

File No. 21069

Item No. 11

SUNSHINE ORDINANCE TASK FORCE  
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: November 3, 2021

|                                     |   |                  |
|-------------------------------------|---|------------------|
| <input type="checkbox"/>            | Petition/Complaint                          | Page: _____      |
| <input type="checkbox"/>            | Memorandum - Deputy City Attorney           | Page: _____      |
| <input checked="" type="checkbox"/> | Petitioner/Complainant Supporting Documents | Page: <u>729</u> |
| <input checked="" type="checkbox"/> | Respondent's Response                       | Page: <u>828</u> |
| <input type="checkbox"/>            | Public Correspondence                       | Page: _____      |
| <input type="checkbox"/>            | Order of Determination                      | Page: _____      |
| <input type="checkbox"/>            | Minutes                                     | Page: _____      |
| <input type="checkbox"/>            | Administrator's Report                      | Page: _____      |
| <input type="checkbox"/>            | No Attachments                              | Page: _____      |

OTHER

|                          |       |
|--------------------------|-------|
| <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | _____ |

Completed by: C. Leger Date 10/27/21

\* An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file on a disk

**Sunshine Ordinance Task Force  
Complaint Summary**

File No. 21069

Mark Sullivan v. David Steinberg and the Department of Public Works

Date filed with SOTF: 05/14/21

Contact information (Complainant information listed first):

Mark Sullivan (info@sfneighborhoods.net) (Complainants)

David Steinberg (david.steinberg@sfdpw.org) and the Department of Public Works  
(Respondents)

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**File No. 21069:** Complaint filed by Mark Sullivan against David Steinberg and the Department of Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing respond to a records request in a timely and/or complete manner.

**Administrative Summary if applicable:**

**Complaint Attached.**

# Complainant/Petitioner's Document Submission

## Leger, Cheryl (BOS)

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**From:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Sent:** Friday, May 14, 2021 10:49 AM  
**To:** SOTF, (BOS)  
**Subject:** Request for SOTF help to gain access mediate with request 21-2053 Public Works

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Ms. Leger,

As soon as possible, I am asking for SOTF to intervene mediate under SOTF complaint procedure A in a public record request with Public Works <https://avanan.url-protection.com/v1/url?o=https%3A//sanfrancisco.nextrequest.com/requests/21-2053&g=NTc2NDNjNmMzODU4OWIyOQ==&h=YWJhMTg4NzJjMmQyMjJjNzVmZTQ4OWE4YzQzOTNjMGE5ZWY1NWFKN2MwNzY2NWU0ZTZiYmMwZjYwZTEzOThhNA==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjVmMDExMGlxODI5ZjExMjZiZjg5OWUwZTI0M2EzNGJjOnYx>

1. Mr. Steinberg closed the request prematurely without helping the requester to make a focused request claiming he did not have to under the Mayor's Fifth Supplement of an emergency. Claiming that giving a total amount of records that would be generated is sufficient in giving a statement to narrow a request. "You will note, however, that we have already essentially provided to you such information when we notified you of the approximate number of emails responsive to your request."  
5-3-2021 response.
2. The requester has made a number of attempts to narrow his request without help from Mr. Steinberg.
3. Mr. Steinberg produced 3 records that were outside of the narrowed request time dates. When told this Mr. Steinberg stated he went with the old dates of the request not the narrowed dates. He promptly closed the request.
4. The requester feels he has made many attempts at narrowing and excluding records. The city search capabilities include and exclude terms may be subpar to today's standard of search abilities. The willingness or capability of the searcher may be of question. The willingness of the custodian of records to communicate capabilities and type of records or terms that can be used to focus a request has never been shown by Mr. Steinberg. None of the above limitation should be held against a requester.

The requester thought there would be very few records given the subject he was seeking and the time frame of COVID 19 pandemic. A claim of 7,500 records of activity on Green Benefit Districts during COVID 19 is quite a lot and questions why the Sunshine Ordinance can so easily be suspended and yet other government activity continues at high volume.

mark sullivan

# Request #21-2053

☒ **CLOSED**

As of July 15, 2021, 11:34am

## Details

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Immediate Disclosure Request - Public Record Request

If Public Works cannot fulfill this request under Sunshine Ordinance Sec 67.25 Immediacy of

Response please provide legal justification as to why not.

1. Please provide any records as to inquiring into establishing a Green Benefit District from April 29, 2019 to today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.
2. Please provide any records as to activity by Public Works into establishing a Green Benefit District from April 29, 2019 today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.

[+ Read more](#)

*Received*

**April 28, 2021** via web

*Departments*

**Public Works**

## Documents

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[SupplementalDeclaration2\\_03132020\\_stamped.pdf](#)

[032320 FifthSupplement.pdf](#)

## Staff

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*Point of Contact*

**David A. Steinberg**

**Request Closed**

## Timeline

We have conducted a diligent search for records responsive to your request. We Public  
have located responsive records and have released them to you.

Based on the Mayor's Fifth Supplemental Proclamation dated March 23, 2020, item 7, Public Works has authority during the term of the COVID emergency to rely upon the balancing test of Government Code Section 6255 as the basis for withholding any documents or information notwithstanding the restrictions in San Francisco Administrative Code Sections 67.24(g) and 67.24(i) of the Sunshine Ordinance. In this case, the records are two years' worth of emails, and Public Work finds that the public interest served by not disclosing the documents requests clearly outweighs the public interest in disclosing the records in light of the presence and availability of staff during the COVID restrictions to adequately and efficiently produce the requested documents and files. This determination also is based on the following: the voluminous nature of the request, your unwillingness to work with us to create reasonable search parameters that would allow us to deliver records to you in a timely manner, and the likelihood that many of the emails being requested have likely already been released to you in response to your numerous previous requests. Consequently, the following elements of your request are denied at this time based on significant staffing shortages, remote working conditions and redirecting of personnel to address other public needs: Item 1 (requested emails). You are free to renew your request for these materials after the Mayoral Proclamation or the emergency order is lifted or make a new request that provides reasonable search parameters that Public Works can address in a timely manner.

This concludes your public records request.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

May 12, 2021, 3:13pm

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### Request Published

Public

May 12, 2021, 3:13pm

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### Document(s) Released

Public

GBD v LLD v CFD Comparison Chart.pdf  
GBD v LLD v CFD Comparison Chart.xlsx  
GBD Program Informational Presentation CSFN 07162019.pptx

May 12, 2021, 1:29pm

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### Due Date Changed

Public

P782

05/24/2021 (was 05/10/2021).

May 10, 2021, 9:13am

**Document(s) Released**

Public

032320\_FifthSupplement.pdf

May 3, 2021, 10:52am

**Document(s) Released**

Public

SupplementalDeclaration2\_03132020\_stamped.pdf

April 29, 2021, 9:46am

**Department Assignment**

Public

Public Works

April 28, 2021, 1:34pm

**Request Opened**

Public

Request received via web

April 28, 2021, 1:34pm

## Leger, Cheryl (BOS)

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**From:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Sent:** Tuesday, May 18, 2021 12:15 PM  
**To:** SOTF, (BOS)  
**Subject:** File # 21069 Re: Request for SOTF help to gain access mediate with request 21-2053 Public Works  
**Attachments:** 21069sotf\_dpw\_imd\_2021-4-28complaintform.pdf

Hello Ms Leger,

Attached is a complaint form with exhibit for SOTF file # 21069.

Thank you for your help in this matter,  
mark sullivan

On 5/17/2021 9:29 AM, SOTF, (BOS) wrote:

> Mr. Sullivan: Your email below states that you want the SOTF to intervene. I spoke with my colleague Victor Young and he agrees that you should open a complaint file on this matter. Do you wish to do that?

>

> Cheryl Leger

> Assistant Clerk, Board of Supervisors

> Cheryl.Leger@sfgov.org

> Tel: 415-554-7724

> Fax: 415-554-5163

> [https://avanan.url-](https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=NThkZTYxMDBjMWM2NTMxZg==&h=YjljMTg0NzlhYzAwNzkzYjEzNmI5Yjk5YWUxNzFkNTg4OGMxZmEwNTIxY2U4ODhhYTMyODYzZjMyMzRjN2Q1OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmU3ZGZmNzViZmlzM2JhOGMyYjUxZDMwNDhlZmUwZDBiOnYx)

[protection.com/v1/url?o=www.sfbos.org&g=NThkZTYxMDBjMWM2NTMxZg==&h=YjljMTg0NzlhYzAwNzkzYjEzNmI5Yjk5YWUxNzFkNTg4OGMxZmEwNTIxY2U4ODhhYTMyODYzZjMyMzRjN2Q1OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmU3ZGZmNzViZmlzM2JhOGMyYjUxZDMwNDhlZmUwZDBiOnYx](https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=NThkZTYxMDBjMWM2NTMxZg==&h=YjljMTg0NzlhYzAwNzkzYjEzNmI5Yjk5YWUxNzFkNTg4OGMxZmEwNTIxY2U4ODhhYTMyODYzZjMyMzRjN2Q1OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmU3ZGZmNzViZmlzM2JhOGMyYjUxZDMwNDhlZmUwZDBiOnYx)

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> Click here to complete a Board of Supervisors Customer Service Satisfaction form.

>

> The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

>

> Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

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> -----Original Message-----

> From: sfneighborhoods.net <info@sfneighborhoods.net>



> Sent: Friday, May 14, 2021 10:49 AM

> To: SOTF, (BOS) <sotf@sfgov.org>

> Subject: Request for SOTF help to gain access mediate with request 21-2053 Public Works

>

>

> This message is from outside the City email system. Do not open links or attachments from untrusted sources.

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> Hello Ms. Leger,

>

> As soon as possible, I am asking for SOTF to intervene mediate under SOTF complaint procedure A in a public record request with Public Works <https://avanan.url-protection.com/v1/url?o=https%3A//sanfrancisco.nextrequest.com/requests/21-2053&g=NTc2NDNjNmMzODU4OWIyOQ==&h=YWJhMTg4NzJjMmQyMjJjNzVmZTQ4OWE4YzQzOTNjMGE5ZWY1NWFKN2MwNzY2NWU0ZTZiYmMwZjYwZTEzOTZhNA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOjVmMDE5MGlxODI5ZjExMjZiZjg5OWUwZTI0M2EzNGJjOnYx>

>

> 1. Mr. Steinberg closed the request prematurely without helping the requester to make a focused request claiming he did not have to under the Mayor's Fifth Supplement of an emergency. Claiming that giving a total amount of records that would be generated is sufficient in giving a statement to narrow a request. "You will note, however, that we have already essentially provided to you such information when we notified you of the approximate number of emails responsive to your request."

> 5-3-2021 response.

> 2. The requester has made a number of attempts to narrow his request

> without help from Mr. Steinberg.

> 3. Mr. Steinberg produced 3 records that were outside of the narrowed request time dates. When told this Mr. Steinberg stated he went with the old dates of the request not the narrowed dates. He promptly closed the request.

> 4. The requester feels he has made many attempts at narrowing and

> excluding records. The city search capabilities include and exclude terms may be subpar to today's standard of search

> abilities. The willingness or capability of the searcher may be of question. The willingness of the custodian of records to

> communicate capabilities and type of records or terms that can be used to focus a request has never been shown by Mr.

> Steinberg. None of the above limitation should be held against a requester.

>

> The requester thought there would be very few records given the subject he was seeking and the time frame of COVID 19 pandemic. A claim of 7,500 records of activity on Green Benefit Districts during COVID 19 is quite a lot and questions why the Sunshine Ordinance can so easily be suspended and yet other government activity continues at high volume.

>

> mark sullivan

>

>

>



Made by <https://sfneighborhoods.net/>

**Complaint Form for the Sunshine Ordinance Task Force**

1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102

Tel. (415) 554-7724; Fax (415) 554-7854

<http://www.sfgov.org/sunshine>

E-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org)

*Deliver Form in person, mailed, faxed or e-mail.*

**Petitioner/Complainant Name:** Mark Sullivan

**Contact Information:** [info@sfneighborhoods.net](mailto:info@sfneighborhoods.net)

*(Reminder All Information Will Be Public. SOTF will not Redact or segregate information sent to them).*

**Date of Request:** 5-17-2021

**City Official(s) and/or Employee(s), People and the Name Entity against whom the Complaint is being made:**

Mr. David Steinberg, Public Works

**Name of Custodian of Records or Person of the Organization tasked with providing records or complying with public access laws:** Mr. David Steinberg

**Are you requesting a public hearing before the Sunshine Ordinance Task Force?** Yes

*"Public Access Laws" below will be San Francisco Sunshine Ordinance, San Francisco Administrative Code, 12L.5, California Public Records Act and/or the Ralph M. Brown Act.*

**If you know section(s) and subsection(s) of the public access laws that is allegedly violated Here (It is recommended to copy and paste the whole section(s) or subsection(s), but you can also put for section number (like SFSO Sec. 67.21(b)):**

SFSO Sec. 67.25 (a) "Immediate Disclosure Request"

SFSO Sec. 67.21 (b) A custodian of a public record shall, as soon as possible and within ten days following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance.

SFSO Sec. 67.21 (c) A custodian of a public record shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian, whether or not the contents of those records are exempt from disclosure and shall, when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b). A custodian of any public record, when not in possession of the record requested, shall assist a requester in directing a request to the proper office or staff person.

CPRA 6253 (c)

CPRA 6253.1.

(a) When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances:

(1) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.

(2) Describe the information technology and physical location in which the records exist.

(3) Provide suggestions for overcoming any practical basis for denying access to the records or information sought.

(b) The requirements of paragraph (1) of subdivision (a) shall be deemed to have been satisfied if the public agency is unable to identify the requested information after making a reasonable effort to elicit additional clarifying information from the requester that will help identify the record or records.

**Jurisdiction (Section and Subsection definition in public in public access laws that support jurisdiction): SFSO Sec. 67.3, 67.21 (e), 67.30 (c), CPRA Sec. 6252**

**Summation Court Cases related to your issues on violations or jurisdiction or other things (if known):**

**Description of alleged violations and attach any records to support your allegation(s):**

1. Mr. Steinberg, suspended the Immediate Disclosure Request, "Pursuant to Mayor London Breed's Proclamation dated March 13, 2020, Sections 67.25(a) and 67.25(b) of the Administrative Code are suspended for the duration of the local emergency." The proclamation supplement Mr. Steinberg is claiming is the Fifth Supplement which he provided. Sections 67.25(a) and 67.25(b) of the Administrative Code was actually suspended in the Second

Supplement (5), not the Fifth. Regardless, the petitioner argues that suspension of any part of San Francisco Sunshine Ordinance (SFSO) by a mayor using city charter local law is not allowed because the SFSO was voted in by the voters in 1999 with full knowledge of the city charter (1996), with Sec. 67.36. Sunshine Ordinance Supersedes other Local Laws, suspension of SFSO violates a statewide concern "CA Constitution, Article II, Sec 1 All political power is inherent in the people. Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require." and various part CA Constitution, Article I, and limitations of municipal affairs. More information can be submitted on this if SOTF is interested.

2. Mr. Steinberg closed the request prematurely without helping the requester to make a focused request claiming he did not have to under the Mayor's Fifth Supplement of an emergency, violating the above cited laws. The requester/petitioner had asked for a statement under SFSO Sec. 67.21 (c) ..... "when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b)." Mr Steinberg claim that giving a total amount of records that would be generated is sufficient in giving a statement to narrow a request. "You will note, however, that we have already essentially provided to you such information when we notified you of the approximate number of emails responsive to your request." 5-3-2021 response. The petitioner disagrees that it does not meet the full SFSO Sec.67.21 (c) or CPRA 6253.1.

3. The requester has made a number of attempts to narrow his request without help from Mr. Steinberg. As shown in the timeline record of request #21-2053 (**Exhibit 1**)

4. Mr. Steinberg produced 3 records that were outside of the narrowed request time dates. Narrowed to March 1, 2020 for both number items (April 29, 2021, 1:22pm by the requester) When told this Mr. Steinberg stated he went with the old dates of the request not the narrowed dates. He promptly closed the request.

5. The requester feels he has made many attempts at narrowing and excluding records. The city search capabilities include and exclude terms **maybe** subpar to today's standard of search abilities. The willingness or capability of the searcher may be of question. The willingness of the custodian of records to communicate capabilities and type of records or terms that can be used to focus a request has never been shown by Mr. Steinberg. None of the above limitation should be held against a requester.

The requester thought there would be very few records given the subject he was seeking and the timeframe of COVID 19 pandemic. A claim of 7,500 records of activity on Green Benefit Districts minus all previous know activity during COVID 19 is quite a lot. (request date

narrowed March 1,2020 to April 28, 2021) The petitioner questions why the Sunshine Ordinance can so easily be suspended and yet other government activity continues at high volume.

✓ You are now signed in

×

## EXHIBIT 1

### Request #21-2053

☒ CLOSED

As of May 18, 2021, 10:09am

#### Details

Immediate Disclosure Request - Public Record Request

If Public Works cannot fulfill this request under Sunshine Ordinance Sec 67.25 Immediacy of Response please provide legal justification as to why not.

1. Please provide any records as to inquiring into establishing a Green Benefit District from April 29, 2019 to today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.
2. Please provide any records as to activity by Public Works into establishing a Green Benefit District from April 29, 2019 today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.

[+ Read more](#)

*Received*

April 28, 2021 via web

*Departments*

Public Works

*Requester*

MS

✉ [info@sfneighborhoods.net](mailto:info@sfneighborhoods.net)

📍 San Francisco, CA 94122

🌐 <http://sfneighborhoods.net>

## Documents

*Public*

[032320\\_FifthSupplement.pdf](#)

[SupplementalDeclaration2\\_03132020\\_stamped.pdf](#)

*Requester*

(none)

## Staff

*Point of Contact*

David A. Steinberg

## External Message

## Timeline

To Note: I changed the date on both item 1 and 2 to March 1, 2020 on April 29 after Requester + Staff Mr Steinberg asked me to narrow the time frame. It is in the communication log below.

*May 13, 2021, 8:52am by the requester*

### Request Closed

Public

We have conducted a diligent search for records responsive to your request. We have located responsive records and have released them to you.

Based on the Mayor's Fifth Supplemental Proclamation dated March 23, 2020, item 7, Public Works has authority during the term of the COVID emergency to rely upon the balancing test of Government Code Section 6255 as the basis for withholding any documents or information notwithstanding the restrictions in San Francisco Administrative Code Sections 67.24(g) and 67.24(i) of the Sunshine Ordinance. In this case, the records are two years' worth of emails, and Public Work finds that the public interest served by not disclosing the documents requests clearly outweighs the public interest in disclosing the records in light of the presence and availability of staff during the COVID restrictions to adequately and efficiently produce the requested documents and files. This determination also is based on the following: the voluminous nature of the request, your unwillingness to work with us to create reasonable search parameters that would allow us to deliver records to you in a timely manner, and the likelihood that many of the emails being requested have likely already been released to you in response to your numerous previous requests. Consequently, the following elements of your request are denied at this time based on significant staffing shortages, remote working conditions and redirecting of personnel to address other public needs: Item 1 (requested emails). You are free to renew your request for these materials after the Mayoral Proclamation or the emergency order is lifted or make a new request that provides reasonable search parameters that Public Works



can address in a timely manner.  
This concludes your public records request.  
Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works  
*May 12, 2021, 3:13pm*

#### Request Published

Public

*May 12, 2021, 3:13pm*

#### External Message

Requester + Staff

The documents were released to you under Item 2 of your request, which was for: Any records as to activity by Public Works into establishing a Green Benefit District from April 29, 2019 today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.

The two Comparison Chart files show they were last modified on 6/28/19, so they may have been used during the period you listed in your request, which is why we released them to you. The other document also falls within that time period.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

*May 12, 2021, 3:06pm by David A. Steinberg, Custodian of Records (Staff)*

External Message

Requester + Staff

All 3 records produced so far are from before March 1, 2020 and outside of the after March 1, 2020 narrowing. The first 2 are dated in April 2018, the last one is dated 7-16-2019.

*May 12, 2021, 2:04pm by the requester*

External Message

Requester + Staff

We have conducted a diligent search for records responsive to your request. We have located responsive records, which we have released to you.

Regards,

David A. Steinberg

Custodian of Records

San Francisco Public Works

*May 12, 2021, 1:29pm by David A. Steinberg , Custodian of Records (Staff)*

Document(s) Released

Public

GBD v LLD v CFD Comparison Chart.pdf

GBD v LLD v CFD Comparison Chart.xlsx

GBD Program Informational Presentation CSFN 07162019.pptx

*May 12, 2021, 1:29pm*

External Message

Requester + Staff

We have conducted a diligent search for records responsive to your request and believe we have such records in our possession. It is not possible, however, for us to complete your request by today's deadline. Please note that during the current public health emergency, the department is not required to provide copies of records within 10 days,

plus a possible 14-day extension, but must notify the requester whether the records exist. We will continue searching, reviewing and redacting records, and will produce responsive records as soon as reasonably possible. Based on your direction to fulfil your request as originally stated, we estimate that we will be able to produce the records approximately Dec. 31, 2025.

Again, we strongly encourage you to narrow the focus of your request to facilitate a more speedy production of records.

In addition, we believe that we will be withholding (and/or redacting) records due to privacy concerns pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

*May 10, 2021, 9:17am by David A. Steinberg , Custodian of Records (Staff)*

Due Date Changed

Public

05/24/2021 (was 05/10/2021).

*May 10, 2021, 9:13am*

External Message

Requester + Staff

We have received your latest adjustment to this request. For Item 1, you have now requested:

"Any records from March 1, 2020 to (April 28) with the terms Green Benefit District and GBD. Do not including any record that has already been made public. Do not include any record that will be made public under public record request #20-4855."

Please note the following:

- We do not have the ability to segregate emails that were previously released or that will be released in response to Request #20-4855, so we will review, redact and release any such responsive records.
- We will not search emails for Jonathan Goldberg. Because his signature line contains the phrase "Green Benefit District Manager," all of his emails would be responsive to this new search. As we previously wrote:

*As explained in the San Francisco City Attorney's Good Government Guide (on Page 90), a public records request must specify an "identifiable" record or category of records. (Cal. Gov. Code § 6253(b).) Accordingly, a public records request may not seek access to "all of the files" in the possession of a department or employee.*

*The part of your request seeking all of Jonathan Goldberg's emails for more than a year (the revised Item 1) do not meet the requirement that you identify with reasonable particularity the records being sought.*

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

*May 3, 2021, 1:37pm by David A. Steinberg , Custodian of Records (Staff)*

External Message

Requester + Staff

1. Please provide any records from March 1, 2020 to today with the terms Green Benefit District and GBD. Do not including any record that has already been made public. Do not include any record that will be made public under public record request #20-4855. The requester does not want to narrow the request any further at this time. Please do not close this public record request if zero or any records are the responsive. Since the custodian of records is invoking provisions of the Mayor's Fifth Supplement and not allowing help in statement to narrow the request with Sec 67.21(c), the original requests stands. With invoking of the Mayor's Fifth Supplement, nothing in CPRA requires a requester to narrow their request. These revisions are only temporary in order for the requester to effectively find the terms necessary to find the responsive records of interest.

*May 3, 2021, 1:22pm by the requester via email*

External Message

Requester + Staff

You appear to have misunderstood our communication. We are not requiring you to narrow your request; however, we are suggesting that you do so in order to help us get you records in a more timely manner. If you wish to keep the same parameters as previously listed, we estimate it will take

more than two years to deliver all of the documents.

Regarding your most recent adjustments to your request "any records from March 1, 2020 to today \* from \* the Green Benefit District Program Manager whoever that person is at the time," we are unable to comply with this request because it is overly broad.

As explained in the San Francisco City Attorney's Good Government Guide (on Page 90), a public records request must specify an "identifiable" record or category of records. (Cal. Gov. Code § 6253(b).) Accordingly, a public records request may not seek access to "all of the files" in the possession of a department or employee.

Item 2 of your request sufficiently identifies records subject to disclosure, and we will continue to identify, review, redact and release these to you. But the part of your request seeking all of Jonathan Goldberg's emails for more than a year (the revised Item 1) do not meet the requirement that you identify with reasonable particularity the records being sought.

We renew our request and suggestion that narrow the focus of Item 1 of your request so we are able to provide you with the documents you are seeking in a timely fashion. If you choose not to do so, we will continue to process that portion of your request and estimate that we will be able to deliver the documents by approximately Dec. 31, 2023.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

*May 3, 2021, 12:03pm by David A. Steinberg, Custodian of Records (Staff)*

#### External Message

Requester + Staff

1: Please provide any records from March 1, 2020 to today \* from \* the Green Benefit District Program Manager whoever that person is at the time. Please do not close this

public record request if zero or any records are the responsive. Since the custodian of records is invoking provisions of the Mayor's Fifth Supplement and not allowing help in statement to narrow the request with Sec 67.21(c), the original requests stands. With invoking of the Mayor's Fifth Supplement, nothing in CPRA requires a requester to narrow their request. These revisions are only temporary in order for the requester to effectively find the terms necessary to find the responsive records of interest.

*May 3, 2021, 11:51am by the requester via email*

#### External Message

Requester + Staff

Pursuant to Mayor London Breed's Proclamation dated March 23, 2020, which we have released to you, Sections 67.21(c) of the Administrative Code is suspended for the duration of the local emergency. For this reason, we are not required to provide the statement you requested.

You will note, however, that we have already essentially provided to you such information when we notified you of the approximate number of emails responsive to your request.

Our previous communications to you merely pointed out that due to the volume of potentially responsive records based on your search parameters, it will take more than two years to fully respond to your request. We suggest you limit your request to a much narrower time-frame or revise your request by email account or additional keywords.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

*May 3, 2021, 10:56am by David A. Steinberg, Custodian of Records (Staff)*

Document(s) Released

Public

032320\_FifthSupplement.pdf

*May 3, 2021, 10:52am*

External Message

Requester + Staff

Please help me make a more specific request by making a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under SFSO Sec. 67.21 (b). SFSO Sec. 67.21 (c) ..... "when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b)." Thank you for your assistance in this matter.

*May 3, 2021, 10:49am by the requester via email*

External Message

Requester + Staff

A search for one year of emails returned more than 7,500 documents, which we estimate would take more than two years to review, redact and release to you.

Please let us know if you would like to further narrow the scope of your request.

Regards,

David A. Steinberg

Custodian of Records

San Francisco Public Works



*May 3, 2021, 9:46am by David A. Steinberg, Custodian of Records (Staff)*

**External Message**

Requester + Staff

Changed the start date to March 1, 2020

1. Please provide any records as to inquiring into establishing a Green Benefit District from March 1, 2020 to today minus/outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.
2. Please provide any records as to activity by Public Works into establishing a Green Benefit District from March 1, 2020 to today minus/outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts

Thank you for clarifying FIFTH SUPPLEMENT TO MAYORAL PROCLAMATION as to the suspension of Sections 67.25 (a) and 67.25 (b) of the Administrative Code.

*April 29, 2021, 1:22pm by the requester*

**External Message**

Requester + Staff

I had our IT team run the email search you identified and it returned more than 13,000 responsive records, all of which would need to be reviewed and potentially redacted to protect private information of individuals contacting the department. We estimate it would take more than four years to produce them all.

To facilitate a prompt reply, we suggest you limit your request to a shorter time-frame and/or a more limited scope.

Please let us know how you would like to proceed.

Regards,

David A. Steinberg

Custodian of Records

San Francisco Public Works

*April 29, 2021, 11:49am by David A. Steinberg , Custodian of Records (Staff)*

Document(s) Released

Public

SupplementalDeclaration2\_03132020\_stamped.pdf

*April 29, 2021, 9:46am*

External Message

Requester + Staff

Thank you for clarifying your request. We will conduct a search for emails following your instructions. We have released to you the mayoral declaration suspending IDRs.

Regards,

David A. Steinberg

Custodian of Records

San Francisco Public Works

*April 29, 2021, 9:46am by David A. Steinberg , Custodian of Records (Staff)*

External Message

Requester + Staff

In stating "Pursuant to Mayor London Breed's Proclamation dated March 13, 2020, Sections 67.25(a) and 67.25(b) of the Administrative Code are suspended for the duration of the local emergency. " I am taking it you mean "FIFTH SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020" located here: [https://sfmayor.org/sites/default/files/032320\\_FifthSupplement.pdf](https://sfmayor.org/sites/default/files/032320_FifthSupplement.pdf)

I did a Google search for March 13, 2020 and got: <https://sanfrancisco.nextrequest.com/documents/4816653> The same Fifth Supplement Mayoral Proclamation document but stamped as Received

Board of Supervisors on March 13, 2020 PM 4:47. I am fairly sure we are talking about the same proclamation but if you mean a different proclamation could you provide a link to that proclamation. I just want to be correctly informed. Lots of proclamations.

As far as clarifying number "1. Any records as to inquiring into establishing a Green Benefit District from April 29, 2019 to today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts."

I am asking for any e-mails or other communications from the public to a Public Work employee inquiring into establishing a Green Benefit District (GBD). I know of one e-mail inquiry to Public Works' current GBD Program Manager that would fall into the time period, but I do not know if their others. I state this not to catch Public Works but to help facilitate my request. If you broaden your search to include any public correspondence to Public Works that includes Green Benefit District or GBD from April 29, 2019 onward but excludes Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts, that would be fine. It would catch any inquiry. My intent is to be informed on the above matters and I appreciate any help you can provide.

Thank you

*April 28, 2021, 6:26pm by the requester via email*

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#### External Message

Requester + Staff

We received your public records request, dated April 28. You have requested the following records:

1. Any records as to inquiring into establishing a Green Benefit District from April 29, 2019 to today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.
2. Any records as to activity by Public Works into establishing a Green Benefit District from April 29, 2019 today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.

Please clarify what records you are requesting in Item 1. We do not understand what you mean when you write "any records as to inquiring into establishing a Green Benefit District."

Pursuant to Mayor London Breed's Proclamation dated March 13, 2020, Sections 67.25(a) and

67.25(b) of the Administrative Code are suspended for the duration of the local emergency. For this reason, we are treating your Immediate Disclosure Request as a standard public records request, subject to the normally applicable 10-day response time, with a possible extension. Our department will identify and compile the requested information. The Sunshine Ordinance requires departments to respond as soon as possible or within 10 calendar days from receipt of any records requests. Therefore, we will contact you on or before May 10, as permitted by San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c). Please note that during the current public health emergency, the department is not required to provide copies of records by this deadline but must notify the requester whether the records exist. It is not necessary to create a NextRequest account to view responsive records. Once they have been released, a link, valid for 30 days, will be provided to view the records. Additionally, unless privacy concerns prevent it, Public Works makes all records requests visible to the public. You may search for requests at <https://sanfrancisco.nextrequest.com/>.

*April 28, 2021, 2:48pm by David A. Steinberg, Custodian of Records (Staff)*

## Request #21-2053

☒ **CLOSED**

As of July 15, 2021, 11:34am

### Details

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Immediate Disclosure Request - Public Record Request

If Public Works cannot fulfill this request under Sunshine Ordinance Sec 67.25 Immediacy of Response please provide legal justification as to why not.

1. Please provide any records as to inquiring into establishing a Green Benefit District from April 29, 2019 to today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.
2. Please provide any records as to activity by Public Works into establishing a Green Benefit District from April 29, 2019 today outside of the Inner Sunset, Mission Dolores and Great Buena Vista neighborhood efforts.

[+ Read more](#)

*Received*

**April 28, 2021** via web

*Departments*

**Public Works**

### Documents

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[SupplementalDeclaration2\\_03132020\\_stamped.pdf](#)  
[032320\\_FifthSupplement.pdf](#)

### Staff

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*Point of Contact*

**David A. Steinberg**

**Request Closed**

P805

## Timeline

We have conducted a diligent search for records responsive to your request. We Public  
have located responsive records and have released them to you.

Based on the Mayor's Fifth Supplemental Proclamation dated March 23, 2020, item 7, Public Works has authority during the term of the COVID emergency to rely upon the balancing test of Government Code Section 6255 as the basis for withholding any documents or information notwithstanding the restrictions in San Francisco Administrative Code Sections 67.24(g) and 67.24(i) of the Sunshine Ordinance. In this case, the records are two years' worth of emails, and Public Work finds that the public interest served by not disclosing the documents requests clearly outweighs the public interest in disclosing the records in light of the presence and availability of staff during the COVID restrictions to adequately and efficiently produce the requested documents and files. This determination also is based on the following: the voluminous nature of the request, your unwillingness to work with us to create reasonable search parameters that would allow us to deliver records to you in a timely manner, and the likelihood that many of the emails being requested have likely already been released to you in response to your numerous previous requests. Consequently, the following elements of your request are denied at this time based on significant staffing shortages, remote working conditions and redirecting of personnel to address other public needs: Item 1 (requested emails). You are free to renew your request for these materials after the Mayoral Proclamation or the emergency order is lifted or make a new request that provides reasonable search parameters that Public Works can address in a timely manner.

This concludes your public records request.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

May 12, 2021, 3:13pm

### Request Published

Public

May 12, 2021, 3:13pm

### Document(s) Released

Public

GBD v LLD v CFD Comparison Chart.pdf  
GBD v LLD v CFD Comparison Chart.xlsx  
GBD Program Informational Presentation CSFN 07162019.pptx

May 12, 2021, 1:29pm

### Due Date Changed

Public

P806

05/24/2021 (was 05/10/2021).

May 10, 2021, 9:13am

**Document(s) Released**

Public

032320\_FifthSupplement.pdf

May 3, 2021, 10:52am

**Document(s) Released**

Public

SupplementalDeclaration2\_03132020\_stamped.pdf

April 29, 2021, 9:46am

**Department Assignment**

Public

Public Works

April 28, 2021, 1:34pm

**Request Opened**

Public

Request received via web

April 28, 2021, 1:34pm

**Leger, Cheryl (BOS)**

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**From:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Sent:** Wednesday, September 22, 2021 2:35 PM  
**To:** Leger, Cheryl (BOS)  
**Cc:** Steinberg, David (DPW)  
**Subject:** Re: SOTF - complaint 21069

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

What issue- alleged violation - am I adding that is not in the alleged violation section of my complaint on P113 -P114. Please be specific to as to the summary and to my complaint form as to the legal clause that does not exist in the complaint. If you are correct than, I want to make sure I get right what you are saying.

Will I have to wait in line again?

mark

On 9/22/2021 2:08 PM, Leger, Cheryl (BOS) wrote:

Upon review It appears that you are adding new issues to your existing complaint. We suggest that you file a new complaint to allow the Respondent department an opportunity to respond to the new issues.

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
[Cheryl.Leger@sfgov.org](mailto:Cheryl.Leger@sfgov.org)  
Tel: 415-554-7724  
Fax: 415-554-5163  
[www.sfbos.org](http://www.sfbos.org)



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*



**Leger, Cheryl (BOS)**

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**From:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Sent:** Thursday, September 23, 2021 8:53 AM  
**To:** Leger, Cheryl (BOS); SOTF, (BOS)  
**Cc:** Steinberg, David (DPW)  
**Subject:** Re: SOTF - complaint 21069

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sec 67.1 (g) However, when a person or entity is before a policy body or passive meeting body, that person, and the public, has the right to an open and public process.

I added [soft@sfgov.org](mailto:soft@sfgov.org) because all of SOTF should understand what is going on.

I am willing to resubmit the complaint, just because SOTF asks me to do so.

I have been in the past, been giving people the benefit of the doubt that they are trying to do what is right and stick to fact and the truth. Now, I am no longer willing to give an inch because I am getting unfairly trampled on, now and in the past.

"Upon review It appears that you are adding new issues to your existing complaint." This part is not true: "you are adding new issues to your existing complaint", I have not added anything to my original complaint. This is the part that is not open, what is the "new issues" you are claiming the petitioner is adding?

The truth is that SOTF failed to write a complete summary of the complaint the first time. When they rewrote the summary of the complaint the second time, SOTF again left off CPRA 6253.1. CPRA 6253.1 is in my original complaint (located at P114).

I am willing to resubmit my complaint, but I am asking about the amount of time it will take to hear this new complaint because if it is going to be months, I do not believe that delay would be fair to either the petitioner or the respondent.

Sullivan

On 9/22/2021 2:08 PM, Leger, Cheryl (BOS) wrote:

Upon review It appears that you are adding new issues to your existing complaint. We suggest that you file a new complaint to allow the Respondent department an opportunity to respond to the new issues.

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
[Cheryl.Leger@sfgov.org](mailto:Cheryl.Leger@sfgov.org)  
Tel: 415-554-7724  
Fax: 415-554-5163  
[www.sfbos.org](http://www.sfbos.org)

**Leger, Cheryl (BOS)**

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**From:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Sent:** Monday, October 25, 2021 2:39 PM  
**To:** SOTF, (BOS)  
**Subject:** Addition Records for SOTF Complaint 21069  
**Attachments:** addition\_to\_complaint\_21069t .pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Ms. Leger,

**Attached is one pdf to be included in File 21069.** The pdf includes (Index):

1. Record of another NextRequest #21-2289 (May 11 - May 13, 2021) request I made to DPW on trying to find out information on **DPW search capacity** during the request (NextRequest 21-2053, April 28 - May 12, 2021) that is the record request in question SOTF Complaint 21069. The request in question was closed down on May 12, 2021.

Mr. Steinberg released 3 records before closing down the NextRequest 21-2053, April 28 - May 12, 2021 in question on this complaint.

2. "GBD Program Informational Presentation CSFN 07162019.pptx" Slide Presentation with date 7-16-2019 on the second to last slide and in file name

3. "GBD v LLD v CFD Comparison Chart-1.pdf" and "GBD v LLD v CFD Comparison Chart.xlsx" (not included since it is redundant of the pdf with the same information) the date of this record is at the top August 14, 2018.

All three records are outside the modified narrowed request March 1, 2021, on P128. The last 2 of August 14, 2018 are out of the original request date of April 29, 2019.

Thank you for your help in this matter,

M Sullivan

## Request #21-2289

☒ **CLOSED**

As of October 7, 2021, 1:50pm

### Details

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#### Public Record Request

1. Instruction manual, help file and training materials for the search software(s) (record search) used by DPW and the IT Team mentioned in record request #21-2053
2. Instruction manual, help file and training materials for using nextrequest.com used by DPW.
1. With each listed record request, please provide all the records concerning that request.
2. If partial record fulfillment, please state so, the reason why, and all entities that may hold the rest of the records (SFSO Sec. 67.21(b)).
3. If the answer is no responsive records, please state any entity(s) that may hold the record(s). (SFSO Sec 67.21 (c)).
4. If you believe the record can be withheld from public disclosure for any reason, please state the reason (SFSO Sec. 67.27, 67.21 (b), CPRA Sec. 6253(a),(b), 6254, 6254.4.5, 6254.15, 6254.19, 6255(a) ).
5. If you believe the records are with another organization or person and not with the city, please state the reason you do not think you are required to acquire the records.

If any of the above request is not clear or specific enough, please do not close the request. Please work with me in making my request effective to obtain identifiable records. If you do not have possession of any records requested and believe the records are with another office or person, please assist in directing those requested records to the proper office or staff person. (CPRA 6253.1 and SFSO 67.21 (c))

Thank You

[— Read less](#)

*Received*

**May 11, 2021** via web

*Departments*

**Public Works**

### Documents

---

## Staff

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*Point of Contact*

**David A. Steinberg**

## Timeline

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### Request Published

Public

*May 13, 2021, 2:55pm*

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### Request Closed

Public

We have conducted a diligent search for records responsive to your request. We have located responsive records and are releasing them to you.

If you have trouble accessing the files, we can burn the responsive records onto a CD at a rate of \$1 per CD or load the responsive records onto a flash drive at a rate of \$4 per flash drive. Fees for duplication are subject to change and postage is an additional cost.

If hard copies are needed, we can provide hard copies of any 8.5x11 documents that are made available to you at a cost of 10 cents per copy, as allowed by the San Francisco Administrative Code § 67.28(c). This section states "a fee not to exceed 10 cents per page may be charged." Postage is an additional cost.

Please note that the Public Records Act requires an agency to make available to any person a copy of an "identifiable record or records" in its possession, unless the record is specifically exempt from disclosure. (Please see California Government Code § 6253(b).) The City's obligation under the Sunshine Ordinance, like the Public Records Act, is to produce public records in its custody. (See San Francisco Administration Code § 67.20(b).) There is no requirement that a department or officer construct a document to meet the specifications of the request.

Please note that it is not necessary to create a NextRequest account to view responsive records. Once they have been released, a link, valid for 30 days, will be provided to view the records. Additionally, unless privacy concerns prevent it, Public Works makes all records requests visible to the public. You may search for requests at <https://sanfrancisco.nextrequest.com/>.

This concludes your public records request.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

*May 13, 2021, 2:55pm*

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**Document(s) Released**

Public

<https://docs.microsoft.com/en-us/microsoft-365/compliance/ediscovery?view=o365-worldwide>

May 13, 2021, 2:55pm

**Document(s) Released**

Public

Redacting in RapidReview-Part 2.pdf

NextRequest - SSO Testing Guide.pdf

Redacting in RapidReview-Part 1.pdf

<https://www.nextrequest.com/support>

May 11, 2021, 4:13pm

**Department Assignment**

Public

Public Works

May 11, 2021, 2:00pm

**Request Opened**

Public

Request received via web

May 11, 2021, 2:00pm



# GREEN BENEFIT DISTRICT PROGRAM OVERVIEW

COALITION FOR SAN FRANCISCO NEIGHBORHOODS  
JULY GENERAL ASSEMBLY MEETING  
July 16, 2019

## SUMMARY

1. Intro to Green Benefit Districts
2. Functions of GBDs
3. Formation Process
4. Contact Information

DEFINE: { TAXES?  
FEES?  
ASSESSMENTS?



*INTRO* | FUNCTIONS | FORMATION | CONTACT

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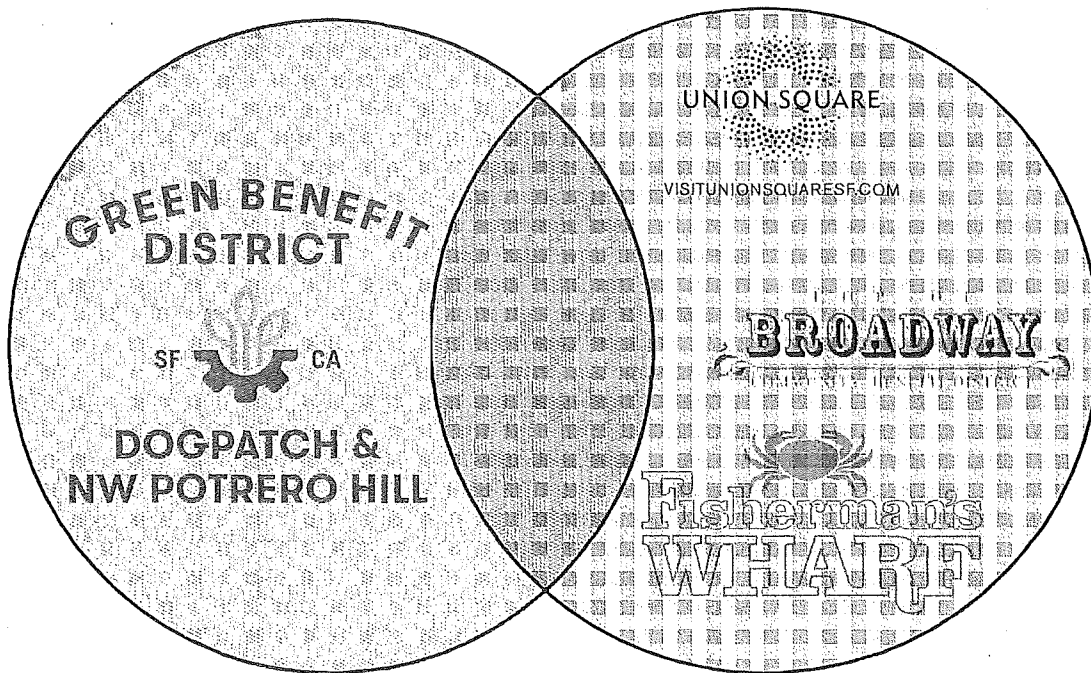


| TOOL                                     | JUSTIFICATION  | AUTHORIZATION  |
|--|--|--|
| <b>GENERAL TAXES</b>                     | None required  | <ol style="list-style-type: none"> <li>1. Majority of legislative body</li> <li>2. 50% + 1 registered voters<br/>(of those who vote)</li> </ol>                              |
| <b>SPECIAL TAXES</b><br>(Includes Bonds) | None required  | <ol style="list-style-type: none"> <li>1. Majority of legislative body</li> <li>2. 66.6% +1 registered voters<br/>(of those who vote)</li> </ol>                             |
| <b>FEES</b>                              | Charge for service   | <ol style="list-style-type: none"> <li>1. Majority of legislative body</li> </ol>  |
| <b>ASSESSMENTS</b>                       | To provide unique ("special") benefits. "General" benefits cannot be assessed. | <ol style="list-style-type: none"> <li>1. Petition with 30% +1 support<br/>(of all those assessed)</li> <li>2. Ballot with 50% +1 support<br/>(of those who vote)</li> </ol> |



**INTRO** | **FUNCTIONS** | **FORMATION** | **CONTACT**

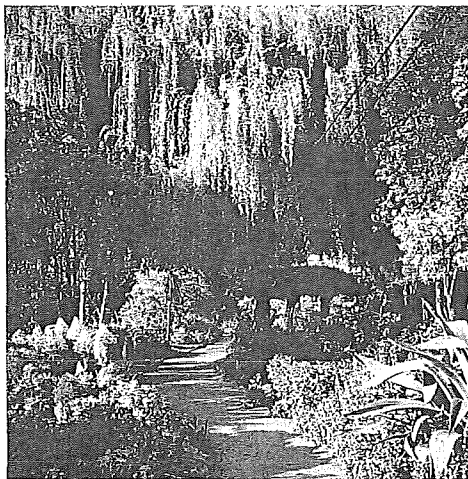
What's the difference between a CBD & GBD?



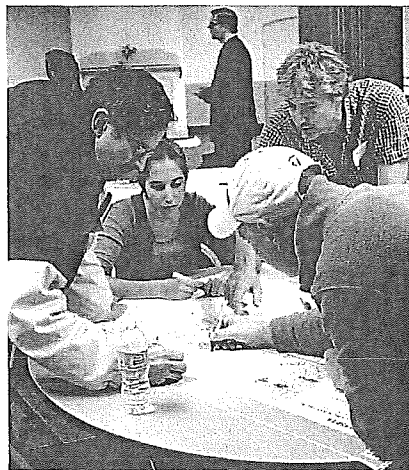
INTRO | FUNCTIONS | FORMATION | CONTACT

## GBD FUNCTIONS

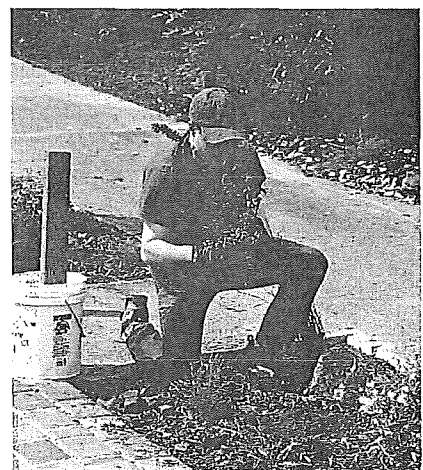
Supplemental  
Public Realm Maintenance



Transparency, Community  
Building, & Local  
Accountability



Locally-driven Capital  
Improvements

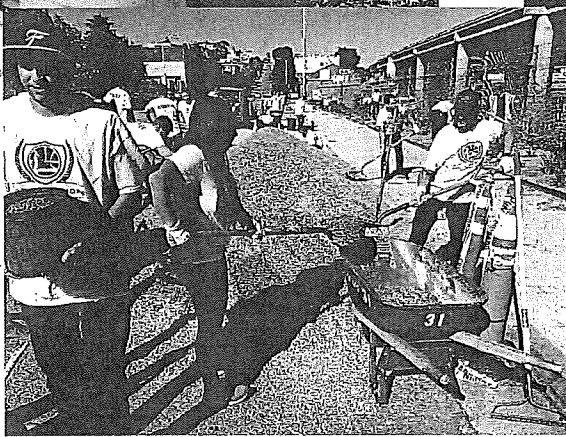
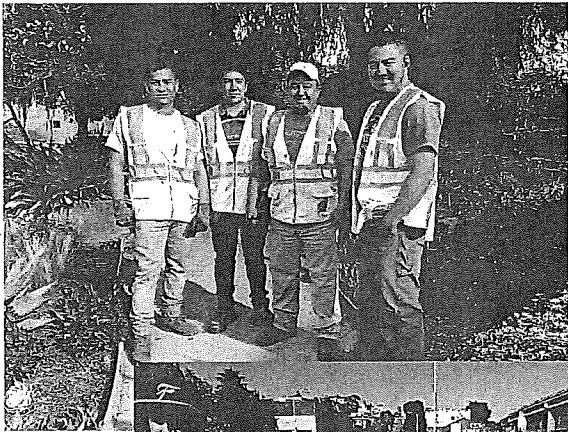


In addition to general CBD functions, e.g., Safety & Civic Advocacy



INTRO | *FUNCTIONS* | FORMATION | CONTACT

## GBD FUNCTIONS

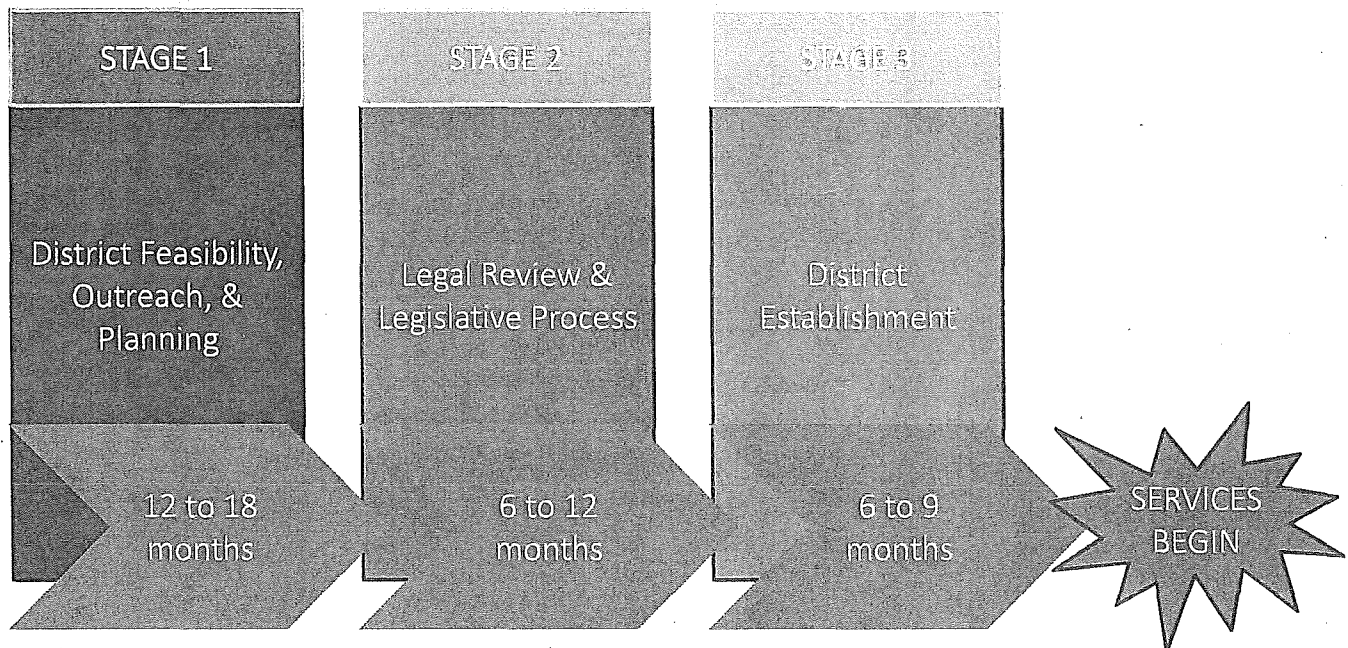


*Encourage and empower  
neighbors to build community  
& foster local stewardship of  
the public realm*



INTRO | **FUNCTIONS** | FORMATION | CONTACT

## Formation Process



*NOTE: TIMELINE DEPENDENT ON NEIGHBORHOOD ORGANIZATION, COMMUNITY VISION, AND TARGET GOALS*



INTRO | FUNCTIONS | **FORMATION** | CONTACT

## Formation Process

### STAGE 1

District Feasibility,  
Outreach, &  
Planning

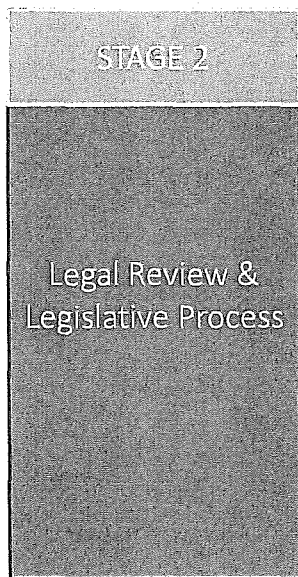
- Convene meeting of interested property owners
- Create Formation Committee representative of the neighborhood
- Hold an initial Formation Committee meeting to set vision, formation schedule, and elect leadership
- Fundraise, hire formation consultant & assessment engineer
- Develop parcel database
- Conduct neighborhood survey to help determine interests, services, and District boundaries
- Draft Service Plan, Budget, and Assessment Methodology



INTRO | FUNCTIONS | **FORMATION** | CONTACT

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## Formation Process



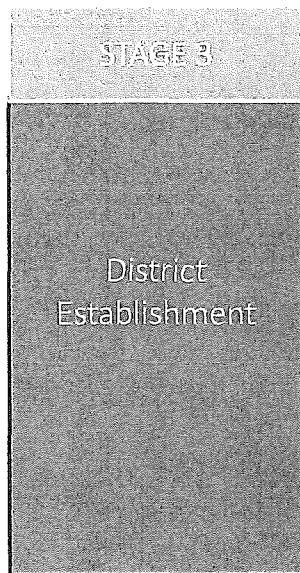
- Draft Management Plan and Engineer's Report
- City Review and Approval of Management Plan & Engineer's Report
- Petition process
  - Requires 30% weighted support of District to initiate Ballot election
  - Locally-conducted Petition process
- Ballot Campaign
  - 45 day election period
  - Administered by Department of Elections
  - Requires 50% weighted support of votes cast for SFBOS to form GBD



INTRO | FUNCTIONS | **FORMATION** | CONTACT

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## Formation Process



- Draft bylaws, articles of incorporation, and form nonprofit corporation
- Elect Board members and leaders
- Sign contract agreement with the City of San Francisco
- Hire staff and public realm service provider
- Public Works authorizes Controller's Office to disburse assessments collected in Nov. & Dec.



INTRO | FUNCTIONS | **FORMATION** | CONTACT

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# QUESTIONS?

COALITION FOR SAN FRANCISCO NEIGHBORHOODS

July 16, 2019

## GREEN BENEFIT DISTRICT PROGRAM OVERVIEW

Jonathan Goldberg, GBD Program Manager

[Jonathan.Goldberg@sfdpw.org](mailto:Jonathan.Goldberg@sfdpw.org) | [415] 695.2015





# OPTIONS FOR SUTRO HEIGHTS LANDSCAPE MAINTENANCE DISTRICT

August 14, 2018

Prepared by : Jonathan Goldberg, San Francisco Public Works

**PURPOSE:** Create a sustainable financing source to fund the implementation and maintenance of a cohesive and uniform neighborhood streetscape standard.

| FINANCING TOOL  | Green Benefit District ("GBD")  | Landscape and Lighting District ("LLD")  | Community Facilities District ("CFD")  |
|---|---|--|--|
| FINANCE MECHANISM   | Assessment District   | Assessment District  | Special Tax District   |
| MANAGED BY  | Local 501(c)3 OR Public Works   | Public Works   | Controller's Office  |
| APPROVED BY   | Local property owners   | Local property owners  | Registered voters  |
| DISTRICT TERM   | 5 to 15 years*<br>*If funds are to repay bonds, MAX 40 yr. term   | Indefinite; renewed annually   | 5 to 40 years  |
| FORMATION VOTING THRESHOLDS   | 1. 30% +1 of total assessments; <i>THEN</i><br>2. Majority (50% +1) of assessments from those who vote.   | 1. Majority (50% +1) of assessments from those who vote.   | 1. 10% of registered voters <i>OR</i> 2 members of a legislative body; <i>THEN</i><br>2. 66.66% support from registered voters   |
| FORMATION PROCESS   | 1. Define assessment area, proposed services, and improvements.<br>2. Draft Management Plan, which includes proposed services and improvements, governance of district funds, term of proposed District.<br>3. Draft Engineer's Report, which must include: assessment methodology (i.e., apportionment method), proposed services and improvements, duration of assessment, calculation and quantification of benefit, and separation of special and general benefits.<br>4. City review and approval of Engineer's Report and Management Plan.<br>5. Property owner Petition process: property owners representing 30%+1 of all assessments must Petition the Board of Supervisors to initiate formation proceedings.<br>6. Legislative vote to initiate Ballot Election in 45 days time, which initiates public notice and scheduling a hearing to tabulate ballot votes.<br>6. Local property owner ballot vote; a majority of weighted votes (i.e., property owners representing 50% +1 of voting assessments) must support formation of the District in order to move forward.<br>7. If no majority protest, the local legislative body adopts an ordinance levying special assessments within the proposed district. | 1. Define assessment area, proposed services, and improvements.<br>2. Legislate proposed plan by adopting Resolution.<br>3. Draft Engineer's Report, which must include: assessment methodology (i.e., apportionment method), proposed services and improvements, duration of assessment, calculation and quantification of benefit, and separation of special and general benefits.<br>4. City review and approval of Engineer's Report.<br>5. Legislative vote on Resolution of Intention, which legislates Engineer's Report.<br>6. Legislative vote to initiate Ballot Election in 45 days time, which initiates public notice and scheduling a hearing to tabulate ballot votes.<br>6. Local property owner ballot vote; a majority of weighted votes (i.e., property owners representing 50% +1 of voting assessments) must support formation of the District in order to move forward.<br>7. If no majority protest, the local legislative body adopts an ordinance levying special assessments within the proposed district. | 1. Set, legislate, and adopt local goals and policies.<br>2A. Petition by 10% of registered voters within the tax District's boundaries <i>OR</i><br>2B. Request by 2 members of the local legislative body.<br>3. Tax Engineer to determine rate and tax apportionment method.<br>4. City review and approval of Tax Engineer's Report.<br>5. Legislative vote on Resolution to Establish CFD.<br>6. Preparation of CFD Report, which includes a summary of facilities constructed and services provided by CFD funds.<br>7. Public Hearings; if 50% of registered voters protest against establishment, the formation process must stop for one year.<br>8. Legislative vote on Resolution calling for Special Election.<br>9. Special Election held 90 days after step #7, but no more than 180 days after step #7.<br>10. If approved by 66.66% of registered voters, the local legislative body adopts an ordinance levying special taxes within the proposed district. |
| FORMATION TIMELINE*<br>*Assumes proposed district size is >250 parcels  | 9 to 18 months  | 9 to 18 months   | 6 to 12 months   |
| TOTAL START-UP COSTS*<br>*Estimates do not include Streetscape Plan by Landscape Architects                                       | \$15,000 to \$25,000  | \$15,000 to \$25,000   | \$12,000 to \$20,000   |
| ONGOING ADMINISTRATIVE PROCEDURES   | 1. Annual Financial Review<br>2. Mid-year Report due to Public Works<br>3. Annual Report due to Public Works and the Board of Supervisors.  | 1. Annual Report to Board of Supervisors<br>2. Annual Assessment Engineer's Report   | 1. Annual Fiscal Status Report to State of California  |
| ONGOING ADMINISTRATIVE COSTS*<br>*To fulfill state and local reporting requirements associated with assessment and tax districts. | \$500 to \$2000**<br>**Does not include fiscal fees associated with management by a fiscal sponsor, estimated at 10% of the total District budget.  | \$1500 to \$3000***<br>***Not including administrative fees for the City to manage district funds, improvements, and services, estimated at 5 to 15% of the total District budget.   | \$1500 to \$2500***<br>***Not including administrative fees for the City to manage district funds, improvements, and services, estimated at 5 to 15% of the total District budget.   |

# Respondent's Document Submission

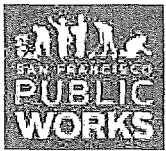
Leger, Cheryl (BOS)

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**From:** Steinberg, David (DPW)  
**Sent:** Friday, August 13, 2021 2:33 PM  
**To:** SOTF, (BOS)  
**Cc:** sfneighborhoods.net  
**Subject:** RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 21069

Thank you, Cheryl. I will provide a response next week.

Regards,



David A. Steinberg  
Custodian of Records & Executive Assistant to the Director  
San Francisco Public Works | City and County of San Francisco  
49 South Van Ness Avenue, Suite 1647 | San Francisco, CA 94103 | (628) 271-2888  
[sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

For public records requests, please go to [sfpublicworks.org/records](http://sfpublicworks.org/records).

**From:** SOTF, (BOS) <sotf@sfgov.org>  
**Sent:** Friday, August 13, 2021 2:27 PM  
**To:** Steinberg, David (DPW) <david.steinberg@sfdpw.org>  
**Cc:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Subject:** SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 21069

Good Afternoon:

David Steinberg and the Department of Public Works have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the attached complaint/request within five business days.

**The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice.** This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).

6. Statement/declaration that all relevant documents have been provided, does not exist, or Acknowledgement of noncompliance with the Sunshine Ordinance or declaration of no-contest.

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:  
*Complaint Attached.*

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724



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The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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Leger, Cheryl (BOS)

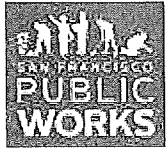
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**From:** Steinberg, David (DPW)  
**Sent:** Thursday, August 19, 2021 10:49 AM  
**To:** SOTF, (BOS)  
**Subject:** RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 21069  
**Attachments:** Response to complaint.pdf

Hi Cheryl,

Attached is the department's response.

Regards,



David A. Steinberg  
Custodian of Records & Executive Assistant to the Director  
San Francisco Public Works | City and County of San Francisco  
49 South Van Ness Avenue, Suite 1647 | San Francisco, CA 94103 | (628) 271-2888  
[sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

For public records requests, please go to [sfpublicworks.org/records](http://sfpublicworks.org/records).

**From:** SOTF, (BOS) <sotf@sfgov.org>  
**Sent:** Friday, August 13, 2021 2:27 PM  
**To:** Steinberg, David (DPW) <david.steinberg@sfdpw.org>  
**Cc:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Subject:** SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 21069

Good Afternoon:

David Steinberg and the Department of Public Works have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the attached complaint/request within five business days.

**The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice.** This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.

4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).
6. Statement/declaration that all relevant documents have been provided, does not exist, or Acknowledgement of noncompliance with the Sunshine Ordinance or declaration of no-contest.

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:  
*Complaint Attached.*

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724



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Alaric Degrafinried, Acting Director | Director's Office

alaric.degrafinried@sfdpw.org | T. 628.271.2677 | 49 South Van Ness Ave. Suite 1600, San Francisco, CA 94103

Aug. 19, 2021

Sunshine Ordinance Task Force  
c/o Cheryl Leger  
Assistant Clerk, Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: SOTF Complaint No. 21069

We are in receipt of the above-referenced complaint and are submitting this written response as required.

The list of the violations Mr. Sullivan is alleging and our response follows:

**Sunshine Ordinance Sec. 67.25(a):** This provision has been suspended by mayoral proclamation, meaning there can be no violation.

**Sunshine Ordinance Sec. 67.21(b):** We released records within the time allowed by law for one item of the request. For the other item, we made multiple attempts to work with the requester to narrow the request in such a way that we would be able to release documents in a reasonable time frame. When our efforts were unsuccessful, and despite repeated suggestions to Mr. Sullivan that he narrow the focus of the request, we relied on Mayor Breed's proclamations and used our authority to make use of the balancing test as the basis for withholding additional records.

**Sunshine Ordinance Sec. 62.21(c)** This provision has been suspended by mayoral proclamation, meaning there can be no violation. It should be noted, however, that despite the suspension of this provision, I did provide to Mr. Sullivan the form and nature of records maintained by the department, specifically the number of emails that were responsive to his request.

Regards,

David A. Steinberg  
Custodian of Records  
San Francisco Public Works

Leger, Cheryl (BOS)

---

**From:** SOTF, (BOS)  
**Sent:** Friday, August 13, 2021 2:27 PM  
**To:** Steinberg, David (DPW)  
**Cc:** 'sfneighborhoods.net'  
**Subject:** SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 21069  
**Attachments:** SOTF - Complaint Procedure 2019-10-02 FINAL.pdf; 21069 Complaint.pdf

Good Afternoon:

David Steinberg and the Department of Public Works have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the attached complaint/request within five business days.

**The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice.** This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).
6. Statement/declaration that all relevant documents have been provided, does not exist, or Acknowledgement of noncompliance with the Sunshine Ordinance or declaration of no-contest.

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:  
*Complaint Attached.*

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724



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**Leger, Cheryl (BOS)**

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**From:** SOTF, (BOS)  
**Sent:** Monday, August 16, 2021 2:54 PM  
**To:** 'Wynship Hillier'; Grier, Geoffrey (DPH - Contractor); 'sfneighborhoods.net'; Steinberg, David (DPW); 'San Francisco Living Wage'; Chu, Carmen (ADM); Thompson, Marianne (ECN)  
**Cc:** Young, Victor (BOS)  
**Subject:** SOTF - Notice of Appearance - Compliance and Amendments Committee; August 24, 2021 4:30 p.m.  
**Attachments:** SOTF - Complaint Procedure 2019-10-02 FINAL.pdf

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

**Date:** August 24, 2021

**Location:** Remote meeting; participant information to be included on the Agenda

**Time:** 4:30 p.m.

**Complainants:** Your attendance is required for this meeting/hearing.

**Respondents/Departments:** Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

**Complaints:**

**File No. 21036:** Complaint filed by Wynship Hillier against the Behavioral Health Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.7(a) by failing to post the Agenda 72 hours in advance of the meeting and failure to provide a description of each item of business; 67.7(b) failing to post documents on the website or make available to the public; agenda; 67.9(a) failure to post relevant documents on the internet; 67.15(c) failing to allow public comment; and 67.21(e) failing to make.

**File No. 21069:** Complaint filed by Mark Sullivan against David Steinberg and the Department of Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.3 by failing to provide definitions, 67.21 by failing respond to a records request in a timely and/or complete manner.

**File No. 21073:** Complaint filed by Karl Kramer against Carmen Chu and the City Administrator's Office for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing respond to a records request in a timely and/or complete manner.

**File No. 20134:** Complaint filed by Mark Sullivan against the Office of Economic and Workforce Development for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

## Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). *For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, August 19, 2021.*

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724



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Leger, Cheryl (BOS)

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**From:** sfneighborhoods.net <info@sfneighborhoods.net>  
**Sent:** Monday, August 16, 2021 3:24 PM  
**To:** SOTF, (BOS); Lilly Lahood  
**Subject:** Re: FYI on scheduling 18086 and the Compliance and Amendments Committee

Hello Ms. Leger,

I realize you are juggling many things, but I told you on August 3 (see below) that I would not be able to make "8-24-2021 Compliance and Complaint Committee, I would not be able to make that date.

I write ahead of time in case my complaint is being considered to be heard on that date so that another complaint can be scheduled instead."

I wrote ahead of any scheduling so that no complaint of mine would occupy the agenda and for other complaints to be heard. Now, I find 2 on the schedule.

I can not make that date 8-24-2021.

I am so sorry, but I real tried to inform SOTF ahead of time.

mark

On 8/4/2021 9:22 AM, SOTF, (BOS) wrote:

> Mr. Sullivan: Thank you for the notification of your unavailability for the next Compliance meeting. I will schedule this matter before the September Compliance and Amendments Committee hearing.

>

> Cheryl Leger

> Assistant Clerk, Board of Supervisors

> Cheryl.Leger@sfgov.org

> Tel: 415-554-7724

> Fax: 415-554-5163

> <https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=NmU4ZmQ4NGR>

> hZGI5ZTEzOA==&h=ZTIiOGFkNGY5Y2lwYWNiN2lxYjY4YmYxMDMzMtIIZGYyMWQxMjJiND

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> ThkMDAwNDY3ZDY4OGI1ODBiMGRINGQ2NGM3OnYx

>

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means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

>  
>  
>  
>

> -----Original Message-----

> From: sfneighborhoods.net <info@sfneighborhoods.net>

> Sent: Tuesday, August 3, 2021 3:16 PM

> To: SOTF, (BOS) <sotf@sfgov.org>

> Subject: FYI on scheduling 18086 and the Compliance and Amendments

> Committee

>  
>

> This message is from outside the City email system. Do not open links or attachments from untrusted sources.

>  
>  
>

> Hello Ms Leger,

>

> FYI on scheduling File 18086 on jurisdiction of MDGBD if it is being considered for the 8-24-2021 Compliance and Complaint Committee, I would not be able to make that date.

>

> I write ahead of time in case my complaint is being considered to be heard on that date so that another complaint can be scheduled instead.

>


> Sincerely,

> m sullivan

>  
>

Leger, Cheryl (BOS)

---

**From:** SOTF, (BOS)  
**Sent:** Thursday, September 2, 2021 11:14 AM  
**To:** pmonette-shaw; Padilla, Cristina (DPH); Lin-Wilson, Tiffany (REC); Ginsburg, Phil (REC); Anonymoose  Q; Buell, Mark (REC); sfneighborhoods.net; Steinberg, David (DPW)  
**Subject:** SOTF - Complaint Committee hearing, September 21, 2021; 5:30 PM; remote meeting;  
**Attachments:** SOTF - Complaint Procedure 2019-10-02 FINAL.pdf

Good Afternoon:

Notice is hereby given that the Complaint Committee (Committee) of the Sunshine Ordinance Task Force (Task Force) shall hold hearings on complaints listed below to: 1) determine if the Task Force has jurisdiction; 2) review the merits of the complaints; and/or 3) issue a report and/or recommendation to the Task Force.

Date: September 21, 2021

Location: Remote Meeting

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

**File No. 21054:** Complaint filed by Patrick Monette-Shaw against Grant Colfax, Veronica Vien and the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21 by failing respond to a public records request in a timely and/or complete manner.

**File No. 21082:** Complaint filed by Anonymous against Phil Ginsburg and the Recreation and Parks Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing to respond to a records request in a complete and/or timely manner; 67.25 by failing to respond in a complete and timely manner to an Immediate Disclosure Request; 67.25(d) by failing to provide responsive records on a rolling basis; 67.26 for non-minimum withholding, 67.27 by failing to provide written justification for withholding; 67.29-7(a) by failing to keep and preserve correspondence and records; 67.29-5 by failing to keep and disclose a compliant Prop G calendar; 67.34 for willful failure and official misconduct.

**File No. 21083:** Complaint filed by Anonymous against Mark Buell and the Recreation and Parks Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing to respond to a records request in a complete and/or timely manner; 67.25 by failing to respond in a complete and timely manner to an Immediate Disclosure Request; 67.25(d) by failing to provide responsive records on a rolling basis; 67.26 for non-minimum withholding, 67.27 by failing to provide written justification for withholding; 67.29-7(a) by failing to keep and preserve correspondence and records; 67.29-5 by failing to keep and disclose a compliant Prop G calendar; 67.34 for willful failure and official misconduct.

**File No. 21088:** Complaint filed by Mark Sullivan against the Recreation and Parks Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b), 67.26, 67.27, and 67.29-7(a), and California Government Code 6253(c), by failing to respond to a public records request in a timely and/or complete manner, failing to keep withholding to a minimum, failing to provide justification for withholdings, and failing to maintain and disclose correspondence.


**File No. 21069:** Complaint filed by Mark Sullivan against David Steinberg and the Department of Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.3 by failing to provide definitions, 67.21 by failing respond to a records request in a timely and/or complete manner.

#### **Documentation (evidence supporting/disputing complaint)**

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure).

For inclusion in the agenda packet, supplemental/supporting documents must be received by **5:00 pm, September 16, 2021.**

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724

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**Leger, Cheryl (BOS)**

---

**From:** SOTF, (BOS)  
**Sent:** Wednesday, October 27, 2021 8:30 AM  
**To:** Lambert, Michael (LIB); Shaub, Margot (LIB); Stiliyan Bejanski; Ionin, Jonas (CPC); Lynch, Laura (CPC); Jarmee; Ackerman, Kimberly; Celaya, Caroline; Knight, Annie; San Francisco Living Wage; Padilla, Cristina (DPH); Chu, Carmen (ADM); Bukowski, Kenneth (ADM); sfneighborhoods.net; Steinberg, David (DPW); Anonymoose (@journno\_anon)  Q;  
McSpadden, Shireen (HOM); Schneider, Dylan (HOM); Cohen, Emily (HOM); Kositsky, Jeff (DEM); Colfax, Grant (DPH); Padilla, Cristina (DPH); Nicholson, Jeanine (FIR); Tucker, John (FIR); Torres, Joaquin (ASR); Arntz, John (REG); Raju, Manohar (PDR); Rhorer, Trent (HSA)  
**Cc:** Young, Victor (BOS)  
**Subject:** SOTF - Notice of Appearance, November 3, 2021 - Sunshine Ordinance Task Force; 4:00 PM; Remote Meeting  
**Attachments:** SOTF - Complaint Procedure 2019-10-02 FINAL.pdf

Good Morning:

You are receiving this notice because you are named as a Complainant or Respondent in the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: November 3, 2021

Location: Remote Meeting

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

**File No. 20056:** Complaint filed by Anonymous against City Librarian Michael Lambert for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(1) by failing to respond to a records request in a complete and timely manner.

**File No. 21008:** Complaint filed by Stiliyan Bejanski against the Planning Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and complete manner.

**File No. 20117:** Complaint filed by Stiliyan Bejanski against Jonas Ionin and the Planning Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, by failing to provide public records; 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner, 67.26 by failing to keep withholding to a minimum; 67.27 by failing to justify withholding and 67.29 by failing to provide an index of records.

**File No. 21007:** Complaint filed by Jarmee Thieu against Kimberly Ackerman and the Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and complete manner.

**File No. 21039:** Complaint filed by Karl Kramer against the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

**File No. 21066:** Complaint filed by Karl Kramer against Carmen Chu and the Office of the City Administrator for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing respond to a records request in a timely and/or complete manner.

**File No. 21069:** Complaint filed by Mark Sullivan against David Steinberg and the Department of Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(c) by failing to respond to a records request in a timely and/or complete manner and by failing to assist the requester, 67.25(a) by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner, CPRA Section 6253(c) by failing to notify the requestor of the possession of records of the agency and by failing to notify the person making the request of the determination and the reasons for withholding, CPRA Section 6253.1(a)(1) by failing to identify records and information that are responsive to the request or to the purpose of the request.

**CONSENT AGENDA** - The Sunshine Task Force (Committee) shall review File Nos, 20036, 20044, 20045, 20046, 20047, 20048, 20051, to determine if the Sunshine Ordinance Task Force has jurisdiction and determine if the requested records are public pursuant to Administrative Code (Sunshine Ordinance), Sections 67.21(e). The Complainant and Respondent are not required to attend the November 3, 2021, Sunshine Task Force meeting but may attend to provide testimony related to the above listed determinations.

- a. **File 20036:** Anonymous v. Director of Homelessness and Supportive Housing Jeff Kositsky for violating Admin Code 67.29-5 by failing to record general statements of issues discussed for meetings in the Proposition G calendar for November 10-17, 2019, within 3 business days of the meetings **and** Admin Code 67.29-7(a) for failing to maintain and preserve all documents and correspondence in a professional and businesslike manner by not instituting and complying with a retention policy.
- b. **File No. 20044:** Anonymous v. Director of Health Grant Colfax for violating Admin Code 67.29-5 by failing to record general statements of issues discussed and the identity of attendees for meetings in the Proposition G calendar for November 10-17, 2019, within 3 business days of the meetings.

- c. **File No. 20045:** Anonymous v. Fire Chief Jeanine Nicholson for violating Admin Code 67.29-5 by failing to record general statements of issues discussed and the identity of attendees for meetings in the Proposition G calendar for November 10-17, 2019, within 3 business days of the meetings.
- d. **File No. 20046:** Complaint filed by Anonymous against Joaquin Torres of the Department of Economic and Workforce Development for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.29-5 by to keep or cause to be kept a daily calendar wherein is recorded the time and place of each meeting or event attended.
- e. **File No. 20047:** Complaint filed by Anonymous against John Arntz, Department of Elections for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.29-5 by to keep or cause to be kept a daily calendar wherein is recorded the time and place of each meeting or event attended.
- f. **File No. 20048:** Complaint filed by Anonymous against Manohar Raju of the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.29-5 by to keep or cause to be kept a daily calendar wherein is recorded the time and place of each meeting or event attended.
- g. **File No. 20051:** Complaint filed by Anonymous against Trent Rhorer Human Services Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.29-5 by to keep or cause to be kept a daily calendar wherein is recorded the time and place of each meeting or event attended.

For inclusion in the agenda packet, supplemental/supporting documents must be received by **9:00 am, October 28, 2021.**

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724

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Cheryl Leger  
Assistant Clerk, Board of Supervisors



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