records had improved or when the committee determined that compliance with orders of determination were fulfilled to the degree possible. One petitioner said they were not satisfied with the records they received but chose not to pursue the case further.

The rest of the compliance case files remained open as of Dec. 31, either for ongoing monitoring or because petitioners were still seeking records.

Summary of SOTF Complaint Petition Resolution

This review of SOTF petition resolution processing in 2022 suggests that the SOTF has a strong track record of supporting petitioners rights under the Sunshine Ordinance. However, the present process is neither timely nor efficient, necessitating multiple

hearings on each petition and taking longer than 45 days to resolve most complaints. Aside from a backlog of cases, the new cases submitted in 2022 alone exceed the number of cases that the SOTF can hear in its 12 yearly meetings. In addition, a handful of petitioners with multiple petitions have dominated the hearing process, potentially delaying the processing of cases by a wider range of petitioners. These realities suggest that significant delays will continue if the SOTF does not revise its process.

Rethinking how it resolves complaint petitions should be a high priority for the SOTF since a more timely and efficient process may be critical for many public records requesters. The Sunshine Ordinance, like other freedom of information laws, recognizes that the relevance and value of information often has a shelf-life. People need access to information while there is still time for that information to inform their actions and decisions.

Practical and Policy Problems Encountered in 2022

In this section, we address problems raised in 2022 that the full task force agreed should come to the attention of the Board of Supervisors, as well as misunderstood legal exemptions that are commonly overused to unfairly prevent public access to government records. Problems raised by individual SOTF members, but not endorsed by the task force as a whole, can be found in Appendix E (Statements from SOTF Members).

The City Attorney's Obligations as the Supervisor of Public Records

SOTF complaint file No. 20104 addressed a case in which the City Attorney, as Supervisor of Records according to the Sunshine Ordinance, identified a record as public but declined to order the department to release it, as stipulated in section 67.21(d) of the Sunshine Ordinance. This section states that, "upon the determination by the supervisor of records that the record is public, the supervisor of records shall immediately order the custodian of the public record to comply with the person's request." In their response to this request, the City Attorney argued that they could not order the release of any records because it abrogates their duty to advise departments under the City Charter, and that the ruling in *St. Croix v. Superior Court* (228 Cal. App. 4th 434, 2014) holds that when the City Charter conflicts with the Sunshine Ordinance, the City Charter prevails. However, *St. Croix* determined only that the City Charter conflicted with Section 67.24(b)(1)(iii) of the Sunshine Ordinance, which states that public records containing advice on compliance with the Sunshine Ordinance, the California Public Records Act and certain other laws must be disclosed. According to the court in *St. Croix*, the Sunshine Ordinance could not require the release of confidential communication between attorneys and clients since the City Charter incorporated attorney-client privilege into the roles it laid out for the City Attorney.

There is no discussion in *St. Croix* of whether or how the mandate laid out in 67.21d of the Sunshine Ordinance, which requires the City Attorney to order that departments release records deemed public, conflicts with attorney client privilege. In task force hearings, representatives for the City Attorney have said that he believes there is a conflict of interest between attorney-client privilege and the requirements of section

SOTF 2022 Annual Report

67.21(d) in the Sunshine Ordinance, and maintains that the City Attorney's Office must balance its duty to city clients and its duties under the Sunshine Ordinance. The effect is that the City Attorney's office does not comply with section 67.21(h). The SOTF does not believe that *St. Croix* overrides the mandate to order departments to release records deemed public by the City Attorney. The Board of Supervisors should clarify that the City Attorney is required to follow the provisions of section 67.21(d), and that the *St. Croix* case does not invalidate this provision.

Who is Responsible for the Redistricting Task Force Records?

In 2022, the SOTF received eight complaints and found violations in five cases against the Redistricting Task Force, a temporary body that resets the supervisorial districts in San Francisco after each federal decennial census. The Mayor, the Board of Supervisors and the Director of Elections are jointly responsible for appointing members of this body. The Redistricting Task Force is formed under the auspices of the Elections Commission and administered by the clerk of the Board of Supervisors, neither of which has claimed responsibility for maintaining records associated with the Redistricting Task Force. Although the Sunshine Ordinance applies to this intermittent agency, it lacks a custodian responsible for maintaining and providing information and records. The SOTF strongly urges the Board of Supervisors to designate either itself or the Elections Commission as the custodial home for records related to the Redistricting Task Force.

Lack of Sunshine Regulations for Public Meetings of Nonprofit Organizations

The city incorporates several Sunshine principles into San Francisco Administrative Code Section 12L dealing with nonprofit organizations that receive at least \$250,000 in city funding. Some of these nonprofits provide essential services to city residents, including housing. Sunshine principles applying to these nonprofits require that they hold two designated public meetings per year, give notice of their date, time and location in advance, and allow members of the public to address their boards on items of interest (§ 12L.4). Section 12L.5 of the code, addressing public access to records, specifies certain financial information that must be disclosed by nonprofits. Crucially, the code does not stipulate that the twice-yearly public meetings be subject to the same public records and meetings laws that would apply to any other public meeting in San Francisco.

As we saw this year in a case involving Conard House, people are not guaranteed access to information, such as minutes, agendas and other materials, that would allow for more informed engagement with these nonprofits (SOTF Complaint File No. 21101). This omission impairs the purpose of mandatory public meetings. We believe that the city should specify in 12L.4 and in its contracts with nonprofits that these meetings be subject to the Sunshine Ordinance and the California Public Records Act. These public meetings should afford the public the same rights and access to meetings and records they enjoy under city and state law, especially since these organizations receive substantial government funds and perform vital services on behalf of the city and county.

At the very least, section 12L.4(a)(1) should be amended to read: "Each nonprofit organization shall designate and hold at least two designated public meetings per year *that are subject to the public meetings and records requirements contained in the San*

SOTF 2022 Annual Report

Francisco Sunshine Ordinance.” (New language is italicized.) An even more robust commitment to Sunshine principles would bring these nonprofits entirely under the purview of the Sunshine Ordinance, since they are substantially funded by the city, provide essential services to city residents, and arguably should allow citizens the tools necessary to ensure these organizations’ accountability.

Sufficient Resourcing of SOTF

The Sunshine Ordinance calls for the Board of Supervisors and the City Attorney’s Office to provide “sufficient staff and resources to allow the Sunshine Task Force to fulfill its duties” (§ 67.21(e)). These duties include making determinations on public records requests and complaints, and holding public hearings. SOTF members are unpaid volunteers who often review between 500 and 2,000 pages of documents prior to their meetings. SOTF document packets are inefficiently produced by printing out and rescanning materials submitted by petitioners and respondents in complaints. The packets contain no interactive table of contents. Additionally, linked materials, color coding, and other important information are lost in the analog compilation of these documents. These problems mean that valuable information is lost that could facilitate the processing of petitioner complaints. There are technological solutions to many of these problems that would allow the SOTF to modernize document assembly, search, storage and publication. Digital solutions would also allow the SOTF to preserve file resolution and attachments, and to eliminate the need to print and rescan digitally submitted documents. The city has contracted with the vendor Granicus in the past to provide city agencies some of these services, but the SOTF was not included in that contract. The SOTF formally requests that the Board of Supervisors include it in any future city contracts with web service or platform providers of digital storage and software solutions or consider allocating separate funds to modernize the production, storage and dissemination of SOTF meeting materials.

Improper Use of the Outdated “Rule of Reason”

The “rule of reason,” despite its confusing name, is a relic of the paper-only, pre-digital era, dating to the 1967 California Supreme Court decision in *Bruce v. Gregory*, 65 Cal. 666. The true rule was used to protect paper files in government offices from access that would interfere with the office’s utilization of the document, interfere with availability to other members of the public, or risk damage to the paper document. The Supreme Court discussed several cases from other states, all of which involved the propriety of limits to physical access to original, solo copies of documents in government offices. In that era, there were not many copies of such documents, nor electronic copies. Essentially, it was the physical document itself that needed protection, and the rule of reason permitted limited use of regulations strictly essential to prevent inefficiency or chaos. In the current era, the “rule of reason” could apply to older single-copy, physical paper files. But the logic of the rule does not support delay in the processing of copies to respond to a records request. When an agency receives a complex request that would take significant staff time and resources to fulfill, it may be appropriate for the agency to invoke the “undue burden” standard recently described in *Getz v. County of El Dorado*, 72 Cal.App.5th 637 (2021).

Limited Privacy Protection, Especially for Information about Public Employees

Government is a public enterprise. Public records and information are not generally private matters. The California Public Records Act and San Francisco Sunshine Ordinance make that abundantly clear, emphasizing transparency in government and the public's right to know. Any exemption that would shield government files from public scrutiny must be narrowly construed in favor of disclosure. The law in California has established a limited exemption for certain information considered to be private.

The standard here is not one's own personal beliefs or assumptions about privacy, but what the courts have set as the standards. In assessing whether the law exempts portions of government files as "private," records relating to private citizens are treated differently than those referencing public employees. Certain content categories are emphasized in the law of privacy — medical, psychological, personal finances, personal employment and private company finances. As a general matter, outside of those areas, privacy does not shield names, contact information, work addresses, or most kinds of government correspondence, communications, memos or reports. Since public records commonly contain names and email addresses or telephone numbers, it is important for members of the public to be aware that this information can only be withheld under specified circumstances.

To illustrate the truly narrow scope of the legal definition, courts have rejected privacy objections in several public employee cases — public employee salaries (*IFPTE Local 21 v. Superior Court*, 42 Cal.4th 319 (2011)) and names of pension earners and the amounts (*San Diego County Employees Retirement Association*, 196 Cal.App.4th 1228 (2011)); the names, titles and dates of employment of peace officers (*Commission on Peace Officer Standards & Training v. Superior Court*, 42 Cal.4th 278 (2007)); even the investigation and disciplinary report of a high school math teacher (*Marken v. Santa Monica-Malibu School District*, 202 Cal.App.4th 1250 (2012)). A public union in *County of Los Angeles v. Los Angeles County Employee Relation Commission*, 56 Cal.4th 950 (2013) was permitted over a privacy objection to get home contact information of bargaining unit members who had not opted to be members of the union. Furthermore, in almost all public employee cases the statutory exemptions are permissive — an agency is not under obligation to withhold. A record may not be withheld or redacted based on mere speculation that a public employee might be subjected to harassment.

The protection of information about private citizens (or the non-public lives of government employees) is also quite limited — though in select cases the California Constitution might mandate withholding. The prime examples in the case law limit this protection to highly sensitive material — students and faculty who had been covertly surveilled by law enforcement (*White v. Davis*, 3 Cal.3d 757 (1974)); a law enforcement database containing persons suspected of involvement in organized crime (*A.C.L.U. v. Deukmajian*, 32 Cal.3d 440 (1982)); and names, addresses, telephone numbers of makers of airport noise complaints (*City of San Jose v. Superior Court*, 74 Cal.App.4th 1008 (1999)). Examples of personal information not protected by privacy exemption have

included: applications for concealed weapon permits (*C.B.S., Inc. v. Block*, 42 Cal.3d 646 (1986)); names of water rationing violators (*New York Times Co. v. Superior Court*, 218 Cal.App.3d 1579 (1980)); and names, addresses of purchasers of luxury suites in a public arena, and the purchase prices (*CSU Fresno v. Sup. Ct.*, 90 Cal.App.4th 816 (2011)). One factor to consider is a private citizen's decision to voluntarily submit information or enter "into the public sphere" (*CSU Fresno*).

The Online Visibility and Utility of Sunshine Related Resources for the Public

The rise of the Internet as a publicly accessible information source has presented opportunities to both publish and process public records requests and other vital government information. The Sunshine Ordinance, passed and amended in the 1990s, encourages San Francisco City and County to use the Internet to publish meeting notices (§ 67.4), recordings of public meetings (§ 67.14), and an index to public records (§ 67.29). It also urges city and county bodies to put as much information as possible on the Internet and sets minimum standards for the timely publication of meeting notices, agendas and minutes online (§ 67.29-2). The Internet has also become an important tool for the submission and processing of records requests. While requests can be submitted in many forms, including postal delivery, e-mail and fax (§ 67.21b), at least 17 administrative bodies have sought to channel their records requests through the online portal NextRequest, and two to an alternate portal, GovQA. While a comprehensive review of Sunshine practices online is beyond the scope of this report, we examined the visibility, accessibility and transparency of records request information online through three lenses: the NextRequest portal, the Index to Records, and the websites of administrative bodies.

The Record Request Portal NextRequest

This section of the report looks at NextRequest to shed light on how San Francisco administrative bodies handled records requests received online in 2022. The objective is to look at published data on NextRequest and trace the lifecycle of a request from the point it is entered into the system to the point the request is closed without further action or re-appears as a complaint on the Sunshine Ordinance Task Force agenda. This would show how a NextRequest generated request is processed and the points at which it could become vulnerable to becoming lost, forgotten, mishandled, dismissed or closed without the requestor's input. It is important to emphasize that NextRequest is used by a subset of San Francisco departments and agencies, and thus contains only a subset of requests received citywide. Therefore, this is not a comprehensive analysis of records requests in San Francisco.

Included in this section is an overview of the NextRequest portal, a compilation of the system's published data, and case studies of two Sunshine Ordinance Task Force complaints that originated on NextRequest.

What is NextRequest?

NextRequest is records request management software that streamlines the process of fulfilling FOIA and other records requests made by members of the public to government entities.

A record request on NextRequest has the following input parameters:

- a description — identifying details of the records or information being requested
- the date or date range for which records are requested
- the name of the department the request is addressed to (selected from a drop down box)
- optional identifying information from the requestor: email, name, phone, address, company

Once a record request is made via the online portal, it is auto-routed to the specified department for fulfillment. A custodian of records in the department then responds to the request. If the agency holds responsive records, records custodians then post or release the documents or information. The request is closed when a custodian determines that there are no responsive records or no additional responsive records.

Each request page shows details of the request, a timeline of activity, and a documents tab.

Request 22-2054 Closed

1 of 32 with filters active

Dates	Request
Received April 5, 2022 via web	Health department certificate for Family Cafe located at 362 Columbus Ave, SF 94133

Staff Assigned
Departments Public Health: Food Safety and Facilities
Point of contact Deborah Quinones (DPH)

Timeline	Documents
<input checked="" type="checkbox"/> Request Closed <small>Public</small> The Department of Public Health has conducted a diligent search for records responsive to your request. We have located responsive records, which are available to you here. This concludes your public records request.	
<input checked="" type="checkbox"/> Document(s) Released to Requester <small>Public</small> 362 COLUMBUS_FAMILY CAFE_100372.pdf	
<input checked="" type="checkbox"/> Department Assignment <small>Public</small> Public Health: Food Safety and Facilities	
<input checked="" type="checkbox"/> Request Opened <small>Public</small> Request received via web April 5, 2022, 10:38am by the requester	

Figure 3: Screenshot of a Visible/Published 2022 Request

Determining the Number of Requests on NextRequest

On San Francisco’s NextRequest portal, request numbers begin with the last two digits of the year, followed by a dash, and then a sequentially assigned request number. The first request received in 2022 was 22-1 and the last request was 22-7235. These numbers suggest that 7,235 requests were entered on NextRequest in 2022. However, it is important to mention here that a NextRequest generated report provided to the SOTF put that number at 7,201.

In 2022, of the 7,235 requests assigned numbers on NextRequest, only 3,982 were published — meaning, publicly viewable — of which 3,941 were closed and 41 remained open, as of Jan. 7, 2023 (See Appendix F). Given that only some requests are visible on NextRequest, it makes it difficult to know how many valid non-visible requests there were and how many were actually processed.

The table below includes data from a NextRequest-generated report provided to the SOTF on Jan. 7, 2023. It offers a point of comparison to the total number of visible requests on NextRequest; that is the requests that are published, which are a subset of all number-assigned requests on the portal. It is the custodian of records who is responsible for making a request visible to the public.

Department	Reported Requests	Reported Closed Requests	Visible Requests	Visible Open Requests	Visible Closed Requests
Public Utilities Commission	620	591	0	0	0
Recs and Parks	145	176	1	0	1
Animal Care and control	196	172	2	0	2
Building Inspection	434	421	4	0	4
Fire Dept	708	704	5	0	5
Library	89	89	11	0	11
SFMTA	912	909	12	0	12
Arts Commission	74	76	73	0	73
Ethics Commission	79	79	75	0	75

SOTF 2022 Annual Report

Dept of Technology	87	102	96	0	96
Office of Contract Admin	172	172	166	1	165
Treasurer and Tax Collector	294	254	242	4	238
Controller	538	556	302	1	301
Public Works	1033	1061	1035	12	1023
Public Health	2030	2090	1958	23	1935
TOTAL	7411	7452	3982	41	3941

Table 2: Requests Received and Closed in 2022, as Reported to the SOTF and Visible on the Platform as of Jan. 7, 2023

As the data shows, the departments of Public Health and Public Works received the most number of records requests (both visible and reported). This reflects the findings from the survey. Correspondingly, the departments of Public Health and Public Works have the most open files. More than 10% of the requests to Contracts and RFPs within Public Health remain open and unfulfilled.

A total of 198,173 documents were released, pertaining to 2022 requests on NextRequest. Since not all documents are released on the portal (some are emailed) there is no way to capture if requests were adequately responded to with respect to release of documents.

Published vs Unpublished Requests

At the top of the request input screen, there is a message that states, “Everything in this request box will be displayed publicly if the agency makes your request public.” This indicates that the default is to not publish a request; in other words, departments have the option to publish requests on the portal for general public viewing. There are numerous gaps in the serially assigned request numbers, and a big gap between 7235 and 3982, which could be due to several reasons, including

- records requests not published by the department
- records requests withdrawn by the requestor
- requests deleted by the department
- requests “under review” by the department,
- Errors in how a request is framed

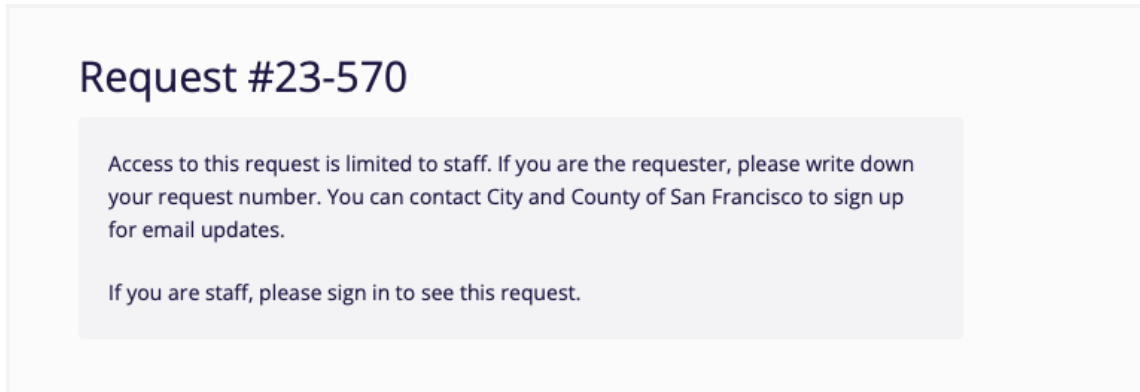
One option available to the public is to make record requests anonymously. In order to test how that factors into publishing a request, we opened three test requests anonymously. In the first instance, no contact details were provided; in the second, a telephone number was given; and in the third case, an email and other particulars were

SOTF 2022 Annual Report

added. We randomly chose the San Francisco Public Library as the department to which these requests were addressed. The results are presented below.

Test case 1:

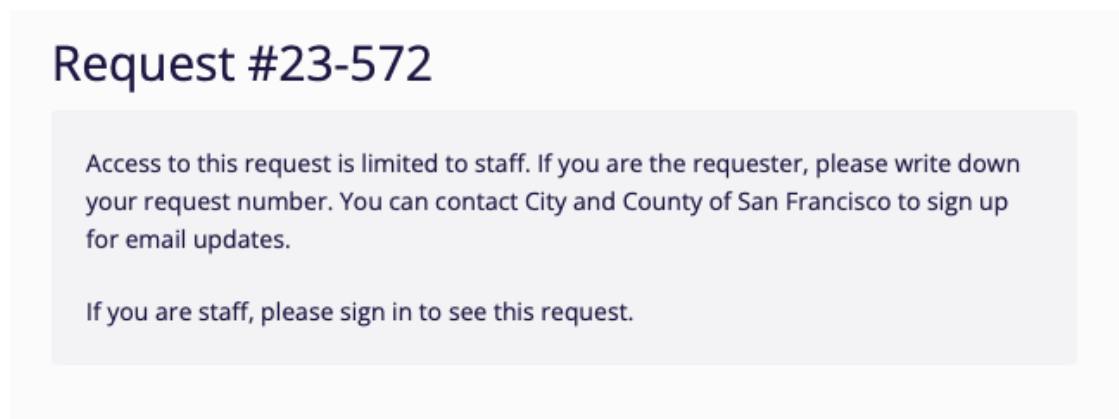
Request No. 23-570 created on Jan. 27, 2023: A request for the email contacts of commissioners was made to the San Francisco Public Library anonymously without an email address nor any other particulars. The request was created and assigned a number, but the screen displayed the following message:



As this message illustrates, the request was viewable only to staff. This was a system-generated message, so therefore, unlikely that it is specific only to the library.

Test case 2:

Request No. 23-572 created on Jan. 27, 2023: A request for the email addresses of commissioners to the San Francisco Public Library was made anonymously with a telephone number and the request was created and received the same message:

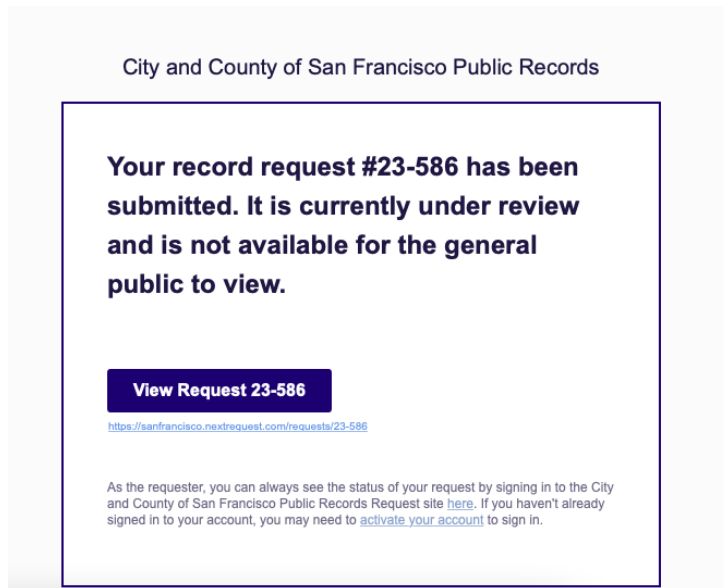


Test Case 3:

Request No. 23-586 created on Jan. 28, 2023: A “test” request was made to the San Francisco Public Library anonymously with an email address and telephone number and

SOTF 2022 Annual Report

the request was created. An email was received from the City and County of San Francisco Public Records, stating that the request was under review. Screenshot below:



This third system-generated message leads us to believe that email information is critical to requests being deemed valid. Subsequently, a library representative emailed asking for more details, and when they were told that this was an analysis exercise by a member of the SOTF, the request was closed without publishing responsive records.

<https://sanfrancisco.nextrequest.com/requests/23-586>



All three test requests remain unpublished, but request numbers have advanced. We have a couple of takeaways from this exercise. First, the portal performs a baseline validity check, and it is possible that an email address is required for the request to be processed. The fact that these three test cases remain unpublished indicates that only after establishing validity of the request is the next step undertaken, which is for the custodian of records to decide how to respond and whether to display the request publicly.

Case Studies of SOTF Complaints that Originated on NextRequest

The scenarios below provide perspectives of the petitioner and the department, and give a sense of what happens to a request before and after it becomes a complaint on the SOTF agenda. In the first case that follows, the SOTF found that the request was not responded to adequately, but in the latter instance, no violation was found. Both cases were Immediate Disclosure Requests, (§ 67.25(a)) described as a request for written information that “shall be satisfied no later than the close of business on the day following the day of the request.” These cases together illustrate what parts of a request are publicly displayed and what occurs beyond the NextRequest platform in the process of responding to a request.

NextRequest 22-1056; SOTF Complaint No 22012:

The first [published](#) request we examined, created on Feb. 16, 2022, was an Immediate Disclosure Request made to the Department of Public Health to “preserve and produce exact copies of all chat or text messages of any kind (which is to say, all forms of electronic communications OTHER THAN email) for the last 90 days between anyone in your agency and: London Breed, Sean Elsbernd, Andrea Bruss, Jeff Cretan, Hank Heckel, Andy Lynch, Andres Power, Mary Ellen Carroll, Sam Dodge (including any group communication including at least one of them, and on personal or govt accounts).”

On Feb. 16, the request was opened and assigned to the “Department of Public Health — Other.” The same day, the due date was changed to March 3, with the notation: *Treating as a standard records request. Request was received after business hours. Calculating 10 business days from date of receipt (2/16)*. On March 1, the first set of documents were released on NextRequest, and with additional documents released on March 2, 3, 4, 7, 8 and 14, and on April 4. The request was closed on April 4.

On Feb. 18, 2022, a complaint about this records request was filed with SOTF. Complaint No. 22012 was assigned. The complaint was heard by the SOTF in September 2022. The petitioner had initially submitted a request to the Department of Public Health via email but was told that the records would not be released unless he submitted the request on the NextRequest portal. The petitioner complied. After he opened a request on NextRequest and the request was being processed, the requestor wrote in his complaint, “I’ve looked through my own records and there is no evidence of what the request [was] in 22-1056. They have hidden it on NextRequest so it is not public either.”

As documented in the September 2022 SOTF [meeting minutes](#), the petitioner said that the Department of Public Health eventually turned over two documents that it had not

SOTF 2022 Annual Report

originally provided. The petitioner requested that the task force find the department in violation of sections 67.21(b) for failure to comply with the request, 67.26 for non-minimal withholding and 67.27 for failure to provide justification for withholding. A representative of the Department of Public Health said that on Feb. 15, 2022, the petitioner opened a request, and that on Feb. 17, 2022, the department sent an email asking the petitioner to narrow the request, which the petitioner complied with. On April 14, 2022, the records were provided.

The SOTF found that Director Greg Colfax and the Department of Public Health had violated the Sunshine Ordinance under Section(s) 67.21(b) by failing to provide requested records in a timely and/or complete manner and 67.26 by failing to keep withholding to a minimum. The SOTF ordered Director Grant Colfax and the Department of Public Health to continue to turn over requested records. In addition, the matter was forwarded to the Compliance and Amendments Committee for monitoring.

NextRequest 22-3702; SOTF Complaint No 22084:

This [published](#) request, dated June 24, 2022, was an Immediate Disclosure Request for the “production of all emails within the TTX department that contain the following "Bezhanski" and/or "28 Allen" and/or email address bejanski@gmail.com between May 4th 2022 and June 23rd, 2022.” On June 24, the request was opened and automatically assigned to TTX-Treasurer and Tax Collector. On July 5, the first two sets of documents were released to the requestor. Subsequently, more documents were released on July 8, 15, 22 and 29, and Aug. 4, at which point the case was closed.

A complaint was filed with the SOTF on July 22, 2022, citing timeliness issues. This case was heard by the Sunshine Ordinance Task Force in December 2022. As documented in the task force’s [meeting minutes](#), the complaint was filed against Debra Lew and the Office of the Treasurer and Tax Collector for allegedly violating the Sunshine Ordinance under Section(s) 67.21 and 67.25, and California Government Code under Section(s) 6253(c), by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

The petitioner said that this complaint was about timeliness. The request was sent out on June 24, 2022. Debra Lew, from the Office of the Treasurer and Tax Collector, the respondent, said that this request was deemed not to be an Immediate Disclosure Request and that because the deadline fell on July 4, 2022, the response was provided the following business day.

The SOTF found that the Office of the Treasurer and Tax Collector did not violate the Sunshine Ordinance under Section(s) 67.21 and 67.25, or California Government Code, Section(s) 6253(c).

In both cases, the city agencies independently changed an immediate disclosure request to a “standard records request,” thereby modifying the deadline to respond. The latter case illustrates a request that was responded to per the guidelines of the ordinance. Of particular interest is the remark made by the petitioner in the first complaint that they

could not locate their request on the NextRequest platform: “They have hidden it on NextRequest so it is not public either.” This is in keeping with our findings that many requests that are made by the public are not available to the public.

Conclusions

Due to the limitations around public visibility of requests, and the SOTF’s limited resources, we could not ascertain details that we would have liked to know, including the reasons for denials of requests, delays in responses, incomplete fulfillments of requests, pre-emptive closures of requests, unpublished requests (both fulfilled and unfulfilled), withdrawn requests and deleted requests. Further, we did not have the resources to examine how long requests took to fulfill on average, as well as how many were fulfilled or denied, and, with respect to minimal withholding, if some results were partly published.

Out of a total of 7,235 requests made on NextRequest in 2022, only 3,982 are publicly viewable. In other words, close to 50% of all requests in 2022 are unpublished. While there could be legitimate reasons for unpublished requests, the volume of requests that are obscured from public view renders the viewable/published data tentative.

Even though requests are initiated by members of the public, it is the departments that own the process of publishing requests. Without making records visible, requestors cannot go back and see the request they made or any updates to them.

The power to publish requests, keep them hidden or close requests rest solely with the departments specified in the requests. Requesters have little input in this process. The NextRequest portal purports to simplify and facilitate the process of record request fulfillment. But are simplicity and facility achieved at the cost of transparency?

The Sunshine Ordinance’s Index to Records

The Sunshine Ordinance requires each of its departments, agencies, boards, commissions and elected officers to publish an index to records (§ 67.29). The ordinance instructs these bodies to identify the types of information and documents they maintain, the records they receive in the ordinary course of business, and the types of requests they regularly receive in a manner that can be easily accessed by others. The index is an aid to those seeking information or records under the control of city and county bodies. The Sunshine Ordinance makes the City Administrator responsible for maintaining the integrity and accuracy of the index online and for distributing it to public libraries in San Francisco. The city’s full Index to Records, available at <https://index.sfgov.org/>, currently lists 57 administrative bodies, some of which no longer exist. It includes the records the bodies maintain, their retention policies, the contact person for those records and how to reach them. (For this report’s research purposes, the index was last accessed on March 4, 2023.) The Index to Records was last updated in 2018 and does not include several bodies covered by the Sunshine Ordinance, including the Elections Commission and Department of Elections, the Police Commission, the Planning Commission, the

Department of Building Inspection, and others. Of the 74 administrative bodies we believe are subject to the Sunshine Ordinance, 21 were not included in the Index to Records (See Appendix G for the full list).

The Visibility of Sunshine Procedures on Administrative Body Websites

We were interested in knowing whether information on how to make Sunshine requests was available on administrative body websites, even though this practice is not required by the Sunshine Ordinance. We examined the home page and contact page for each body and conducted a sitewide search whenever that function was available. Using the search terms, “Sunshine,” “public record,” and “record request,” we found that 43 bodies gave information about how to make public records requests on their websites, including contact information or links to portals allowing for the submission of requests. The remaining 31 administrative bodies provided no information on how to request public records online.

Conclusion & Recommendations

This data-driven report attempted to gain a more complete understanding of Sunshine practices in San Francisco in 2022, to assess whether basic Sunshine Ordinance goals and objectives were being met, and to identify areas for improvement.

Our survey showed that San Francisco’s administrative bodies by and large answered records requests in a timely fashion. However, variable recordkeeping practices and missing data from those who did not respond to the survey prevented a more complete account of city and county Sunshine activities. Asking administrative bodies for some minimal tracking of their public records requests and responses could improve the accuracy of future surveys and enhance our ability to understand how Sunshine operates in San Francisco. One option would be to ask administrative bodies to enter all records requests into NextRequest or another tracking portal and to submit a dashboard printout to the SOTF at the end of each calendar year. Also, comments made by survey respondents online as well as in some informal follow-up conversations, indicated that custodians of records could benefit from additional guidance on how to answer requests beyond what current Sunshine training and the San Francisco Good Governance Guide provide. Guidance on best practices with regard to helping requesters find the information they want, knowing which information to redact, making information available to anonymous requesters online, ensuring that immediate disclosure requests are addressed in a timely fashion, and other matters could help custodians process requests more quickly and efficiently and lead to fewer complaint petitions. A former custodian of 17 years, Marianne Thompson, suggested that a best practices video translated into multiple languages could make the record request process more transparent and accessible for a broader range of requesters and lead to the more efficient processing of requests.

Our review of complaint petition resolution in 2022 showed that SOTF petition outcomes frequently upheld the Sunshine rights of the public and demonstrated a willingness to hold administrative bodies accountable for Sunshine violations. However, timeliness and

SOTF 2022 Annual Report

efficiency suffered under current practices which rely on public hearings at multiple task force levels to resolve complaints.

The task force should consider ways to make the process more efficient. The SOTF could explore procedures for making determinations without public hearings, eliminating redundant public hearings, limiting the number of complaint petitions that one person can file with the SOTF in a year, setting time limits on each SOTF member for questioning parties during public hearings, and other reasonable measures that might improve the process. More efficient and timely processes would create more equity for all petitioners, protect the time-sensitive value of information, and reduce the time burdens imposed on all parties by the current process.

This report also highlighted practical and policy problems that the SOTF believes the Board of Supervisors should address. Most notably, the BoS should ensure that the Supervisor of Records performs their duty to order departments to release records they deem public, to amend section 12L.4(a)(1) of the Administrative Code to clarify that designated nonprofit public meetings follow San Francisco public meeting and public record requirements, and to provide sufficient staff and resources to the task force. This report also cautioned against allowing the outdated “rule of reason” or unfounded assumptions about privacy rights to prevent the release of public records and information.

Our examination of Sunshine procedures online showed that 19 of 74 administrative bodies in San Francisco did not have an index to records online and 43 had no information on their websites about where or how to submit records requests. The City Administrator should update the city’s Index to Records as soon as possible. Furthermore, although there is no requirement to do so, we nevertheless encourage the bodies to provide basic information on their websites about how and where to submit records requests.

The analysis performed on NextRequest demonstrated the lack of transparency on how NextRequest works. The decision to make a request visible to the public rests with city departments, leaving requestors without access to their own request. With the authority to keep requests hidden comes the possibility to close requests without input from the requestor. This conflicts with the purpose of the Sunshine Ordinance to protect the public’s access to information. We offer three recommendations to improve the NextRequest process. First, all requests on NextRequest should be made publicly viewable by default. Second, a request should be closed only if the requestor and the custodian of records both agree to do so. Third, all requests open beyond a reasonable time, as defined by the ordinance, should be flagged.

Lastly, we should note that the anomaly of the COVID-19 pandemic, which in San Francisco effectively began in March of 2020 and ended in February of 2023, may have influenced some of the data described here. For example, we don’t know how the pandemic and the mayor’s emergency order affected the volume of records requests received, the response times of administrative bodies, updates to the Index of Records, the number of Sunshine Ordinance complaints submitted, or the backlog of cases facing the SOTF. Those factors notwithstanding, this report offers insight into 2022 Sunshine

SOTF 2022 Annual Report

operations and provides a foundation for strengthening government transparency and accountability in San Francisco.

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St. Croix v. Superior Court, 228 Cal. App. 4th 434 (Cal. Ct. App. 2014).

Sunshine Ordinance Task Force, Meetings, Minutes, and Agendas with Supporting Documents, <https://sfgov.org/sunshine/meetings/20?page=1>

Sunshine Ordinance Task Force, Orders of Determination.

<https://sfgov.org/sunshine/documents>

SOTF 2022 Annual Report

Appendix A: Text of San Francisco Sunshine Survey

Sunshine Survey

Introduction and Welcome

The Sunshine Ordinance Task Force (SOTF) requests that you provide information on the public records requests received and processed by your department, commission, committee, advisory board, agency or body during the 2022 calendar year. Please answer the following questions to the best of your ability. If your agency does not collect information that would enable you to answer a question, you may leave that question blank. The data you provide is public and subject to the terms & conditions stated on the Survey Monkey platform. The Task Force will use your answers to create an overview of San Francisco Sunshine activity in 2022. If you have any questions, please email SOTF Member Laura Stein at Lstein.sotf@gmail.com. Thank you for taking the survey, and remember to send us a printout of your Next Request or GovQA dashboard showing your 2022 statistics and a sample of any Sunshine spreadsheets you kept for 2022.

1. Please indicate your name, work phone number, and work email address.
2. For which agency or department are you answering this survey?
3. In 2022, how many public records requests did your agency or department receive?
4. In 2022, how many public records requests were submitted to your department or agency on NextRequest or GovQA?
5. In 2022, for how many public records requests were you able to provide the requested information?
6. In 2022, for how many public records requests did you refer the requestor to another agency or department for the information sought?
7. In 2022, for how many public records requests did you redact information in your response?
8. In 2022, what was the average number of days it took your department/agency to respond to a public records request?
9. In 2022, how many public records or public meetings requests or complaints received by your department or agency resulted in litigation?
10. Please describe the existence, quantity, form and nature of any records your department or agency maintains on its public records requests. Please specify the types of data you track.

SOTF 2022 Annual Report

Appendix B: Sunshine Survey Respondents and Non-Respondents

Respondents

Adult Probation

Arts Commission

Asian Art Museum & Asian Art Commission

Board of Appeals

BOS - Youth Commission

Children, Youth, and Families

City Administrator's Office

Controller's Office

Convention Facilities Department

Department of Child Support Services

Department of Early Childhood

Department of Emergency Management- Division of Emergency Communication

Department of Police Accountability

Department of Technology

District Attorney's Office

Elections Department

Entertainment Commission

Environment Department & Environment Commission

Ethics Commission

Fine Arts Museums

Fire Commission

Homelessness and Supportive Housing

Human Rights Commission

Juvenile Probation Department

Office of City Attorney David Chiu

Office of Community Investment & Infrastructure (former Redevelopment Agency City/County)

Office of Contract Administration

Office of Economic Workforce & Development

Office of the Assessor-Recorder

Office of the County Clerk

Office of the Mayor & Mayor's Office of Innovation

Police Commission

Port of San Francisco & Port Commission

Public Health (includes Health Commission, Behavioral Health Commission, General Hospital, Laguna Honda, SF City Clinic)

Public Utilities Commission

Recreation and Parks Department & Recreation and Parks Commission

Retirement

Risk Management

San Francisco Animal Care and Control

SOTF 2022 Annual Report

San Francisco County Transportation Authority
San Francisco Employees' Retirement System
San Francisco Municipal Transportation Agency
San Francisco Public Library & Library Commission
San Francisco Public Works & former Department of Sanitation and Streets
San Francisco Sheriff's Office
SFO Airport & Airport Commission
The Department of Disability and Aging Services Commission
The Human Services Agency
War Memorial

Non-respondents

Board of Supervisors
Civil Service Commission
Department of Building Inspection and Commission
Elections Commission
Film SF
Fire Department
Human Resources
Mayor's Office on Housing and Community Development
Municipal Transportation Agency
Office of the Chief Medical Examiner
Planning Commission and Historic Preservation Commission
Police Department
Public Defender
Real Estate Division
Rent Board
SF Health Service System
SF Government TV
SF Zoo
Small Business Commission
Status of Women Commission
Treasurer and Tax Collector

SOTF 2022 Annual Report

Appendix C: Table of Average Number of Days Between Petitions and Hearings

File #	Date Petition Filed	Date 2022 SOTF Hearing Scheduled	Days from Petition to Hearing	Date Reconsideration Requested	Days from Reconsideration Petition to Hearing	Date Compliance Requested	Days from Compliance Petition to Hearing
21152	11/15/21	1/5/22	51				
21081	6/18/21	1/5/22	201				
21084	7/10/21	1/5/22	179				
21088	7/16/21	1/5/22	173				
19140		2/2/22				1/5/22	28
20011	12/7/20	2/2/22	422				
20100	7/27/20	2/2/22	555				
21114	9/3/21	2/2/22	152				
21115	9/3/21	2/2/22	152				
21085	7/13/21	4/6/22	267				
21094	8/6/21	3/2/22	208				
21101	8/12/21	3/2/22	202				
22021		12/7/22		3/13/22	269		
21021	3/8/21	4/6/22	395				
21036	4/4/21	4/6/22	367				
21087	7/18/21	4/6/22	262				
21095	8/4/21	4/6/22	245				
21099	8/13/21	4/6/22	236				
21103	8/17/21	4/6/22	232				
21118	9/9/21	4/6/22	209				

SOTF 2022 Annual Report

20059	3/2/20	4/6/22	401				
21124	9/16/21	4/6/22	202				
21159	12/2/21	5/4/22	153				
21139	9/12/21	5/4/22	234				
21141	10/14/21	6/1/22	230				
21144	10/22/21	5/4/22	194				
21011	1/25/21	6/1/22	492				
21165	12/31/21	6/1/22	152				
22032	4/4/22	6/1/22	59				
22034	4/4/22	6/1/22	59				
22048	4/23/22	6/1/22	40				
22055	5/3/22	6/1/22	29				
21148	10/26/21	11/2/22	371				
22004	1/3/22	7/6/22	184				
22027	3/28/22	7/6/22	100				
22028	3/28/22	7/6/22	100				
22036	4/9/22	8/3/22	116				
22037	4/9/22	8/3/22	116				
22038	4/9/22	8/3/22	116				
22039	4/9/22	8/3/22	116				
22041	4/9/22	8/3/22	116				
22056	5/3/22	8/3/22	92				
21151	11/15/21	9/7/22	296				

SOTF 2022 Annual Report

	1						
21153	11/18/21	9/7/22	293				
22012	2/18/22	9/7/22	201				
22013	2/22/22	9/7/22	197				
22013		11/2/22		9/9/22	55		
22014	2/18/22	9/7/22	89				
22104		10/5/22		8/31/22	35		
20084	7/13/20	10/5/22	814				
21109		11/2/22		10/22/21	376		
22030	4/4/22	11/2/22	212				
21086	7/16/21	11/2/22	474				
21126	9/21/21	12/7/22	442				
22084	7/22/22	12/7/22	138				
Mean			227		184		28
Median			201		162		28

SOTF 2022 Annual Report

Appendix D: Table of Number of Hearings Per Complaint Scheduled for SOTF

File Number	SOTF	EOTC	CC	C&A	Other	Status
21152	1	1		2		closed
21081	1	1				closed
21084	2	2				Ethics Commission
21088	1		1			closed
19140	3		1	5		continued
20011	3		3		1	closed
20100	2	1				closed
21114	1		1			closed
21115	1		1			closed
21085	2		1			continued
21094	1		1			closed
21101	1	1				closed
22021	1					closed
21021	1	1				closed
21036	2	1				closed
21087	2	1				closed
21095	2	1				closed
21099	2	1				closed
21103	2	1				closed
21118	2	1				closed
20059	1		1	2		compliance review
21124	1	1		2		closed

SOTF 2022 Annual Report

21159	1	1				closed
21139	1	1				closed
21141	1		1			closed
21144	1		1			closed
21011	1		1	1		compliance review
21165	1		1	1		closed
22032	1					sent to committee
22034	1					sent to committee
22048	1					sent to committee
22055	1			1		closed
21148	3		1			closed
22004	1		1			closed
22027	1		1			closed
22028	1		1			closed
22036	1		1			closed
22037	1		1			closed
22038	1		1			closed
22039	1		1			closed
22041	1		1			closed
22056	1		1			closed
21151	1		1			closed
21153	1	1		1		closed
22012	1	1		2		closed
22013	2	1				closed

SOTF 2022 Annual Report

22013	1					closed
22014	1		1	1		closed
22104	1					reconsideration granted
20084	1		1			closed
21109	1			1		reconsideration granted
22030	1					closed
21086	1	1				closed
21126	1		1			closed
22084	1		1			closed
Total	71	20	29	19	1	
Total Average per petition 2.5						

SOTF 2022 Annual Report

Appendix E: Statements from SOTF Member Wolf, Seat 11, Disability Representative Sunshine Ordinance Task Force - San Francisco

Dear Supervisors –

Please find and receive this addendum due to time constraints and additional points that came to light after SOTF finalized the 2022 Annual Report. I hope these points help further clarify what is already a well done extensive report. *Thank you.*

Page 1, bullet #3: "Official complaints alleging Sunshine Ordinance violations represent .9% or less of all public records requests made in 2022."

Aside from public meetings complaints, it is important and essential to note that for as many Sunshine requests are made for public records daily throughout any year, this is a miniscule number of complaints submitted to SOTF which means that for the most part the public is being served and the CPRA and Sunshine Ordinance is still working to the satisfaction of the public.

Page 1, bullet #4: "The SOTF was a strong advocate for petitioners who filed complaints, ruling against petitioners in only five of 55 cases scheduled before the task force and finding 114 Sunshine violations against city and county bodies in 2022."

As per Sunshine Ordinance, on a complaint-by-complaint basis we assume all records are public records from the outset until the respondent proved otherwise.

Page 1, bullet #5: "SOTF complaints took on average four times longer to resolve than the 45-day time limit stipulated in the ordinance."

Generally, SOTF has always complied with the required 45-day rule in determining whether records are public or not but further discovery and findings before the full SOTF in order to come to a determination of the details, compliance and disposition as to resolving the complaint took on average four times longer. This frequently was due to increased complexities of the complaints and responses from Respondents including seeking advice from legal counsel, Ethics Commission Investigative Unit and sometimes the need to continue a hearing needing additional time for further consideration.

Page 1, bullet #6: "The SOTF has a significant backlog of complaints and continues to receive more complaint petitions than it can resolve in a year under its current procedures."

This backlog will dissipate and return to regular levels unless there is an increase due to more members of the public submitting petitions for hearings as opposed to excessive complaints from a single petitioner. To this end, SOTF took steps to limit the number of complaints a single petitioner could submit annually. Additionally, instituting *consent agenda* removes the need for a full hearing thus serving the parties completely. As part of developing this practice, Respondents are asked to fill a questionnaire upon receipt of a

SOTF 2022 Annual Report

complaint against them with choices for admission of noncompliance, no-contest or disagreement with the complaint. This helps the efficiency and expediency to determine the path for adjudication being in a *consent agenda* or a full hearing. Another provision of the Sunshine Ordinance not taken often is for petitioners not to request a hearing but a simple written determination whether records are public or not. If exercised more often, the trigger for a hearing would be in the use of our reconsideration process by either party of the complaint. I suggest that more public education to all interested parties be instituted by SOTF with support and funding from the Board of Supervisors.

Page 1, bullet #9: “The SOTF should offer guidance on best practices for custodians of records and records requesters to make the process more accessible, transparent and efficient.”

SOTF always has an open door policy for city staff to engage for training, consultation and guidance on best practices for custodians of records, records requesters and facilitators of public meetings to make the process more accessible, transparent, efficient and compliant with the law. Some custodians and meeting bodies do engage us but there are many that continue to remain non-complaint and do not seek any guidance. Additionally, there is a requirement in the Sunshine Ordinance that SOTF assist the City Attorney in this education (§ 67.33). This has not been in effect since my first several years participating.

Page 1, bullet #10: The SOTF should revise its procedures to improve timeliness and efficiency in processing the complaints it receives.”

There is a conceptual thread that SOTF is deficient and inefficient in the timeliness of processing complaints from soup-to-nuts. *I disagree with this premise.* Prior to the recent events of a single petitioner submitting dozens of complaints multiple times in short order is what caused the backlog of late. Had that not occurred, and prior to it, we were well within timely operations and process. Interventions and the use of *consent agenda* has helped to reduce the workload. In my 18-year history of SOTF, no one requester has ever submitted more than 5 complaints in an entire year.

The only other time there was a severe backlog is when SOTF was prohibited from meeting due to lack of a person with a disability appointed. Also, SOTF is very cognizant and regularly reviews procedures to improve timeliness and efficiency in processing the complaints it receives.

Page1, bullet #11, “The Board of Supervisors should address policy problems that include ensuring that the Supervisor of Records complies with the Sunshine Ordinance to release any records the Supervisor deems public.”

This is a difficult subject being the appearance of conflicting roles the City Attorney’s Office (CAO) holds. But, in my humble experience after all this time, it is more the oversight by the CAO to realize that any decision or advice they may make is broad and global advice to all city officials and others responsible for compliance equally. So, there is really no need for exquisite representation to Respondents for Sunshine compliance but broad guidance or opinion on matters just the same advice they would give anyone, and should be expected, equally. Thus, this advice needs to be made public. The Good

SOTF 2022 Annual Report

Government Guide is an attempt at doing this but further more regular public guidance is in order. After all, government is not separate from the People. It is the People. We are all in this together.

One can easily conclude that it is expressly the responsibility of the City Attorney's Office to assure that the law is being followed correctly and that understanding of the law at hand is congruent with SOTF as the People's guardian of the Sunshine Ordinance. The Ordinance further elaborates on this perfectly by mandating "(t)he City Attorney's Office shall act to protect and secure the rights of the people of San Francisco to access public information and public meetings and shall not act as legal counsel for any city employee or any person having custody of any public record for purposes of denying access to the public. The City Attorney may publish legal opinions in response to a request from any person as to whether a record or information is public. All communications with the City Attorney's Office with regard to this ordinance, including petitions, requests for opinion, and opinions shall be public records." (§ 67.21(i))

Page 1, bullet #12, "The Board of Supervisors should designate itself or the Elections Commission as the custodial home for records of the Redistricting Task Force, and should ensure that similar custodial home assignments are made for records associated with any policy body that ceases operation or completes its operational mandate." This should extend to those entities that do not have staff or an administrative office for which such retention exists and/or is required.

Page 4, paragraph #1, "The ordinance establishes a volunteer, citizen-led body, the Sunshine Ordinance Task Force (SOTF), which has a mandate to advocate for "citizen access and participation in local government" (§ 67.30)."
In addition, it was and is the will of the people in their approval at the ballot that "(o)nly a strong Open Government and Sunshine Ordinance, enforced by a strong Sunshine Ordinance Task Force, can protect the public's interest in open government." (§ 67.1(e))
Further, to "make referrals to a municipal office with enforcement power under this ordinance or under the California Public Records Act and the Brown Act whenever it concludes that any person has violated any provisions of this ordinance or the Acts" (§ 67.30(c)).

Page 8, paragraph #3: "In accord with the ordinance, we define timeliness as the ability to resolve petitions within a 45-day timeframe."

My interpretation is a bit different. Timeliness to determine if records are public records is plainly expressed "as soon as possible and within 2 days after its next meeting but in no case later than 45 days from when a petition in writing is received, of its determination whether the record requested, or any part of the record requested, is public." (§ 67.21(e)). The process results two-fold due to the frequently expansive circumstances of the withholding of public records and the complaint in addition at the direction of the petitioner as provided "(w)here requested by the petition, the Sunshine Task Force may conduct a public hearing concerning the records request denial." (§ 67.21(e)). First, a preliminary review of the complaint and the evidence by a small committee within 45-days to determine if the records are public in addition to within our jurisdiction and to

SOTF 2022 Annual Report

assure the complaint file is complete enough for SOTF to ascertain a final determination. Second, is resolving the details of the complaints in a more formal hearing en banc where the parties are able to disclose the facts and evidence for SOTF to consider.

But, there is another reading of this paragraph and process seemingly more appropriate that upon receiving the complaint SOTF initially just makes an express determination “whether the record requested, or any part of the record requested, is public.” (§ 67.21(e)). This would be either verbally or in writing as per this paragraph at the discretion of SOTF who “shall immediately order the custodian of the public record to comply with the person's request.” (§ 67.21(e)). There would be no need to initiate a full hearing at this point as this process would be purely administrative and not (quasi-)judicial. If the Respondent fails to comply then SOTF “shall notify the district attorney or the attorney general” (§ 67.21(e)). But still, no hearing is needed to be initiated at this point but SOTF in its Complaint Procedure allows a party to invoke a Reconsideration but only if new evidence is brought that would sufficiently change the original determination. This could still be done in writing or other communication but not necessarily a hearing. Actually, the hearing is invoked by choice of the complainant at the time of submitting the complaint and petitioning SOTF to hold a hearing. Still, “(w)here requested by the petition, the Sunshine Task Force may conduct a public hearing concerning the records request denial.” (§ 67.21(e)). Keyword here is “may”. There is no requirement for SOTF to hold the hearing but most complaints are compelling and complex that with regards to the evidence and findings it is usually warranted to provide equal opportunity and justice for the parties.

Page 10, paragraph #4, with regards to this passage, based upon the limited ability of SOTF to meet more often to meet the demand of service for various reasons including SOTF Members' availability, limited staffing and availability of meeting space, we are at a constant of only able to hear a maximum of 60 cases per year counting no more than five complaints per monthly meeting. This does not include other policy and administrative work and decisions required at various public meetings. But this work, as we have experienced, has its ebbs and tidal waves. The resistance to provide additional staff in general and funding by the Board of Supervisors only inhibits the People's right to know and be served. Each one of you as Supervisor is representing your corner of the community, the People, to create the instruction and mandates as a continuum to the administration of the People's will under the Mayor and Executive Branch to physically provide the services and benefits. This body, the SOTF, provides the necessary service to keep a watchful eye on the mechanics and operations of the City despite your compliance with Sunshine and state law, too. Thus, “(t)he Board of Supervisors and the City Attorney's office shall provide sufficient staff and resources to allow the Sunshine Task Force to fulfill its duties under this provision.” (§ 67.21(e)).

To date, this has not been sufficient. And, this can be seen in how other similar bodies have far more staff, available resources and access that SOTF does not enjoy which just makes the job harder and less efficient which then increases the irritation and acrimony for and by all.

SOTF 2022 Annual Report

I'll stop here though there is plenty more to expound upon which may result in future communications. The world is not getting any easier. It is akin to the complexities we experience at SOTF. We all know how important open government is with all we have been and still going through due to the lack of transparency that has sent our city into a spiral. But, we still stand resilient as ever.

Above all, SOTF Members are volunteers. This is real work that demands dedication. There are no benefits or perks, not even an email account, (except health insurance which is substantial), and still hardly know if we are truly employees and to what degree. Nonetheless, we do it because it is necessary and to be of service to the People in the same way you do. As we support and believe in the work you do, we trust you do the same in us. *Onward!*

I dedicate this and my service to those Sunshine advocates and guardians who have come and gone, and still present for they are the giants whose shoulders we stand on.

Thank you for your indulgence.

Yours sincerely,
Bruce Wolfe

SOTF 2022 Annual Report

Appendix F: Table of 2022 Published Requests that Remained Open on NextRequest (as of Jan 7, 2023)

Request No	Department	Date Initiated	Last Day Documents Released	Reason for Staying Open?	Comments
22-7213	Public Health: Food Safety and Facilities	Dec 29	Jan 5, 2023		
22-7006	Controller	Dec 12	Jan 3, 2023		
22-6991	Public Works	Dec 12	Jan 17, 2023		
22-6919	Public Works	Dec 7	Jan 11, 2023		
22-6780	Public Works	Dec 1	Jan 31, 2023		
22-6701	Public Works	Nov 29	Jan 5, 2023		
22-6598	Public Works	Nov 21	Jan 11, 2023		
22-6399	Public Works	Nov 8	Feb 1, 2023		
22-6327	Public Health: Ground Water/ Water Quality/ Soil Borings	Nov 3		No activity after Department assigned	
22-6093	Public Health: Demand for Refuse lien/Payoff	Oct 24		No activity after Department assigned	
22-6049	Public Health: Other	Oct 20	Jan 27		
22-5965	Treasurer & Tax Collector	Oct 17	Jan 27		
22-5805	Public Health: Other	Oct 7	Jan 27		
22-5613	Public Health: Other	Sept 29	Jan 27		
22-4348	Treasurer & Tax Collector	July 29	Jan 30		
22-3880	Public Health: Other	July 5	Jan 5		

SOTF 2022 Annual Report

22-3634	Public Health: Contracts/RF Ps	June 21		No activity after Department assigned	
22-3290	Public Works	June 6	Jan 26		Because you have refused to narrow the focus of your request, we estimate that it will take us between 10 and 15 years to review, redact and release your records.
22-2790	Public Health: Contracts/RF Ps	May 10		No activity after Department assigned	
22-2533	Public Health: Other	April 28	Jan 24		
22-2268	Public Health: Other	April 15	Jan 26		
22-2197	Public Works	April 12	June 29		
22-1862	Public Health: Contracts/RF Ps	March 28		No activity after Department assigned	
22-1815	Public Works	March 25	Jan 9		
22-1780	Public Health: Contracts/RF Ps	March 23		No activity after Department assigned	
22-1562	Public Health: Contracts/RF Ps	March 14	March 29		
22-1475	Public Works	March 9	Jan 10		Because you have refused to narrow the focus of your request, we estimate that it will take us until approximately 2030 to

SOTF 2022 Annual Report

					review, redact and release your records.
22-1441	Public Health: Other	March 7	April 13		
22-1269	Public Health: Other	Feb 28	Jan 31		
22-655	Public Health: Contracts/RF Ps	Jan 31		No activity after Department assigned	
22-396	Public Health: Contracts/RF Ps	Jan 14		No activity after Department assigned	
22-247	OCA- Office of Contract Administratio n	Jan 7	Feb 2		
22-64	Public Health: Contracts/RF Ps	Jan 3		No activity after Department assigned	
22-40	Public Works	Jan 3	Nov 16		

SOTF 2022 Annual Report

Appendix G: Administrative Bodies Not Included in the Index to Records

Asian Art Museum and Commission (in City Charter)
Department of Police Accountability (in City Charter)
Elections Commission (in City Charter)
Elections Department (in City Charter)
Entertainment Commission (in City Charter)
Homelessness and Supportive Housing
Office of Community Investment and Infrastructure (state authorized local body)
Police Commission (in City Charter)
Recreation & Parks Commission (in City Charter)
SF County Transportation Authority
SF Department of Early Childhood
SF Employees Retirement and Health System (in City Charter)
SF Government TV
SF Port & Port Commission (in City Charter)
SF Zoo
Sheriff's Department Oversight Board (in City Charter)
Small Business Commission (in City Charter)
Treasure Island Development Authority
Youth Commission (in City Charter)