

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

Issued: February 20, 2023

DATE DECISION ISSUED

April 6, 2022

CASE TITLE: File No: 21085

Complaint filed by Kevin Carroll, the Hotel Council of San Francisco and Matthew C. Alvarez against Angela Calvillo, Clerk of the Board of Supervisors for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.1 and 67.7 by failing to provide fair and equitable access to members of the public (Board of Supervisors, Budget and Finance June 25, 2021, meeting).

HEARING AND ACTION ON THE COMPLAINT

On October 19, 2021, the Complaint Committee acting in its capacity to hear petitions/complaints heard the matter and referred the complaint to the full Task Force for hearing.

Minutes from the meeting are available at the following website:

https://sfgov.org/sunshine/sites/default/files/complaint_101921_minutes.pdf

On April 6, 2022, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

Minutes from the meeting are available at the following website:

https://sfgov.org/sunshine/sites/default/files/sotf_040622_minutes.pdf

FINDINGS AND ORDER OF DETERMINATION

On April 6, 2022, the SOTF made the following Findings based upon the testimony and evidence presented:

Moved by Member Schmidt, seconded by Member Stein, to find that the Clerk of the Board of Supervisors violated Administrative Code, Sunshine Ordinance, Section 67.7(c), by failing to specify the time and location of the regular meeting which shall be posted in a location that is freely accessible to members of the public.

The motion PASSED by the following vote:

Ayes: 6 - Padmanabhan, Schmidt, Stein, Hyland, Yankee, B. Wolfe,

Noes: 1 - Neighbors

Absent: 2 - Wong, LaHood

Moved by Member Padmanabhan, second by Member Schmidt to find the Clerk of the Board in violated Sunshine Ordinance (Administrative Code), Section 67.7(b), by failing to provide a description of public comment practices, for not recognizing there was a single agenda available, that the information for public comment was not shared with the general public and noted that labeling of information is a key issue.

The motion PASSED by the following vote:

Ayes: 6 - Padmanabhan, Schmidt, Stein, Hyland, Yankee, B. Wolfe,

Noes: 1 - Neighbors

Absent: 2 - Wong, LaHood

The Order of Determinations was approved
by the Sunshine Ordinance Task Force
on: February 1, 2023

cc. Kevin Carroll, the Hotel Council of San Francisco, Mathew C. Alvarez,
(Petitioner/Complainant)
Angela Calvillo, Clerk of the Board of Supervisors (Respondent)