

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
March 2, 2018**

DATE ISSUED
February 7, 2018

CASE TITLE – Michael Petrelis v. President London Breed, Board of Supervisors
(File No. 17094)

FACTS OF THE CASE

The following petition/complaint was filed with the Sunshine Ordinance Task Force (SOTF):

File No. 17094: Complaint filed by Michael Petrelis against President London Breed, Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

HEARING ON THE COMPLAINT

On September 26, 2017, the Complaint Committee (Committee) acting in its capacity to hear petitions/complaints heard the matter and referred it to the SOTF for hearing.

Michael Petrelis (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Petrelis stated that he has not received a response of any kind from the Office of President Breed. Mr. Petrelis stated that even if the Board of Supervisors are on break they are still responsible for responding to Immediate Disclosure Requests in a timely manner. There were no representatives from the Office of President Breed in attendance.

The Committee opined that Administrative Code, Section 67.25, is relevant to the complaint.

On February 7, 2018, the SOTF held a hearing to review the recommendation from Committee and/or to review the merits of the petition/complaint.

Michael Petrelis (Petitioner), provided a summary of the complaint and requested the SOTF to find violation. Mr. Petrelis stated that he requested a list of blocked addresses on President Breed's Twitter account and has not received a response. There were no speakers on behalf of the Petitioner. There were no representatives from President London Breed's Office in attendance. There were

no speakers on behalf of the Respondent. A question and answer period occurred. The Petitioner and Respondent were provided an opportunity for rebuttals.

The SOTF expressed concern regarding the repeated lack of attendance by the Respondent.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented the SOTF found a violation Administrative Code (Sunshine Ordinance), Sections 67.21(e) and 67.25.

ORDER OF DETERMINATION

Member Maass, seconded by member Cannata, moved to find that President London Breed, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Sections 67.21(e) and 67.25, by failing to send an authorized representative to the SOTF hearing to explain the basis for the decision to withhold requested records and failing to respond to an Immediate Disclosure Request.

The motion PASSED by the following vote:

Ayes: 6 – Tesfai, Maass, Cannata, Fischer, Hinze, B. Wolfe
Noes: 0 – None
Recused – J. Wolf
Absent: 1 – Chopra
Excused: 2 – Eldon, Hyland

Member Maass, seconded by member Cannata, moved to refer the matter to the Ethics Commission to examine the matter and the possibility of a willful violation.

The motion FAILED by the following vote:

Ayes: 5 – Tesfai, Maass, Cannata, Hinze, B. Wolfe
Noes: 1 – Fischer
Recused – J. Wolf
Absent: 1 – Chopra
Excused: 2 – Eldon, Hyland

Chair Wolfe referred the matter to the Compliance and Amendments Committee and requested that the requested records be provided and that the Respondent attend the meeting as required by Administrative Code, Section 67.21(e).



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Michael Petrelis (Petitioner/Complainant)
President London Breed, Board of Supervisors (Respondent)