

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Complaint Committee

Date: September 19, 2023

<input checked="" type="checkbox"/>	Petition/Complaint	Page: <u>45</u>
<input checked="" type="checkbox"/>	Respondent's Response	Page: <u>80</u>
<input type="checkbox"/>	Petitioner/Complainant Rebuttal	Page: <u> </u>
<input type="checkbox"/>	Memorandum - Deputy City Attorney	Page: <u> </u>
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<input type="checkbox"/>	No Attachments	

OTHER

<input type="checkbox"/>	_____	Page
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<input type="checkbox"/>	_____	
<input type="checkbox"/>	_____	

Completed by: C. Leger Date 9/11/23

* 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. 23079

Lance Carnes v. Public Works

Date filed with SOTF: 8/30/2023

Contact information (Complainant information listed first):

Lance Carnes (lcarnes@gmail.com) (Complainant)

David Steinberg (David.steinberg@sfgov.org); Public Works (Respondent)

File No. 23079 Complaint filed by Lance Carnes against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide responsive records in a timely and/or complete manner.

Leger, Cheryl (BOS)

From: Google Forms <sfbdsupvrs@gmail.com>
Sent: Monday, August 28, 2023 4:04 PM
To: SOTF, (BOS)
Subject: New Response Complaint Form

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

Your form has a new entry.
Here are the results.

Complaint against which Department or Commission	Public Works
Name of individual contacted at Department or Commission	David Steinberg
Alleged Violation	Public Records
Sunshine Ordinance Section:	67.21

Please describe alleged violation

Failure to provide requested records, for PRR# 23-3164

Date

8/28/2023

Name

Lance Carnes

Address

722 Lombard St #201

City

San Francisco

Zip

94133

Telephone

415-296-7550

Email

lacarnes@gmail.com

Sent via [Google Form Notifications](#)

Leger, Cheryl (BOS)

From: Lance Carnes <lacarnes@gmail.com>
Sent: Monday, August 28, 2023 4:29 PM
To: SOTF, (BOS)
Subject: Records for Complaint - 23079

<https://sanfrancisco.nextrequest.com/requests/23-3164> Note: this PRR refers to

<https://sanfrancisco.nextrequest.com/requests/23-3077> (4 items)

Lance

On Mon, Aug 28, 2023 at 4:12 PM SOTF, (BOS) <sotf@sfgov.org> wrote:

Thank you for your complaint form. I have opened case number 23079 in our case list. Please in the future if you could refer to the client number 23079 in your correspondence. That would be terrific. As you are aware, I need your initial correspondence and any responsive records/emails that support your claim. Once I have the required information, I can notify the respondent of your complaint. Thank you.

Cheryl Leger

Sunshine Administrator

Board of Supervisors

phone 415-554-7724 | fax 415-554-5163

cheryl.leger@sfgov.org | www.sfbos.org

From: Google Forms <sfbdsupvrs@gmail.com>
Sent: Monday, August 28, 2023 4:04 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: New Response Complaint Form

Skip to main content

Public Record Requests

City and County of San Francisco

Request 23-3164

Dates

Received

June 14, 2023 via web

Request

For DPW TreeIDs 135333, 13789 St send all information regarding their removal: sign offs, photos and anything else justifying their Emergency Removal, between 6/4/23 and present.

Staff Assigned

Departments

Public Works

Point of contact

David A. Steinberg

Timeline

Documents

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 in the provided link. BUF staff report that there are no documents other than the ones released in response to your previous request.

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 § 7922.530(a).) 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 we are only able to provide records in the possession or control of San Francisco Public Works. Other City agencies may hold additional responsive records and you would need to contact them directly.

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



Document(s) Released

Public

<https://sanfrancisco.nextrequest.com/requests/23-3077>



External Message

Public

We received your public records request on June 14, 2023. You have requested the

following records:

DPW TreeIDs 135333, 13789 St send all information regarding their removal: sign offs, photos and anything else justifying their Emergency Removal, between 6/4/23 and present.

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 as soon as the responsive documents are ready for you to view and will do so on or before June 26, 2023, as permitted by San Francisco Administrative Code § 67.21(b) and California Government Code § 7922.535.

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/>.

Please note that we are only able to provide records in the possession or control of San Francisco Public Works. Other City agencies may hold additional responsive records and you would need to contact them directly.

June 14, 2023, 4:55pm by Mariebelle Hansen (Staff)

 **Request Opened**

Public

Request received via web

June 14, 2023, 4:50pm by the requester

[FAQS](#) [HELP](#) [PRIVACY](#) [TERMS](#)



Skip to main content

Public Record Requests

City and County of San Francisco

Request 23-3077 Closed

Dates

Received

June 12, 2023 via web

Request

For DPW TreeIDs 135333, 13789 please send Tree Information Reports, and photos from the DPW Tree Photo database.

Staff Assigned

Departments

Public Works

Point of contact

David A. Steinberg

Timeline

Documents

 **External Message** 

Public

Hi Lance,

Sorry, but I was informed that no photo was available for that tree.

Regards,

David A. Steinberg

Custodian of Records

San Francisco Public Works

June 22, 2023, 1:22pm by David A. Steinberg, Custodian of Records (Staff)

 **External Message** 

Public

The request was: For DPW TreeIDs 135333, 13789 please send Tree Information Reports, and photos from the DPW Tree Photo database. For DPW TreeID 135333, no photo was sent, please send it.

June 22, 2023, 1:16pm by the requester via email



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. The records can be viewed and downloaded by going to the Documents tab on your request.

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 \$7.99 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.

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 § 7922.530(a).) 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 we are only able to provide records in the possession or control of San Francisco Public Works. Other City agencies may hold additional responsive records and you would need to contact them directly.

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



Document(s) Released

Public

rptTree13789DetailWithActionsAndAssessments.pdf
901 Market St tree 13789 pic 1.jpg
rptTree135333DetailWithActionsAndAssessments.pdf
901 Market St tree 13789 pic 2.jpg



External Message



Public

We received your public records request on June 12, 2023. You have requested the following records:

Tree Information Reports and photos of DPW TreeIDs 135333 and 13789

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 as soon as the responsive documents are ready for you to view and will do so on or before June 22, 2023, as permitted by San Francisco Administrative Code § 67.21(b) and California Government Code § 7922.535.

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/>.

Please note that we are only able to provide records in the possession or control of San Francisco Public Works. Other City agencies may hold additional responsive records and you would need to contact them directly.

June 12, 2023, 8:45am by Mariebelle Hansen (Staff)



Department Assignment

52

Public

Public Works

 **Request Opened**

Public

Request received via web

June 12, 2023, 7:34am by the requester

[FAQS](#) [HELP](#) [PRIVACY](#) [TERMS](#)



Leger, Cheryl (BOS)

From: Lance Carnes <lacarnes@gmail.com>
Sent: Thursday, September 14, 2023 4:14 PM
To: SOTF, (BOS)
Subject: Re: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079
Attachments: image001.png; rptTree13789DetailWithActionsAndAssessments.pdf; 901 Market St tree 13789 pic 2.jpg; 901 Market St tree 13789 pic 1.jpg

Hi Cheryl,

The documents are attached.

Lance

On Thu, Sep 14, 2023 at 3:18 PM SOTF, (BOS) <sotf@sfgov.org> wrote:

Mr. Carnes: You identified three jpg documents below and they are not attached. Please provide them by 10:00 am tomorrow. I will be uploading records tomorrow morning. Thank you.

Cheryl Leger

Sunshine Administrator

Board of Supervisors

phone 415-554-7724 | fax 415-554-5163

cheryl.leger@sfgov.org | www.sfbos.org

From: Lance Carnes <lacarnes@gmail.com>
Sent: Tuesday, September 12, 2023 8:30 AM
To: Steinberg, David (DPW) <david.steinberg@sfdpw.org>

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

Subject: Re: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079

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

Dear Sirs,

My complaint #23079 claims violations in the material returned for Public Records Request 23-3164. This records request further references PRR 23-3077, and asks for

For DPW TreelDs 135333, 13789 St send all information regarding their removal: sign offs, photos and anything else justifying their Emergency Removal, between 6/4/23 and present.

TreelD 135333 does not exist, so nothing is needed for that, but TreelD 13789 does exist.

In PRR 23-3077 there are are three documents relating to TreelD 13789, which are listed below, followed by objections to them:

901 Market St tree 13789 pic 1.jpg This jpg photograph is dated "11/23/2020", much earlier than the effective dates requested, "between 6/4/23 and present".

901 Market St tree 13789 pic 2.jpg This jpg photograph is dated "11/23/2020", much earlier than the effective dates requested, "between 6/4/23 and present".

rptTree13789DetailWithActionsAndAssessments.pdf The latest date on this pdf is **6/2/2023**, (not "between 6/4/23 and present") but I may use the document to show that TreelD 13789 is not an "Emergency Removal".

If you have any questions, please feel free to contact me.

Sincerely,

Lance Carnes

On Mon, Sep 11, 2023 at 1:00 PM Steinberg, David (DPW) <david.steinberg@sfdpw.org> wrote:

Hi Cheryl,

Attached is the department's response to this complaint, along with the Affirmation Letter. We will attend the Sept. 19 Complaints Committee hearing.

Regards,



David A. Steinberg (he/him/his)

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 · twitter.com/sfpublicworks

For public records requests, please go to sfpublicworks.org/records.

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

Sent: Thursday, September 7, 2023 11:59 AM

To: Steinberg, David (DPW) <david.steinberg@sfdpw.org>

Cc: Lance Carnes <lcarnes@gmail.com>

Subject: FW: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079

From: SOTF, (BOS)

Sent: Thursday, September 7, 2023 11:29 AM

To: Steinberg, David (DPW) <david.steinberg@sfdpw.org>

Cc: lcarnes@gmail.com

Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079

Good Morning:

The Public Works Department has been named as a Respondent in the attached complaint filed with the Sunshine Ordinance Task Force (SOTF). In an effort to provide the SOTF information in an easy to understand format the SOTF has prepared a revised request format for responding to complaints (attached). **The SOTF requests that you submit your response to our office 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.** In developing and submitting your response, please use the attached instructions, "Preparing San Francisco Sunshine Ordinance Task Force Respondents Materials," to address your defense of this complaint. This is your opportunity to provide a detailed explanation to allow the Task Force to be fully informed in considering your response prior to the meeting.

Please refer to the File Number 23079 when submitting any new information and/or supporting documents pertaining to this complaint.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

[Click 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.

SF Tree Information

Tree ID: 13789

Legal Status: DPW Maintained

Planter: DPW

Water Responsibility:

Address: 901 Market St : 05th St - Mason St

Tree Order: 10

Bus Zone:

Keymap: 314

DPW Segment Street: Market St - block of - 995 : 06th St - 05th St

Location: Sidewalk, Curb side

Site Type: Cutout

Plant Type: Tree

Plot Size: 4X4

Species: Platanus x hispanica :: Sycamore, London Plane

Water Schedule

Planted Date:

Removed Date:

Permit Notes:

Site Info	dbh: 30	Height:	Side Walk Damage:
	Condition of Wood:		Wire Conflict:
	Condition of Leaves:		Maintenance Recommendation:
	Last Date of Site Info: 5/19/2006		Priority Task:

Actions:

Action Date	Request Date	Action	Crew
	06/02/2023	Remove-Grind: CMMS	
05/30/2023	05/30/2023	Inspect : Posted 24hr tree is dead	Bryan Ong
05/07/2021	05/07/2021	Permit Inspection	
Permit ID: 785623			
11/23/2020	11/23/2020	Inspect	Bryan Ong

SF Tree Information

Tree ID: 13789

03/14/2018 04/13/2011 Backfill/Adjust **CMMS Crew**
Closed By CMMS SO 880346

03/14/2018 Inspect **CMMS Crew**
Created in CMMS SO 880346

10/13/2015 07/14/2015 Remove Tree Grate
from CMMS:

11/12/2012 Inspect **Davey**
Part of City Wide Tree Census

12/14/2000 Inspect

02/23/2000 Prune

01/20/1998 Inspect

08/30/1995 Inspect

08/10/1995 Inspect

07/13/1995 Inspect

07/19/1994 Prune

05/26/1994 Inspect

SF Tree Information

Tree ID: 13789

03/16/1994 **Inspect**

09/12/1993 **Inspect**

09/01/1993 **Inspect**

08/13/1993 **Inspect**

07/15/1993 **Inspect**

06/30/1993 **Inspect**

06/24/1993 **Inspect**

06/18/1993 **Inspect**

05/26/1993 **Inspect**

04/29/1993 **Inspect**

04/01/1993 **Inspect**

03/17/1993 **Inspect**

03/10/1993 **Inspect**

SF Tree Information

Tree ID: 13789

02/18/1993 Inspect

02/10/1993 Inspect

01/27/1993 Spray

01/20/1993 Inspect

01/13/1993 Inspect

01/06/1993 Inspect

12/17/1992 Inspect

11/30/1992 Vandalism

11/18/1992 Inspect

11/04/1992 Inspect

10/28/1992 Inspect

09/30/1992 Inspect

09/23/1992 Inspect

SF Tree Information

Tree ID: 13789

08/19/1992 Inspect

07/30/1992 Inspect

07/09/1992 Inspect

07/01/1992 Inspect

06/24/1992 Inspect

06/17/1992 Inspect

05/27/1992 Inspect

04/22/1992 Inspect

02/26/1992 Remove Stake

02/05/1992 Inspect

01/23/1992 Inspect

12/18/1991 Inspect

11/27/1991 Inspect

SF Tree Information

Tree ID: 13789

11/20/1991 Inspect

10/30/1991 Inspect

10/16/1991 Inspect

10/02/1991 Inspect

09/25/1991 Inspect

09/18/1991 Inspect

09/11/1991 Inspect

03/27/1991 Inspect

02/27/1991 Inspect

02/22/1991 Inspect

03/01/1990 Inspect

01/18/1990 Prune

12/28/1989 Inspect

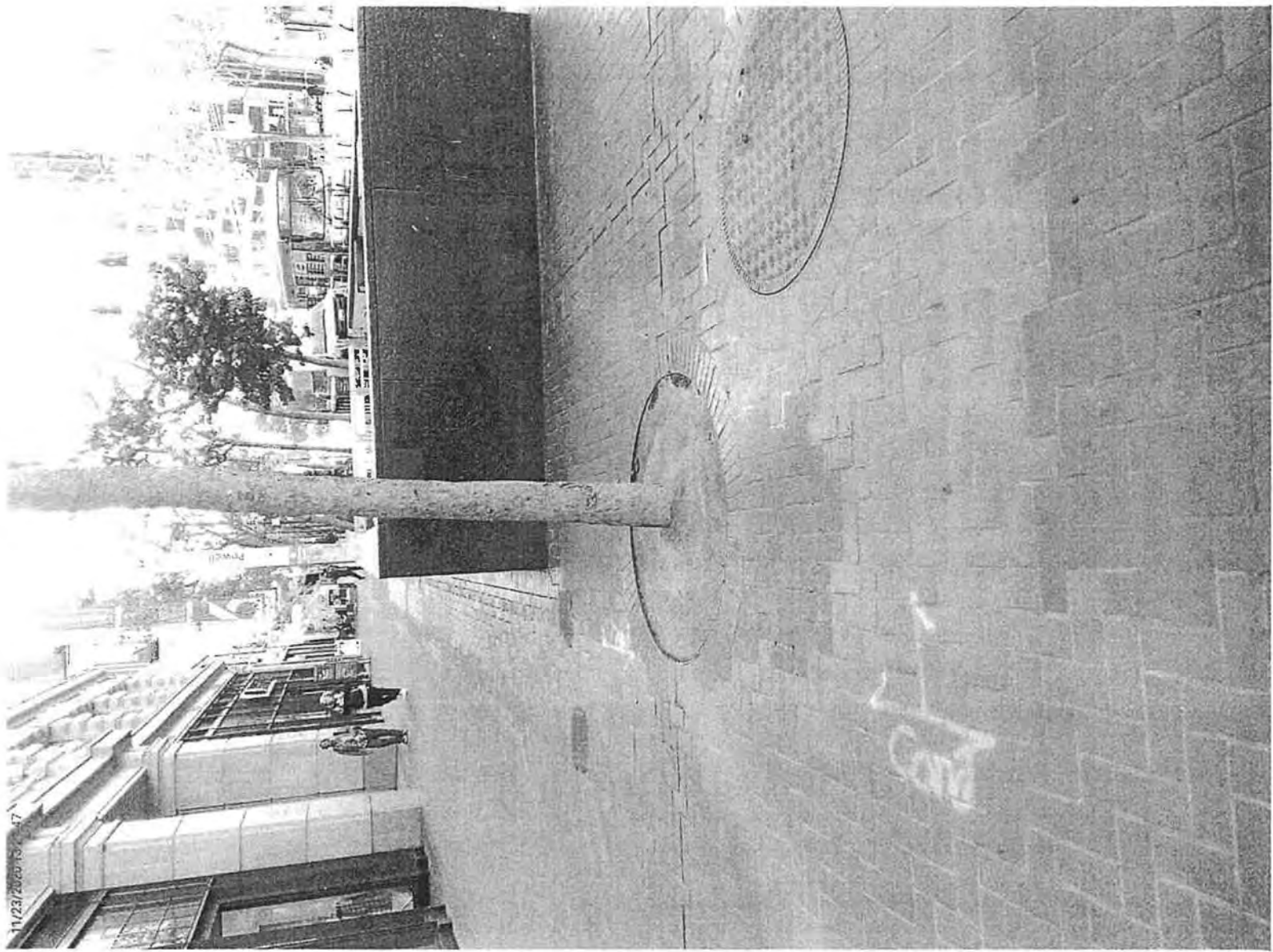
SF Tree Information

Tree ID: 13789

Assessments:

6/13/2023

Page 7 of 7





Case 23079: Exhibits Index

1. BART trees
Photos by Z. Fan

2. DPW trees
Photos by DPW
and L Carnes

3. DPW trees
Photos by L Carnes
4. DPW trees
Misc Photos



**Z. Fan tree 1,
TreeID 13789
(901 Market St
Photo: BART
May 2023)**



**Z. Fan tree 2,
TreeID 135332
(380 Market St)
(Photo: BART
May 2023)**

PUBLIC WORKS

Emergency Tree Removal Notice
 Aviso de Corte de Árbol de Emergencia
 緊急樹木移除通知

The Director of Public Works has determined that this tree is an immediate public safety hazard and has approved it for EMERGENCY REMOVAL.

Location: 901 MARKET ST # of trees: ONE (1)

Reason(s) for removal:

- Dead, dangerous, or likely to fall (immediate structural hazard)
- Obstructing or damaging a street, sidewalk, or other existing infrastructure
- Tree has serious disease that threatens the health of other trees
- Interfering with vehicular or pedestrian traffic
- Poses other significant hazard

Will tree be replaced?

- Yes, meets all planting guidelines
- Yes, unless conflicting underground utilities found
- No because:
 - Inadequate spacing between adjacent trees
 - Conflict with underground utilities identified
 - Other:

This is a 24-Hour Emergency Removal Notification. This notice cannot be protested.

www.pw.gov.hk 樹木管理處

TreeID 13789
(901 Market St)

Emergency
Removal
Posting

PUBLIC WORKS

Emergency Tree Removal Notice
 Aviso de Corte de Árbol de Emergencia
 緊急樹木移除通知

The Director of Public Works has determined that this tree is an immediate public safety hazard and has approved it for EMERGENCY REMOVAL.

Location: 380 MARKET ST. # of trees: ONE (1)

Reason(s) for removal:


- Dead, dangerous, or likely to fall (immediate structural hazard)
- Obstructing or damaging a street, sidewalk, or other existing infrastructure
- Tree has serious disease that threatens the health of other trees
- Interfering with vehicular or pedestrian traffic
- Poses other significant hazard:

Will tree be replaced?

- Yes, meets all planting guidelines
- Yes, unless conflicting underground utilities found
- No because:
 - Inadequate spacing between adjacent trees
 - Conflicts with underground utilities identified

TreeID 135332
 (380 Market St)

Emergency
 Removal
 Posting



2. DPW Trees
Photos by DPW, Z. Fan, and Lance Carnes



mobilepic1606166941255.jpg - 06/02/2023
Delete



mobilepic1606166979469.jpg - 06/02/2023
Delete


DPW Tree photos for
TreeID 13789
(901 Market St)



- 06/02/2023
Delete



Photo by Z. Fan (BART)
(TreeID 13789, 901 Market St)



3. DPW trees

Photos by L Carnes (2023)


Tree 13789 (901 Market)



6/1/2023



7/17/2023



4. DPW trees Misc Photos



•  info@stdpw.org <http://stdpw.org> <http://stdpw.org>



mobilepic1606166979469.jpg - 06/02/2023

SF Tree Information

Tree ID: 12789

Legal Status: DPW Maintained

Pluser: DPW

Water Responsibility:

Address: 301 Market St - 65th St - Mason St
 Tree Order: 10
 DPW Segment Street: Market St - Block of - 882 : 65th St - 66th St
 Location: Sidewalk, Curb side
 Site Type: Curbcut
 Plant Type: Tree
 Species: Platano e Hispanica :: Sycamore, London Plane
 Water Schedule: Planted Date: Removed Date:
 Physical Name:
 Site Info: 65th St - Height: Side Walk Damage:
 Condition of Wood: Vine Contact:
 Condition of Leaves: Maintenance:
 Last Date of Site Info: 3/19/2006 Priority Task:

Actions:

Action Date	Request Date	Action	Crpt
	05-01-2023	Remove-@1610' CVMS	
05-30-2023	05-30-2023	Inspect - Potted 24hr	Bryan Ong
05-07-2021	05-07-2021	Permit Inspection	
11-23-2020	11-23-2020	Inspect	Bryan Ong

Respondent's Response

Leger, Cheryl (BOS)

From: Steinberg, David (DPW)
Sent: Wednesday, September 13, 2023 10:04 AM
To: Lance Carnes; SOTF, (BOS)
Subject: RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079
Attachments: Affirmation Letter 23079.pdf; 23079 amended response.docx

Hi Lance, thanks for clarifying.

Cheryl: Attached is our revised response to this complaint.

Regards,



David A. Steinberg (he/him/his)
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 · twitter.com/sfpublicworks

For public records requests, please go to sfpublicworks.org/records.

From: Lance Carnes <lacarnes@gmail.com>
Sent: Tuesday, September 12, 2023 8:30 AM
To: Steinberg, David (DPW) <david.steinberg@sfdpw.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079

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

Dear Sirs,

My complaint #23079 claims violations in the material returned for Public Records Request 23-3164. This records request further references PRR 23-3077, and asks for

For DPW TreeIDs 135333, 13789 St send all information regarding their removal: sign offs, photos and anything else justifying their Emergency Removal, between 6/4/23 and present.

TreeID 135333 does not exist, so nothing is needed for that, but TreeID 13789 does exist.

In PRR 23-3077 there are three documents relating to TreeID 13789, which are listed below, followed by objections to them:

901 Market St tree 13789 pic 1.jpg This jpg photograph is dated "11/23/2020", much earlier than the effective dates requested, "between 6/4/23 and present".

901 Market St tree 13789 pic 2.jpg This jpg photograph is dated "11/23/2020", much earlier than the effective dates requested, "between 6/4/23 and present".

rptTree13789DetailWithActionsAndAssessments.pdf The latest date on this pdf is **6/2/2023**, (not "between 6/4/23 and present") but I may use the document to show that TreeID 13789 is not an "Emergency Removal".

If you have any questions, please feel free to contact me.

Sincerely,
Lance Carnes

On Mon, Sep 11, 2023 at 1:00 PM Steinberg, David (DPW) <david.steinberg@sfdpw.org> wrote:

Hi Cheryl,

Attached is the department's response to this complaint, along with the Affirmation Letter. We will attend the Sept. 19 Complaints Committee hearing.

Regards,

David A. Steinberg (he/him/his)

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 | (415) 271-2888

sfpublicworks.org twitter.com/sfpublicworks

For public records requests, please go to sfpublicworks.org/records

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

Sent: Thursday, September 7, 2023 11:59 AM

To: Steinberg, David (DPW) <david.steinberg@sfdpw.org>

Cc: Lance Carnes <lacarnes@gmail.com>

Subject: FW: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079

From: SOTF, (BOS)

Sent: Thursday, September 7, 2023 11:29 AM

To: Steinberg, David (DPW) <david.steinberg@sfdpw.org>

Cc: lacarnes@gmail.com

Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079

Good Morning:

The Public Works Department has been named as a Respondent in the attached complaint filed with the Sunshine Ordinance Task Force (SOTF). In an effort to provide the SOTF information in an easy to understand format the SOTF has prepared a revised request format for responding to complaints (attached). **The SOTF requests that you submit your response to our office 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.** In developing and submitting your response, please use the attached instructions, "Preparing San Francisco Sunshine Ordinance Task Force Respondents Materials," to address your defense of this complaint. This is your opportunity to provide a detailed explanation to allow the Task Force to be fully informed in considering your response prior to the meeting.

Please refer to the File Number 23079 when submitting any new information and/or supporting documents pertaining to this complaint.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

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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.

SUNSHINE ORDINANCE TASK FORCE

Tel: 415 554-7724
Fax: 415 554-7854
TDD/TTY: 415 554-5227



City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco 94102-4689

September 7, 2023

David Steinberg
Public Works

Re: Sunshine Ordinance Task Force, File No. 23079

Dear David:

Please review the complaint as described below and acknowledge your department's position on File No. 23079 regarding an alleged violation of the Sunshine Ordinance.

File No. 23079 Complaint filed by Lance Carnes against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide responsive records in a timely and/or complete manner.

Please choose ONE answer. You may, if you wish, also attach any additional explanation.

[a]

[b]

[c] **deny one or more allegations below** (please state an additional explanation which of the allegations you deny, and supporting evidence and/or argument)

If you or your entity acknowledges noncompliance or declares no-contest, the SOTF may, at its discretion, issue an Order of Determination against you or your entity for the allegations listed above without a hearing, and thereafter refer the matter to the Compliance & Amendments Committee for monitoring as needed.

Please respond within the next five business days of the date on this notice, with your acknowledgment. If it is not received within five business days, we will assume that you have acknowledged no-contest.

Very Truly Yours,

Matthew Yankee, Chair
Sunshine Ordnance Task Force

MY:cal

cc: Lance Carnes, Petitioner

9/7/2023



Director's Office

dpw@sfdpw.org T. 628.271.3160 49 South Van Ness Ave. Suite 1600, San Francisco, CA 94103

To: Sunshine Ordinance Task Force
From: David A. Steinberg, Custodian of Records, San Francisco Public Works
Re: Complaint #23079
Date: Sept. 13, 2023

Dear Sunshine Ordinance Task Force,

We are replying to Complaint #23079, filed by Lance Carnes, which we received on Sept. 8, 2023. Attached is our Affirmation Letter, in which we deny the allegations.

On June 14, Mr. Carnes submitted the following as Public Records Request #23-3164:

For DPW TreeIDs 135333, 13789 St send all information regarding their removal: sign offs, photos and anything else justifying their Emergency Removal, between 6/4/23 and present.

This request covers the same trees specified in Request #23-3077, which Mr. Carnes submitted on June 12. The department released four documents in response to the earlier request, which did not specify a date range for documents being sought, and closed the request on June 22.

On June 26, we closed Request #23-3164 and told Mr. Carnes that we had no documents other than the ones released in response to the previous request. We also included a link to the previous request.

In summary, the department responded to Public Records Request #23-3164 in a timely and complete manner.

Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Thursday, September 7, 2023 11:29 AM
To: Steinberg, David (DPW)
Cc: lcarnes@gmail.com
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 23079
Attachments: SOTF - Complaint Procedure 2019-10-02 FINAL.pdf; Preparing SOTF Respondent Materials FINAL for PILOT.pdf; Affirmation Letter 23079.pdf; 23079 Complaint.pdf

Good Morning:

The Public Works Department has been named as a Respondent in the attached complaint filed with the Sunshine Ordinance Task Force (SOTF). In an effort to provide the SOTF information in an easy to understand format the SOTF has prepared a revised request format for responding to complaints (attached). **The SOTF requests that you submit your response to our office 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.** In developing and submitting your response, please use the attached instructions, "Preparing San Francisco Sunshine Ordinance Task Force Respondents Materials," to address your defense of this complaint. This is your opportunity to provide a detailed explanation to allow the Task Force to be fully informed in considering your response prior to the meeting.

Please refer to the File Number 23079 when submitting any new information and/or supporting documents pertaining to this complaint.

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



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City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco 94102-4689

September 7, 2023

David Steinberg
Public Works

Re: Sunshine Ordinance Task Force, File No. 23079

Dear David:

Please review the complaint as described below and acknowledge your department's position on File No. 23079 regarding an alleged violation of the Sunshine Ordinance.

File No. 23079 Complaint filed by Lance Carnes against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide responsive records in a timely and/or complete manner.

Please choose ONE answer. You may, if you wish, also attach any additional explanation.

- [a] acknowledge noncompliance for all allegations below
- [b] department/agency declares no-contest to all allegations below
- [c] deny one or more allegations below (please state an additional explanation which of the allegations you deny, and supporting evidence and/or argument)

If you or your entity acknowledges noncompliance or declares no-contest, the SOTF may, at its discretion, issue an Order of Determination against you or your entity for the allegations listed above without a hearing, and thereafter refer the matter to the Compliance & Amendments Committee for monitoring as needed.

Please respond within the next five business days of the date on this notice, with your acknowledgment. If it is not received within five business days, we will assume that you have acknowledged no-contest.

Very Truly Yours,

Matthew Yankee, Chair
Sunshine Ordnance Task Force

MY:cal

cc: Lance Carnes, Petitioner

9/7/2023

Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, September 11, 2023 5:51 AM
To: Maria Schulman; Maunder, Sara (DPA); Sergei Severinov; Twomey, William (DPW); Lance Carnes; Steinberg, David (DPW); Hannan, Patrick (DBI); 'pkniha@gmail.com'; Celaya, Caroline (MTA); 'marcabruno@yahoo.com'
Cc: Young, Victor (BOS)
Subject: SOTF - Notice of Complaint Committee hearing, September 19, 2023; 5:30 PM
Attachments: SOTF - Complaint Procedure 2019-10-02 FINAL.pdf

Good Morning:

Notice is hereby given that the Complaint 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. ***Please confirm your attendance for this hearing.***

Date: September 19, 2023

Location: Room 408, City Hall

Time: 5:30 p.m.

THE INFORMATION BELOW IS FOR TELEPHONE AND WEBSITE APPEARANCES. LET ME KNOW IF YOU HAVE QUESTIONS.

Webex Remote Link/Log-in:

<https://tinyurl.com/2csumwy7>

Password: sunshine

Telephone Call-in:

1 (415) 655-0001 / Meeting ID: 2591 873 6815 # #

(press *3 to enter the speaker line)

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.

1. **File No. 23028** Complaint filed by Maria Schulman against Sara Maunder and the Department of Police Accountability for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.
2. **File No. 23035** Complaint filed by Maria Schulman against Sara Maunder and the Department of Police Accountability for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

3. **File No. 23024** Complaint filed by Paul Kniha against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.
4. **File No. 23053:** Complaint filed by Sergei Severinov against the Police Department for allegedly violating Administrator Code (Sunshine Ordinance), Section(s) 67.21(b), by failing to respond to a public records request in a timely and/or complete manner.

5. **File No. 23079** Complaint filed by Lance Carnes against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide responsive records in a timely and/or complete manner.
6. **File No. 23080** Complaint filed by Marc Bruno against Patrick Hannon and the Dept. of Building Inspection for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide responsive records in a timely and/or complete manner. ***For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, August 8, 2023.***

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

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