

**SUNSHINE ORDINANCE  
TASK FORCE**



City Hall  
1 Dr Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-7724  
Fax No. (415) 554-7854  
TTD/TTY No. (415) 554-5227

**ORDER OF DETERMINATION**

**DATE DECISION ISSUED**

January 5, 2022 (Revised February 7, 2024)

**CASE TITLE:** File No: 21084

Complaint filed by Charles Perkins and Concerned Residents of the Sunset against Philip Ginsburg and the Recreation and Parks Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24 by failing to provide public information that must be disclosed; 67.25 by failing to respond in a complete and timely manner to an Immediate Disclosure Request; 67.27 by failing to provide written justification for withholding.

**HEARING AND ACTION ON THE COMPLAINT**

On September 14, 2021, the Education Outreach and Training Committee acting in its capacity to hear petitions/complaints heard the matter.

Action: Moved by Member Yankee, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction, the records are public and to refer the matter to the SOTF for hearing.

The Committee noted the Ethics Commission has previously found violations and referred the matter to the SOTF for hearing. The Committee found that no records have been disclosed since the Ethics Commission referred to the SOTF and suggest consideration of willful violation (Section 67.34) of General Manger Phil Ginsberg, Recreation and Parks Department.

Moved by Member Yankee, seconded by Member Padmanabhan, to amend the motion to add a recommended violation of Section 67.25(d) by failing to provide documents on a rolling basis.

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Padmanabhan, Hyland

Noes: 0 - None

Minutes from the meeting are available at the following website:

[https://sfgov.org/sunshine/sites/default/files/eotc\\_091421\\_minutes.pdf](https://sfgov.org/sunshine/sites/default/files/eotc_091421_minutes.pdf)

On January 5, 2022, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

**5:03:30** Member LaHood moved, seconded by Member Yankee, to find that General Manager Phil Ginsberg and the Recreation and Parks Department violated Sunshine Ordinance Section 67.34 (willful violation). The Motion was rescinded.

**5:16:00** Action: Moved by Member LaHood, seconded by Member Stein, to find General Manager Phil Ginsburg and the Recreation and Parks Department violated California Government Code 6253(b)(c) by failing to respond in a timely manner to a public records request; and Sunshine Ordinance Section(s) 67.21(c) by failing to provide assistance to the petitioner to find records; and 67.34 for willful failure/violation (by General Manger Phil Ginsberg) of the Sunshine Ordinance. The matter is further referred back to the Ethics Commission for enforcement.

**05:30:00** Action, Moved by Chair Wolfe, seconded by Member Stein, to amend the proposed motion to order the Respondent to comply with the immediate disclosure request within five days pursuant to Sunshine Ordinance 67.21(e).

The mover accepted the amendment to the motion.

**5:37:00** The motion PASSED by the following vote:

Ayes: 9 - LaHood, Stein, B. Wolfe, Yankee, Padmanabhan, Hyland, Schmidt, Neighbors, Wong

Noes: 0 - None

Minutes from the meeting are available at the following website:

[https://sfgov.org/sunshine/sites/default/files/sotf\\_010522\\_minutes.pdf](https://sfgov.org/sunshine/sites/default/files/sotf_010522_minutes.pdf)

[Audio Link:](#)

[https://sanfrancisco.granicus.com/player/clip/40231?view\\_id=95&redirect=true&h=5edc58ee7f1303e362d4a37a122745dd](https://sanfrancisco.granicus.com/player/clip/40231?view_id=95&redirect=true&h=5edc58ee7f1303e362d4a37a122745dd)

time stamp: 04:12:00 – 5:45:00

The Order of Determination was approved by the Sunshine Ordinance Task Force on: February 1, 2023 and revised on February 7, 2024.

cc. Charles Perkins and Concerned Residents of the Sunset  
(Petitioner/Complainant)

Philip Ginsburg and the Recreation and Parks Department (Respondent)