

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**  
December 7, 2022

**DATE DECISION ISSUED**  
November 2, 2022

**CASE TITLE - File No. 21148**

Complaint filed by Jordan Santagata and Karl Kramer against the San Francisco Employees' Retirement System for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, 67.24, and 67.25 and California Public Records Act, Section(s) 6254.26, by failing to respond to a request for public records in a timely and/or complete manner.

**HEARING AND ACTION ON THE COMPLAINT**

On December 21, 2021, the Complaint Committee acting in its capacity to hear petitions/complaints heard the matter.

Moved by Member Stein, seconded by Chair Schmidt, that there is jurisdiction, the records are public and request that the SOTF address whether anything in the Sunshine Ordinance might override exemptions in the CPRA 6254.26(a)(6) and recommended that the SOTF review Administrative Code (Sunshine Ordinance) Sections 67.21(k) by failing to release public information related to the CPRA, and 67.25(c) by failing to respond immediately to the request and by failing to direct the requestor to an alternative source of information.

On November 2, 2022, the SOTF held a hearing to review the recommendation from committee and/or to review the merits of the petition/complaint.

Moved by Member Stein, seconded by Chair Yankee to find that the San Francisco Employees' Retirement System **DID NOT** violate Sunshine Ordinance, Section(s), 67.21, 67.24 and 67.25, because the records are exempt from the California Public Records Act 6254.26(a)(6).

The motion PASSED by the following vote:

Ayes: 7 - Stein, Yankee, Wolfe, Wong, LaHood, Padmanabhan, Schmidt  
Noes: 0 - None  
Absent: 2 - Hill, Hyland

The Order of Determinations was approved  
by the Sunshine Ordinance Task Force  
on: December 7, 2022

cc. Karl Kramer and Jordan Santagata (Petitioner)  
Ashley Dunning, San Francisco Employees Retirement System (Respondent)