File	No.	17024	

Item I	No.		
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# SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST

	mplaint Committee	Date <u>: April 25, 2017</u>
	Petition/Complaint Memorandum - Deputy City Attorney Complainant's Supporting Documents Respondent's Response Correspondence Order of Determination Minutes Committee Recommendation/Referral Administrator's Report No Attachments	Page: 446 Page: 476 Page: 457
THER		

<sup>\*</sup>An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

#### Young, Victor

From: Sent: Google Forms <sfbdsupvrs@gmail.com>

Monday, April 03, 2017 4:48 PM

To: Subject: SOTF, (BOS) New Response Complaint Form

Your form has a new entry.

Here are the results.

Complaint against which Department or Commission

Treasurer and Tax Collector

Name of individual contacted at Department or Commission

Custodian of Records

**Alleged Violation** 

Public Records

**Sunshine Ordinance Section:** 

67.21(b)

Please describe alleged violation

Agua Terra Aeris Law Group, an environmental litigation law firm, sent the Custodian of Records of the Treasurer and Tax Collector's office a Public Records Act request on October 20, 2016. The Tax Office never responded to the request. We subsequently sent a follow-up request on December 7, 2016, and again never responded to the request. An associate from our firm contacted the Tax Office on March 20, 2017 to inquire about the delay in responding to our request. The individual on the phone informed our associate that he had to come into the Office in-person to request access to public records, or that they could fax our office a request form. Our associate went in-person to the Tax Office on March 23, 2017 to inquire about the delay and make the request again. Our associate was informed that he could not, in fact, obtain the requested information in-person and that our Public Records Act request had to be forwarded to the legal department. Our associate was further informed the Tax Office had indeed received our Public Records Act requests and assured him they would further investigate the failure to respond. To date, our office has still not received a response or any correspondence whatsoever from the Tax Collector's Office or its legal department.

Date

04/03/17

Name

Gregory Berlin

Address

828 San Pablo Avenue, Suite 115B

City

Albany

Zip

94706

Telephone

650-334-5939

Email

gb@atalawgroup.com

Auto-Respond to messages quickly with Email Responder for Gmail.

This email was sent via the Google Forms Add-on.



October 20, 2016

Custodian of Records Department of Human Resources One South Van Ness Avenue, 4th Floor San Francisco, CA 94103

Custodian of Records
Office of the Treasurer and Tax Collector
City Hall – Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: PRA Request Regarding Medical Marijuana Dispensaries and Delivery Services

To Whom It May Concern:

On behalf of our client, Center for Advanced Public Awareness, Inc. ("CAPA"), and pursuant to the Public Records Act (Gov. Code § 6250 et seq.) and San Francisco Administrative Code § 67.1, we write to obtain public records related to the following companies, listed in Attachment A to this request, and also regarding the following topics:

- a. Permits, licenses and certifications
- b. Documents containing reference to the number of employees
- c. Corporation and Officer contact information (address and business phone numbers)
- d. Written correspondence and Communications with the business entity or its employees, officers or directors.
- e. All documents related to the businesses in Attachment A.

As this request is for the public interest, in the interest of the complete execution of all applicable laws for the protection of human health and the environment and open government, we request a waiver of any and all costs associated with the satisfaction of this request. The Department is required under prevailing law to consider this fee waiver request, and the failure to do so is an abuse of discretion subject to judicial review (See North County Parent Organization v. Department of Education (1994) 23 Cal.App.4th 144, 148). Please advise us of any informational or other procedural requirements that you may have in order for this request to qualify for a fee waiver. If you are unable to provide a fee waiver, please notify us immediately of any payment required for direct costs of duplication.

We may request that you allow us to bring our own equipment to scan and/or copy the information ourselves in your office, as Government Code Section 6253 states that "[p]ublic



records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record."

If any of the documents are available in electronic format, or on the Internet, we request that you provide electronic copies or citations to the Internet web address where the document(s) can be located. In order to avoid any unnecessary burden on your agency and to expedite delivery, we would gladly accept the requested documents via electronic mail.

If all or party of the request is denied, please provide the name, address, and telephone number of the agency official responsible for the denial, and the official responsible for the appeals of denied requests. Also, if portions of the requested records are exempt from release, I request that all reasonable segregable, nonexempt portions of those records be released.

In addition, if records are withheld, I request that you specifically identify those records by providing a list of records being withheld with an accompanying explanation of the exemptions being used to withhold the requested records. This list should include the title and brief description of each of the withheld records, any date or dates associated with each of the withheld records, and a list of attachments, appendices, amendments or other materials included with each of the withheld records.

If your search fails to identify the requested records, I ask you to (1) describe in detail the search procedure, including the information about the files that were searched, (2) identify the person or persons who conducted the search, and (3) explain why a more comprehensive search of your offices would be unreasonable.

As the Public Records Act requires a response within ten (10) days, I look forward to hearing from you within that period. See Government Code Section 6253(c). I look forward to working with you on this document request to minimize the imposition on your staff. If you require any information to facilitate this request, or wish to discuss ways to facilitate this document production or reduce its costs, please do not hesitate to contact me at (415) 568 – 5200. I ask that you direct your response to:

Matthew Maclear Aqua Terra Aeris Law Group 7425 Fairmount Ave.e El Cerrito, CA 94530 mcm@atalawgroup.com

Thank you for your assistance, /s/
Matthew C. Maclear
Aqua Terra Aeris Law Group



## **ATTACHMENT A**

1944 Ocean Cooperative,	2 ONE 2	Barbary Coast Collective,
Inc.	212 California Street	Inc.
1944 Ocean Street	San Francisco, CA 94111	925 Mission Street
San Francisco, CA 94127		San Francisco, CA 94103
BASA	Harvest	Igzactly 420
1326 Grove Street	4811 Geary Boulevard	527 Howard Street
San Francisco, CA 94117	San Francisco, CA 94118	San Francisco, CA 94105
Ketama	Medithrive	Mission Organic Center
14 Valencia Street	1933 Mission Street San	5258 Mission Street
San Francisco, CA 94103	Francisco, CA 94103	San Francisco, CA 94112
Re-Leaf Herbal	Flower Power Dispensary	Cookies SF
Cooperative	70 Second Street	5234 Mission Street
1284 Mission Street	San Francisco, CA 94105	San Francisco, CA 94112
San Francisco, CA 94103		
SFFOGG	Shambhala	Urban Pharm San
211 12th Street	2441 Mission Street	Francisco
San Francisco, CA 94103	San Francisco, CA 94110	122 10th Street
		San Francisco, CA 94103
Waterfall Wellness Health	Apothecarium	Bloom Room
Center	2095 Market Street	471 Jessie Street
1545 Ocean Avenue	San Francisco, CA 94114	San Francisco, CA 94103
San Francisco, CA 94112		
Grass Roots	Green Cross	Green Door
1077 Post Street	4218 Mission Street	843 Howard Street
San Francisco, CA 94109	San Francisco, CA 94112	San Francisco, CA 94112
Love Shack	Purple Star MD	San Francisco Patient
502 14 <sup>th</sup> Street	415 4 <sup>th</sup> Street	Resource Center
San Francisco, CA 94103	San Francisco, CA 94110	("SPARC")
		1256 Mission Street
	·	San Francisco, CA 94103
Foggy Daze Delivery	San Francisco Green Relief	(Empty)
Service	Delivery Service, Inc.	
Entity Number: C3307528	Entity Number: C3833630	
2661 Market St., #289	1559 Sloat Blvd., Suite B#	
San Francisco, CA 94114	481	
	San Francisco, CA 94132	



December 7, 2016

Via U.S. Mail

Matthew Maclear Aqua Terra Aeris Law Group 828 San Pablo Avenue, Suite 115B Albany, CA 94706 mcm@atalawgroup.com 415-568-5200

Custodian of Records
Office of the Treasurer and Tax Collector
City Hall – Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Response to PRA Request Regarding Medical Marijuana Dispensaries and Delivery Services

To Whom it May Concern:

On October 20, 2016 our office submitted to both the Office of the Treasurer and Tax Collector and the Department of Human Resources a Public Record Act request on behalf of our client, Center for Advanced Public Awareness, Inc. ("CAPA) (a copy of the request is attached hereto). While we received a response from the Department of Human Resources on October 26, 2016, we have still not received a response from the Office of the Treasurer and Tax Collector. Further, we have no written correspondence from your Office requesting an extension for submitting your response.

As you know, unless an extension is requested, the time to respond to a Public Records Act request is 10 days (*See* Government Code Section 2653(c)). We kindly request that you respond to the attached request within the proscribed 10-day period.

Please feel free to contact me if you have any questions regarding this request.

Sincerely,

Matthew Maclear.

#### CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA City Attorney

#### OFFICE OF THE CITY ATTORNEY

#### NICHOLAS COLLA Deputy City Attorney

Direct Dial:

(415) 554-3819

Email:

nicholas.colla @sfgov.org

#### **MEMORANDUM**

TO:

Sunshine Ordinance Task Force

FROM:

Nicholas Colla

Deputy City Attorney

DATE:

April 21, 2017

RE:

Complaint No. 17024 - Berlin v. Treasurer and Tax Collector's Office

#### **COMPLAINT**

Complainant Gregory Berlin ("Complainant") alleges that the Treasurer and Tax Collector's Office ("TCO") violated public records laws by failing to respond to his public records request.

#### COMPLAINANT FILES COMPLAINT

On April 4, 2017, Complainant filed this complaint with the Task Force alleging that TCO failed to respond to his request for public records.

#### **JURISDICTION**

TCO is a City department subject to the provisions of the Sunshine Ordinance governing public records. TCO does not contest jurisdiction to hear this complaint.

#### APPLICABLE STATUTORY SECTION(S)

#### Section 67 of the San Francisco Administrative Code:

• Section 67.21 governs responses to a public records request.

#### Section 6250 et seq. of the Cal. Gov't Code

• Section 6253 governs the release of public records and the timing of responses.

#### APPLICABLE CASE LAW

• None

#### BACKGROUND

On October 20, 2016, Complainant sent a letter addressed to the Custodians of Record for both TCO and the San Francisco Department of Human Resources, in which Complainant made a public records request for the following information for a list of several Medical Cannabis Dispensaries (list is attached as Exhibit A to Complainant's letter):

- a. Permits, licenses and certifications
- b. Documents containing reference to the number of employees

FOX PLAZA · 1390 MARKET STREET, 6TH FLOOR · SAN FRANCISCO, CALIFORNIA 94102-5408 RECEPTION: (415) 554-3800 · FACSIMILE: (415) 437-4644

#### **MEMORANDUM**

TO:

Sunshine Ordinance Task Force

DATE:

April 21, 2017

PAGE: 2

RE:

Complaint No. 17024 - Berlin v. Treasurer and Tax Collector's Office

- c. Corporation and Officer contact information (address and business phone numbers)
- d. Written correspondence and Communications with the business entity or its employees, officers or directors.
- e. All documents related to the businesses in Attachment A.

On December 7, 2016, after allegedly having yet to received a response, Complainant sent another letter to TCO in which he requested an update on the status of his request.

On April 4, 2017, Complainant filed this complaint with the Task Force.

On April 7, 2017, in response to the filing of this complaint, TCO Custodian of Records Debra Lew ("Ms. Lew") sent a letter to the Task Force in which she stated that TCO had no record of ever receiving the requests for public records from Ocotber 20, 2016 or December 7, 2016. Ms. Lew's letter went on to state that since learning of the request, TCO did furnish Complainant with records responsive to the request.

#### QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS

• Is Complainant satisfied with the records that were eventually provided by TCO?

#### LEGAL ISSUES/LEGAL DETERMINATIONS

• Did TCO violate Administrative Code Section 67.21(b) and/or Government Code Section 6253(c), by failing to provide Complainant with records responsive to his request?

#### **CONCLUSION**

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

THE TASK FORCE FINDS THE ALLEGED VIOLATIONS TO BE TRUE OR NOT TRUE.

\* \* \*

#### MEMORANDUM

TO: Sunshine Ordinance Task Force

DATE: April 21, 2017

PAGE: 3

RE: Complaint No. 17024 – Berlin v. Treasurer and Tax Collector's Office

# CHAPTER 67, SAN FRANCISCO ADMINISTRATIVE CODE (SUNSHINE ORDINANCE)

# SEC. 67.21. PROCESS FOR GAINING ACCESS TO PUBLIC RECORDS; ADMINISTRATIVE APPEALS

- (a) Every person having custody of any public record or public information, as defined herein, (hereinafter referred to as a custodian of a public record) shall, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, permit the public record, or any segregable portion of a record, to be inspected and examined by any person and shall furnish one copy thereof upon payment of a reasonable copying charge, not to exceed the lesser of the actual cost or ten cents per page.
- (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.
- (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.
- ...(1) Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, including disk, tape, printout or monitor at a charge no greater than the cost of the media on which it is duplicated. Inspection of documentary public information on a computer monitor need not be allowed where the information sought is necessarily and unseparably intertwined with information not subject to disclosure under this ordinance. Nothing in this section shall require a department to program or reprogram a computer to respond to a request for information or to release information where the release of that information would violate a licensing agreement or copyright law.

# CAL. PUBLIC RECORDS ACT (GOVT. CODE §§ 6250, ET SEQ.) SEC. 6253

- (a) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.
- (b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an

#### MEMORANDUM

TO:

Sunshine Ordinance Task Force

DATE:

April 21, 2017

PAGE:

RE:

Complaint No. 17024 - Berlin v. Treasurer and Tax Collector's Office

identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

- (c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:
- (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
- (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
- (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

#### Sunshine Ordinance Task Force Complaint Summary

File No. 17024

Gregory Berlin V. Office of the Treasurer and Tax Collector

Date filed with SOTF: 04/03/17

Contacts information (Complainant information listed first): <a href="mailto:gb@atalawgroup.com">gb@atalawgroup.com</a> (Complainant)

Debra Lew, Office of the Treasurer and Tax Collector (Respondent)

File No. 17024: Complaint filed by Gregory Berlin against the Office of the Treasurer and Tax Collector, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, for failure to respond to a request for public records in a timely and/or complete manner.

Administrative Summary if applicable:

Complaint Attached.

#### Office of the Treasurer & Tax Collector

City and County of San Francisco

**Legal Section** 



José Cisneros, Treasurer

April 10, 2017

Victor Young, Administrator Sunshine Ordinance Task Force 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102-4689

Re: COMPLAINT NO. 17024

Dear Mr. Young:

Enclosed please find the City's Response to SOTF Complaint No. 17024.

If you have any questions regarding this matter, please do not hesitate to call Debra Lew, Assistant Tax Collector Attorney at (415) 554-7888.

Thank you for your assistance in this matter.

Very truly yours,

Eric Utley

Legal Assistant

(415) 554-4493

#### Office of the Treasurer & Tax Collector City and County of San Francisco

Legal Section



#### José Cisneros, Treasurer

April 7, 2017

Victor Young, Administrator Sunshine Ordinance Task Force 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102-4689

Re: COMPLAINT NO. 17024

Dear Mr. Young:

We are in receipt of your April 4, 2017 notice that Gregory Berlin filed a complaint against the Office of the Treasurer & Tax Collector (TTX) on April 3, 2017. The complaint alleges a violation of San Francisco Administrative Code (Sunshine Ordinance) section 67.21 for failure to respond to a disclosure request in a timely and/or complete manner.

Mr. Berlin states, he submitted his first records request on October 20, 2016. TTX has made a diligent search and has no record of receiving this request and is currently investigating the matter. Mr. Berlin claims he submitted a follow-up request on December 7, 2016. TTX has made a diligent search and has no record of receiving this request either. Mr. Berlin claims that on March 20, 2017 as associate of his office called TTX to inquire about the PRA request. TTX is currently investigating this claim. On March 23, 2017, Mr. Berlin's associate went to TTX's office in City Hall and delivered a letter dated October 20, 2016. TTX took receipt of this PRA request, made a copy of the October 20, 2016 letter, the Petitioner circled the three remaining entities he wanted records for on Attachment A.

Mr. Berlin's request was forwarded to the TTX Legal Section ("Legal"). Legal contacted each section within TTX that could have responsive records to Mr. Berlin's request. In turn, each of those sections reviewed its records to determine whether it had any responsive records. After a period of time, each section reported back to me, as the custodian of records, to manage and review the records identified and produced as responsive. I saw there were additional documents that could be available and made a subsequent request. Additional documents were produced.

I was out of the office on April 3, 2017. On April 4, 2017, TTX responded to this request and the recently received requests of October 20, 2016 and December 7, 2016. See Exhibit 1. On April 5, 2017, I contacted and spoke to attorneys Matthew Maclear and Greg Berlin of Aqua Terra Aeris Law Group, who confirmed receipt of the response. Mr. Maclear and I continue to confer on the redactions made. See Exhibit 2.

{March 6, 2017} Page 2 of 2

As of this time, TTX is still investigating Mr. Berlin's claim that TTX received PRA requests on October 20, 2016, December 7, 2016 and March 20, 2017. TTX continues to thoroughly search its online mail handling system and inquire amongst relevant parties to determine if the requests were received, and so far has not located these requests. At this point, TTX has responded to Mr. Berlin's PRA request received on March 23, 2017. TTX urges the Task Force to determine that a hearing is unwarranted.

Very truly yours,

Debra D. Lew

Custodian of Records

Acting Tax Collector Attorney

#### Lew, Debra (TTX)

From:

Lew, Debra (TTX)

Sent:

Tuesday, April 04, 2017 5:12 PM

To:

'mcm@atalawgroup.com'

Subject:

Shambala, Medithrive and SFFOGG PRA Response

Attachments:

berlin.pra032317.resp.pdf

Dear Mr. Maclear: Please see the attached letter and documents. Please note that the City and County of San Francisco has no record of receiving your letter dated October 20 or December 7, 2016 by mail. We first became aware of the October 20, 2016 on about March 23, 2017. We are investigating what could have happened and apologize for the delay. What date were these letters sent?

The statement of compliance and documents we are producing herewith, are responsive to your office's multiple requests.

Please feel free to contact the undersigned to discuss this matter further.

Thank you.

Very truly yours,

Debra D. Lew
Acting Tax Collector Attorney
Office of the Treasurer and Tax Collector -Legal Section
P.O. Box 7426
San Francisco, CA 94120-7426

Phone: (415) 554-7888 Fax: (415) 554-5010

CONFIDENTIALITY NOTICE: The information contained in this electronic message may be confidential and may be subject to the attorney-client privilege and/or the attorney work product doctrine. It is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination or copying of this communication is strictly prohibited. If you have received this electronic message in error, please notify me by telephone at (415) 554-7888 and delete the original message from your e-mail system. Thank you.

exhait 1

BOARD OF SUPERVISORS
SAN FRANCISCO
2017 APR 10 PM 4: 18

#### Office of the Treasurer & Tax Collector City and County of San Francisco

**Legal Section** 



José Cisneros, Treasurer

April 4, 2017

Matthew Maclear Gregory Berlin 828 San Pablo Ave. Ste. 115B Albany, CA 94706

Re: Public Records Act Request

Dear Mr. Berlin:

On March 23, 2017 you submitted a Public Records Act request to The Office of the Treasurer & Tax Collector. In your request, you seek:

- "a. Permits, licenses and certifications
- b. Documents containing reference to the number of employees
- c. Corporation and Officer contact information (address and business phone numbers)
- d. Written correspondence and Communications with the business entity or its employees, officers or directors.
- e, All documents related to the business in Attachment A."

We have conducted a diligent search and located records responsive to your request. They are attached. There were no records responsive to your request of "d. Written correspondence and Communications with the business entity or its employees, officers or directors."

Please note that we have redacted confidential taxpayer information pursuant to San Francisco Business and Tax Regulations Code section 6.22-1, which states in relevant part: "The information in a taxpayer's return is confidential.... Information regarding the Tax Collector's investigation of a particular taxpayer... is also confidential. Except as permitted by this Section or as otherwise required by law, neither the Tax Collector nor his or her staff, nor any other of the City's current or former employees or agents may disclose taxpayer confidential information to any person."

#### Office of the Treasurer & Tax Collector City and County of San Francisco

Legal Section



José Cisneros, Treasurer

If you have any questions about the documents provided to you, please do not hesitate to contact me at (415) 554-7888.

Very truly yours,

DEBRA D. LEW

Acting Tax Collector Attorney

Enclosures

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City Hall, Room 140 1 Dr. Carlion B. Goodlett Place San Francisco, CA 94102 Digi 3-1-1 within San Francisco; (416) 701-2311 culaide San Francisco FAX: 554-6207 www.stireasurer.org

This form can be used for the following:



Certificate Number: 445 S47

JOSÉ CISNEROS, TREASURER

# **UPDATES TO BUSINESS ACCOUNT INFORMATION**

Request an adjustment to your account based upon updated or corrected payroll or registration information

Update an address (including mailing address, business location and/or accounting record location)

Make miscellaneous changes to account information that do not involve a change in ownership

Add a new location and/or fictifious business name ("dba") to an existing account

finactivate a location or DBA for an account that is still operating at another location

DO NOT USE THIS FORM if you are no longer conducting business in Sa ownership or ownership type. You must use the form "Declaration of Close City Hall in Room 140, online at www.sftreasurer.org/businessforms, or by c	d Business or Change in Ownership" available at				
Business Registration Certificate Number: 446547  Shew Lake Hooks  Shew Lake Hooks  Landau Cos As) Name: Shew Lake	Staff Initials:				
Name: Shambala	Date Processed 9/23/13				
UPDATE AN ADDRESS  Important: Please note that the Tax Collector maintains three separate types of business addresses:  A. Business Mailing Address Location: Notices and other materials from the Tax Collector are sent to this address.  B. Basiness Location: This is the physical address of the business (including home-based businesses).  C. Accounting Records Location: Accounting records are kept at this address.  (Please note that a post office has can be used as the mailing ediress for the business, but cannot be used as the actual business location.)  A. Effective Date—date that the address change took (or will take) place: (may/dd/yyyy) 69/22/52013  Name of mail recipient: Al She was properties.  Phone:					
244 MicCian Street New Address Suite #	SFCA 94/10 City & State Zio				
	Cay & State Zap ling Address; otherwise enter address below (mm/dd/yyyy)				
Now Address (Cannot be a P.O. Bax) Suite #	City & State Zip				
C. Accounting Records Location   Check here if same as Business Mall	ing Address; otherwise enter address below				
Name of mail recipient:	Phone: ( )				
New Address (Cannot be a P.O. Box) Suite #	City & State Zip				

THIS FORM MUST BE SIGNED AND DATED ON THE REVERSE SIDE (If this form is not signed by an authorized representative of the business, it will be returned without processing)

Certificate Number:	- -

	UPDATES TO BUSINESS ACCOUNT INFORMATION - continued							
6	ADD A NEW LOCATION OR FICTITIOUS BUSINESS NAME* (* Fictilious Business Names used in San Francisco must be filed with the San Francisco County Clerk, located in Room 168 in City Hall.)							
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•	Approved by:  Processed by:							
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d pe	stand that this declaration is subject to review by the Office of the Treasurer & Tax Collector. I declare under penalty my that I am an authorized representative of this beathess entity and that the information contained herein is true and the to the best of my knowledge and belief i understand that misrepresentation of information is subject to a penalty of 500 (San Francisco Business and Tax Regulations code, Section 6.17/3), and other penalties legally available.							
	W Shaw							
	Samuture Print Fall Name and This							
	G/43/15 TELEPHONE:							

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City Hall, Room 140 1 Dr. Carlion B. Goodlett Place San Francisco, CA 94102 Dial 3-1-1 within San Francisco; (415) 701-2311 outside San Francisco FAX: 554-8207 gyo, serverente, www

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This form can be used for the following:



JOSÉ CHINEROS, TREASURER

# updates to business account information

The Request an adjustment to your account based upon updated or corrected payroll or registration information

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S Make miscellaneous changes to account information that do not involve a change in ownership

Add a new location and/or fictitious business name ("dbs") to an existing account C inactivate a location or DBA for an account that is still operating at another location

l ev	O NOT USE THIS FORM if you a whership or ownership type. You u ity Hall in Room 140, online at ww	must use the for	m "Declaration (	of Closed B	Insinees or Change	e in Ownerskip'	* available at
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THIS FORM MUST BE SIGNED AND DATED ON THE REVERSE SIDE (If this form is not shood by an authorized representative of the business, it will be refurned without processing)

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## UPDATES TO BUSINESS ACCOUNT INFORMATION - continued

	ADD A NEW LOCATION OR FICTITIOUS BUSINESS NAME* (* Fictitious Business Names used in San Francisco must be flied with the San Francisco County Clerk, located in Room 168 in City Hall.)
	Effective Date – starting date for new address and/or fictitions business name ("dba");
	Fictitious Business Name ("dba"), if applicable:
	Location:
	Street Address (Cannot be a P.O. Box)  Suite *  City & State  FOR OFFICE USE ONLY
(6	Description of Primary Business Activity Estimated SF Payroll Estimated Number
	INACTIVATE A LOCATION OR FICTITIOUS BUSINESS NAME* (but still doing business in SF)  **Fletitious Business Names can be abandoned with the County Clerk: City Hall, Room 168 – (415) 554-4956; www.afgov.org/CountyClerk)
Į	am still conducting business in San Francisco, but I have closed the specific LOCATION listed below:
I	LOCATION now closed:
1	Effective Date - ending date for inactivated location:
I	am still conducting business in San Francisco, but no longer use the FICTITIOUS BUSINESS NAME (dbs.) listed below:
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	EQUEST FOR FINANCIAL ADJUSTMENT TO ACCOUNT escribe nature of adjustment and justification — attach additional sheet and/or documentation as needed.
	FOR OFFICE USE ONLY:
	Approved by:
	Processed by:
	Date processed:
of perj zompl	rstand that this declaration is subject to review by the Office of the Treasurer & Tax Collector. I declare under penalty jury that I am an authorized representative of this business entity and that the information contained herein is true and sie to the best of my knowledge and belief. I understand that misrepresentation of information is subject to a penalty of \$500 (San Francisco Business and Tax Regulations code, Section 6.17-3), and other penalties legally available.
NAN	
	Signature Print Full Name and Title
DAT	TELEPHONE: TELEPHONE:
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Revised 10/18/12

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#### CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE TREASURER & TAX COLLECTOR

Chy Hail, Room 140
1 Dr. Cariton B. Goodlett Place
San Francisco, CA 94102
Dial 3-1-1 within San Francisco;
(415) 701-2311 outside San Francisco
FAX: 554-6207
www.stressurer.org

This form can be used for the following:



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JOSÉ CISNEROS, TREASURER

# UPDATES TO BUSINESS ACCOUNT INFORMATION

Update an address (including mailting address, business location and/or accounting record location)

Add a new location and/or fictitious business name ("dba") to an existing account

	Inactivate a location or DBA for an account that is still operating	g at another location .	
	Make miscellaneous changes to account information that do no	ot involve a change in ownership	İ
	Request an adjustment to your account based upon updated or	corrected payroll or registration informati	lon
O	O NOT USE THIS FORM if you are no longer conducting business in San waership or ownership type. You must use the form "Declaration of Closed ity Hall in Room 140, online at www.sfirensurer.org/businessforms, or by cal	Business or Change in Ownership" available at	
100	usiness Registration Certificate Number: 474	FOR OFFICE USE ONLY:	var <sub>a</sub>
	egistered Ownership Name: San Francisco Founda	The second secon	Рукария кондер
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	Effective Date - date that the address change took (or will take) place:	(mm/dd/yyyy)	=
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В.	Business Location U. Check here if some as Business Mailin	ng Address; otherwise enter address below	4.
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	New Address (Cannot be a P.O. Box) Suite #	City & State Zip *	
C.	Accounting Records Location	ng Address; otherwise enter address below	
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THIS FORM MUST BE SIGNED AND DATED ON THE REVERSE SIDE DIG (If this form is not signed by an authorized representative of the business, if will be returned without processing)

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	upuales to business account information - continued
0	(* Fictitious Business Names used in San Francisco must be filed with the San Francisco County Clerk, located in Room 168 in City Hull.)
	Effective Date - starting date for new address and/or fictitious business name ("dba"): 4/5/20/3  Fictitious Business Name ("dba"), if applicable: SFFOGG
	Location: 211 12th Street SF, CAT 94/03
,	Street Address (Cannot be a P.O. Box) Suite # City & State Zip
	Rotar Herbul Medicine 0 0 FOR OFFICE USE ONLY
	Description of Primary Business Activity Estimated SF Payroli Estimated Number (e.g., consulting services, retail choes, wholesale food) (12 months) of SF Employees Class PBC NAICS
6	INACTIVATE A LOCATION OR FICTITIOUS BUSINESS NAME* (but still doing business in SF)  (* Fictitious Business Names can be abundaned with the County Cierk: City Hall, Room 168 – (415) 554-4950; www.nfgov.org/CountyCierk)
	I am still conducting business in San Francisco, but I have closed the specific LOCATION listed below:
	LOCATION now closed:
	Effective Date - ending date for inactivated location:
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	REQUEST FOR FINANCIAL ADJUSTMENT TO ACCOUNT
	Describe nature of adjustment and justification — attach additional sheet and/or documentation as needed.
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•	Approved by:
•	Provessed by:
*	Cate processed:
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M. east	
M	NASE: WATT UN Signature Print Fall Name and Title
Ps. 4	4/1/2
Life	TELEPHONE:

Revised 10/18/12

City Hall, Room 140 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102 (415) 554-4400; FAX: 554-6207 www.streasurer.cxp

This form can be used for the following:



JOSÉ CISNEROS, TREASURER GEORGE PUTRIS: TAX ADMINISTRATOR

Revised 11 29:2010

# uppates to business account information

Update an address (including mailing address, business focation and/or accounting record (ocation)

Make miscellaneous changes to account information that do not involve a change in ownership

DO NOT USE THIS FORM if you are no longer conducting business in San Francisco or if there has been a change in

Request an adjustment to your account based upon updated or corrected payroll or registration information

Add a new location and/or fictitious business name ("dba") to an existing account linactivate a location or DBA for an account that is still operating at another location

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Business Registration Certificate Number: 474125	THE PART OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF T	1-11-11 - A - 11-11
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New Address (Cannot be a P.G. Box) Suite #	City & State	process and the second

THIS FORM MUST BE SIGNED AND DATED ON THE REVERSE SIDE (If this form is not signed by an authorized representative of the business, it will be returned without processing)

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Certificate Number: 474127

## updates to business account impormation - continued

ADD A NEW LOCATION OR FICTITIOUS BUSINESS NAME*  (* Flections Business Names used in San Francisco must be filed with the San Francisco County	· Clerk, located in Rosen 168 in City Hall.)
Effective Date - starting date for new address and/or fictitions business name ("dba"	);
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	Babbas Tex L Tomose Assistance Cov Hall-Form (40)
	#1 Dr. Cestion B. Good on Flora, Sen Francisco, CA 64102 TEL: (416) 654-4400; Fiot: (416) 654-8307
	TTM (445) 634-4957 (service for the desire strop imported)
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	PARTNERSHIPS, CORPORATIONS and LIMITED LIABILITY EVITTING C
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Decription of Primary Business Activity

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Revised b 6400 AUS

City Hall, Room 140 1 Dr. Carlion,B. Goodleif Pisce San Francisco, CA 94102 (415) 554-4400; FAX: 654-8207 www.efbeasurer.org

This form can be used for the following:



Certificate Number: <u>438 266</u>

José Gisneros, Treasurer George Putris, Tax administrator

# UPDATES TO BUSINESS ACCOUNT INFORMATION

Update an address (Including mailing address, business local	
Add a new location and/or fictitious business name ("disa") to	
inscrivate e location or DBA for an account that is atili operation	
Wake miscellaneous changes to account information that do a	ot involve a change in ownership
Request an adjustment to your account based upon updated o	or corrected payroli or registration information
DO NOT USE THIS BORM if you are so longer conducting business in Sau	
ownerable or ownerable type. You must use the form "Declaration of Classic	s Business or Chenge in Ownerskip's available at
City Hall in Room 14th, online at www.sireasurer.org/businessforms, or by co	siling Temperyor Amistanci et (415) 554-4400.
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(If this form is not signed by an authorized representative of the business, it will be returned without processing)

Revised 11/25/2010



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# UPDATES TO BUSINESS ACCOUNT INFORMATION - CONTINUED.

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#### CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE TREASURER & TAX COLLECTOR

City Hall, Room 140 1 Dr. Cartion B. Goodlett Place San Francisco, CA 94102 (415) 554-4400; TTY: 554-4455; FAX: 554-8207 www.sigov.org/lex

This form can be used for the following:



Continue Number 438266

JOSÉ CISNEROS, TREASURER GEORGE PUTRIS, TAX ADMINISTRATOR

# UPDATES TO BUSINESS ACCOUNT INFORMATION

	🕅 Update an address (inclus	_				cation)
	Add a new location and/or		•	· . •	•	
	inactivate a location or Di		-	mpc .		
	Nake miscellaneous chan	iges to eccount informs	rtion that do	not involve a cha	nge in ownersh	ip ·
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0	r ownership type. You must use the	form "Declaration of Clos	red Business or	Change in Owner		
I	toom 140, or call (415) 554-4400, or	online at www.sfgov.org/to	cc/businessform	13.	-	
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E	Registered Ownership Name:	Med Thrive Coorpers	itive Inc.		Staff Inidals:	543
r	BA (Doing Business As) Name:	Medithrive			Date Processed:	6-22-09
	1				*******************************	PERSONAL MEDICAL PARTY.
6	UPDATE AN ADDRESS					
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THIS FORM:MUST BE SIGNED AND DATED ON THE REVERSE SIDE (If this form is not signed by an authorized representative of the business, it will be returned without processing)

Programme in

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Revised 01/29/2009



# UPDATES TO BUSINESS ACCOUNT INFORMATION - continued

	在一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个
0	ADD A NEW LOCATION OR FICTITIOUS BUSINESS NAME* (* Picitious Business Names used in Sun Francisco must be filed with the San Francisco County Clerk, located in Boom 168 in City Hell.)
	Effective Date – starting data for new address and/or fictitious business name ("dba"): US/01/2009
	till, a secretarization mm/ed/ppyy
	Fictitious Business Name ("dbs"), if applicable: Medithrive
	Location: 1933 Mission Street San Francisco.CA 94103 Street Address (Cannot be a P.O. Box) Suite # City & State Zip
	Medical Mariyuana Dispensary.
	Description of Frimary Business Activity
	(e.g., consulting services, retail shoes, wholesale food) (12 months) of SF Employees Class PBC NAICS
	For spartment building owner: Number of apartment units: MA Number of Commercial Units NA
6	INACTIVATE A LOCATION OR FICTITIOUS BUSINE'S NAME* (but still doing business in SF)
	(* Fictitious Business Names can be abandoned with the County Clark: City Hall, Roam 168 - (415) 554-4950; www.afgov.org/County Clark.
	I am still conducting husiness in San Francisco, but I have closed the specific LOCATION listed below:
	LOCATION now closed
	Effective Date — ending date for inactivated location:
	mm/dd/yyyy
54	
	I am still conducting business in San Francisco, but no longer use the FICTITIOUS BUSINESS NAME (dba) listed below:
	FICTITIOUS BUSINESS NAME (dbs) no longer using:
	Effective Date — ending date for Fictitions Business Name (dba):
auroromo i.	Energive Date — enough date for ricultoes business vame (oda):
6	OTHER CHANGES TO ACCOUNT INFORMATION (that do not involve a change in ownership):
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eto-care	To place the same and the same
une une	erstand that this declaration is subject to review by the Office of the Treasurer & Tax Collector. I declare under penalty
of pr	dury that I am an authorized representative of this business entity and that the information contained herein is true and dete to the best of my knowledge and belief; tunderstand that misrepresentation of information is subject to a penalty of
up to	\$500 (San Francisco Fusiness and Tax Regulations code, Section 6.17-3), and other penalties legally available.
	Paniel Bornstein (Board Member)
N	NE: Paniel Bornstein (Board Member)  Print Fall Name (and Title, if applicable)
-	TE: 6/22/09. TELEPHONE:

## License Certificate

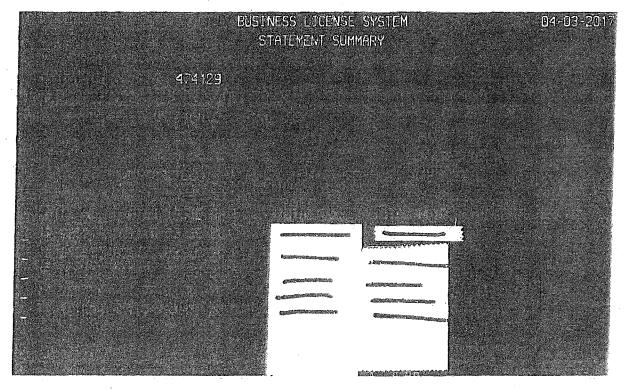
FY 2016-2017

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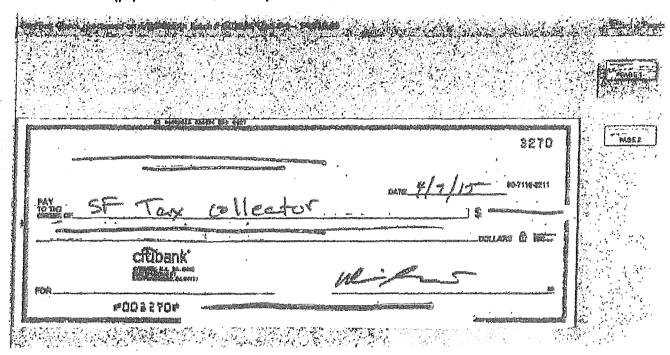
#### FY 2015-2016

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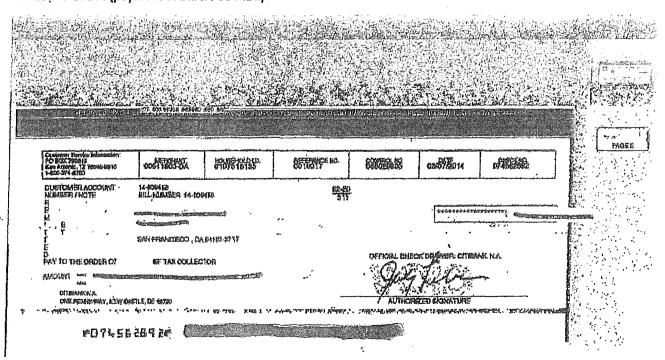
# License Statement Summary (Payment Record)



# Cancelled Check (payment of Bill 15-006116)



### Cancelled Check (payment of Bill 14-006458)

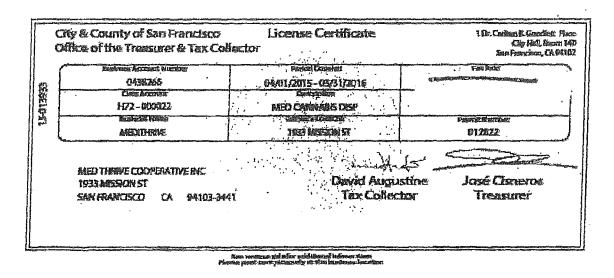


### License Certificate

### FY 2016-2017

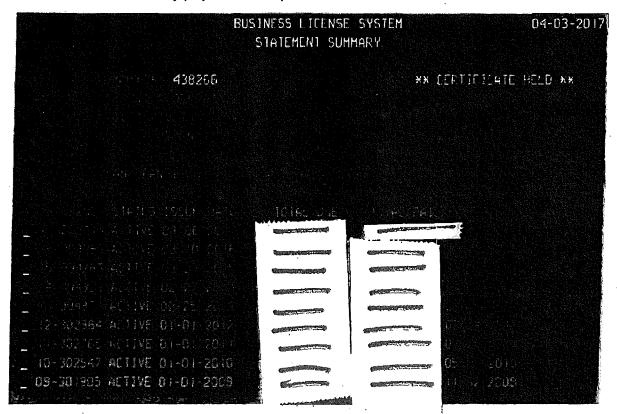
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### FY 2015-2016



P476

# License Statement Summary (Payment Record)



# Cancelled Check (payment of Bill 14-004523)

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# License Certificate

# FY 2016-2017

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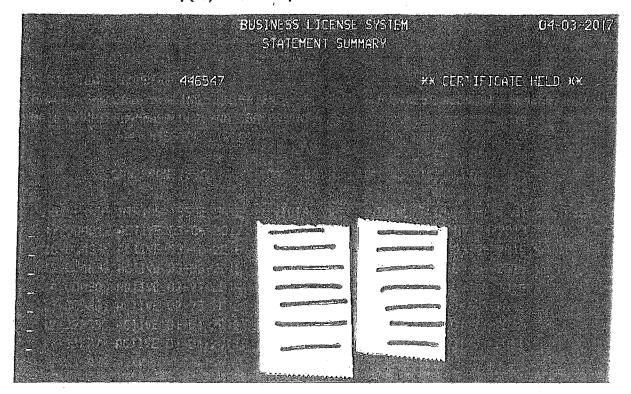
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# FY 2015-2016

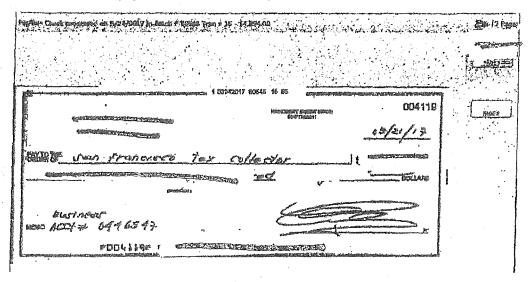
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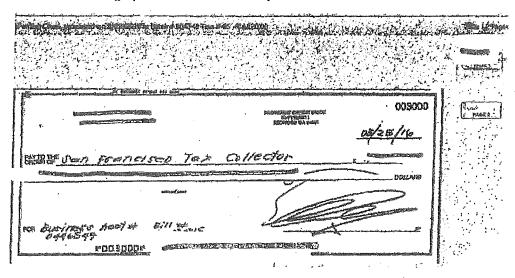
# License Statement Summary (Payment Record)



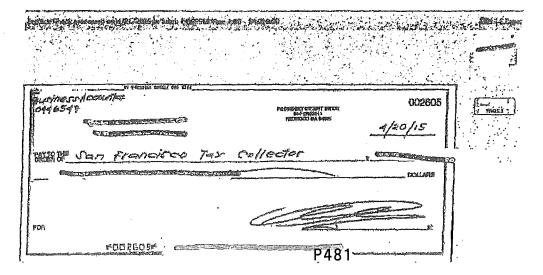
## Cancelled Check (payment of Bill 17-004017)



# Cancelled Check (payment of Bill 16-004315)



# Cancelled Check (payment of 15-004636)



# Business License System Statement Summary

CERTIFICATE NUMBER: 438266 OWNER: MED THRIVE COOPERATIVE I MAIL ADDR: MED THRIVE COOPERATI 1933 MISSION ST		** CERTIFICATE HELD ** BUSINESS ACCOUNT: 0438266 OWNER START: 04-21-2009
SAN FRANCISCO	CA 94103-344	OWNER CLOSE:
BILL NO STATUS ISSUE DATE	TOTAL DUE	TOTAL PAID PAYMENT DT NEW BILL
17-003714 ACTIVE 03-06-2017 16-003985 ACTIVE 03-10-2016 15-004283 ACTIVE 03-03-2015 14-004523 ACTIVE 02-27-2014 13-004977 ACTIVE 02-25-2013 12-302984 ACTIVE 01-01-2012 11-302765 ACTIVE 01-01-2011 10-302547 ACTIVE 01-01-2010 09-301905 ACTIVE 01-01-2009		05-02-2016 05-08-2015 05-30-2014 07-31-2013 02-24-2012 01-25-2011 05-07-2010 11-02-2009
	DU	TE THROUGH 04 - 2017

LIC-815: RECORD INQUIRY COMPLETE.

#### BUSINESS LICENSE SYSTEM STATEMENT DETAIL

CERTIFICATE NUMBER: 438266

OWNER: MED THRIVE COOPERATIVE INC TOTAL DUE:

TOTAL DUE TERU 04 - 2017

O2001 MEDITHRIVE

02001 MEDITHRIVE

1933 MISSION ST

CLS ACCT EXP DT. FEE DUE PEN DUE OTHER DUE TOTAL DUE PEN DT. PERMITH H72 000022 03-201(

TOTAL

TOTAL

NO MORE PAGES, PF7 BACK

#### BUSINESS LICENSE SYSTEM STATEMENT SUMMARY

CERTIFICATE NUMBER: 474129

OWNER: SF FOUNDATION ON GOING GREEN

BUSINESS ACCOUNT: 0474129

MAIL ADDR: SF FOUNDATION ON GOING GREEN 211 12TH ST

OWNER START: 12-01-2012 OWNER CLOSE:

SAN FRANCISCO

CA 94103-3717

BTS EXTRACT: 04-04-2017

	BILL NO	STATUS	ISSUE DATE	TOTAL DUE	TOTAL PAID	PAYMENT	DT 1	new	BILL
	17-005279	ACTIVE	03-06-2017	THE PARTY OF THE P	CHECK CONTRACT				
	16-005682	ACTIVE	03-10-2016		1-12-1-12-12-12-12-12-12-12-12-12-12-12-	04-27-20	16		
	15-006116	ACTIVE '	03-03-2015			04-08-20	15		
	14-006458	ACTIVE	02-27-2014			03-11-20	114		
-	13-011639	ACTIVE	07-01-2013			07-10-20	13	•	
					A STATE OF THE PERSON ASSESSMENT				

TOTAL DUE THROUGH 04 - 2017

LIC-815: RECORD INQUIRY COMPLETED

### BUSINESS LICENSE SYSTEM STATEMENT DETAIL

CERTIFICATE NUMBER: 474129 BILL NO: 17-005279 ISSUE DT: 03-06-2017 OWNER: SF FOUNDATION ON GOING GREE TOTAL DUE: TOTAL DUE THRU 04 - 2017 TOTAL PAID: PAYNT DT: PAYNT DT:

Lancas de la companya

02001 SF FOUNDATION ON GOING GREEN 211 12TH ST
CLS ACCT EXP DT. FEE DUE PEN DUE OTHER DUE TOTAL DUE PEN DT. PERMIT
H72 500004 03-2018 05-2017 071461

TOTAL

NO MORE PAGES, PF7 BACK

#### BUSINESS LICENSE SYSTEM STATEMENT SUMMARY

CERTIFICATE NUMBER: 446547 OWNER: SHAMBALA HEALING CENTER INC MAIL ADDR: SHAMBALA HEALING CENTER INC 2441 MISSION STREET

\*\* CERTIFICATE HELD \*\* BUSINESS ACCOUNT: 0446547

> OWNER START: 02-16-2010 OWNER CLOSE:

CA

SAN FRANCISCO

94110-2414 ETS EXTRACT: 04-04-2017

	BILL NO	STATUS	ISSUE DATE	TOTAL DUE	TOTAL PAID	PAYMENT DT	NEW BILL
	17-004017	ACTIVE	03-06-2017	Control of the second	THE REAL PROPERTY.	03-24-2017	
	16-004315	ACTIVE	03-10-2016			03-28-2016	
, mg-m	15-004636	ACTIVE	03-03-2015	Control of the Contro	<b>SECTION</b>	04-21-2015	
			02-27-2014		salveliano de la compania de la compania de la compania de la compania de la compania de la compania de la comp	03-28-2014	
-			02-25-2013			04-29-2013	
			01-01-2012			01-17-2012	
	11-302771	ACTIVE	01-01-2011		Management .	01-31-2011	

TOTAL DUE THROUGH 04 - 2017

LIC-815: RECORD INQUIRY COMPLETED

12

BUSINESS LICENSE SYSTEM STATEMENT DETAIL

04-04-2017

CERTIFICATE NUMBER: 446547 BILL NO: 17-004017 ISSUE DT: 03-06-2017 OWNER: SHAMBALA HEALING CENTER INC TOTAL DUE: 1 COLL CST: 0.00
TOTAL DUE THRU 04 - 2017 TOTAL PAID: PAYMT DT: 03-24-2017

01001 SHAMBALA HEALING CENTER INC 2441 MISSION ST
CLS ACCT EXP DT. FEE DUE PEN DUE OTHER DUE TOTAL DUE PEN DT. PERMIT 1 COLL CST: 0.00 PAYMT DT: 03-24-2017

OTHER DUE TOTAL DUE PEN DT. PERMIT H72 000028 03-2018 05-2017 012887 PROPERTY.

TOTAL

NO MORE PAGES, PF7 BACK

## Lew, Debra (TTX)

From:

Lew, Debra (TTX)

Sent:

Monday, April 10, 2017 10:03 AM 'Matthew Maclear': Utley, Eric (TTX)

Subject:

RE: Shambala, Medithrive and SFFOGG: Berlin PRA Response

San Francisco Business and Tax Regulations Code Article 6, <u>Sect. 6.22-1</u> states that "...taxpayer's return is confidential...". <u>Section 6.2-17</u> of the same Article states that ": The term "return" means any written statement required to be filed pursuant to <u>Articles 6</u>, <u>7</u>, <u>9</u>, <u>10</u>, <u>10B</u>, <u>11</u>, <u>12</u>, <u>12-A</u> or <u>12-A-1</u>, or pursuant to laws applicable to a fee administered pursuant to <u>Article 6</u>,..."

Article 12-A is the Payroll Expense Tax Ordinance and as stated above, per the sec 6.2-17, any written statement filed pursuant to Article 12-A is a return and, per Sect 6.22-1, is deemed confidential. Confidential Information provided in these returns could be used to disadvantage the taxpayer, thus the City cannot break this confidentiality and relies on <u>Cal Gov Code 6254(i)</u> for authority.

Very truly yours,

Debra D. Lew

Assistant Tax Collector Attorney

Office of the Treasurer and Tax Collector -Legal Section

P.O. Box 7426

San Francisco, CA 94120-7426

Phone: (415) 554-7888 Fax: (415) 554-5010

From: Matthew Maclear [mailto:MCM@atalawgroup.com]

Sent: Friday, April 07, 2017 4:03 PM

To: Utley, Eric (TTX)
Cc: Lew, Debra (TTX)

Subject: RE: Shambala, Medithrive and SFFOGG: Berlin PRA Response

Thanks for the links. Please help me identify the section on which you are relying to claim a business application is a return.

From: Utley, Eric (TTX) [mailto:eric.utley@sfgov.org]

Sent: Friday, April 07, 2017 3:31 PM

To: Matthew Maclear < MCM@atalawgroup.com > Cc: Lew, Debra (TTX) < debra.lew@sfgov.org >

Subject: RE: Shambala, Medithrive and SFFOGG: Berlin PRA Response

Good Afternoon Mr. Maclear,

This link should bring you directly to the correct section of the San Francisco Business and Tax Regulations Code, Article 6, Section 6.2-17.

http://library.amlegal.com/nxt/gateway.dll/California/business/article6commonadministrativeprovisions?f=templates \$fn=default.htm\$3.0\$vid=amlegal;sanfrancisco ca\$anc=JD 6.2-17



Here are also a 2 generic links to the whole code:

https://www.sfcityattorney.org/good-government/municipal-code/

http://www.amlegal.com/codes/client/san-francisco\_ca/

Please let myself or Debra know if it doesn't work.

Thank You, Eric Utley Legal Assistant Phone: (415) 554-4493

From: Lew, Debra (TTX)

Sent: Friday, April 07, 2017 3:16 PM

To: Utley, Eric (TTX)

Subject: FW: Shambala, Medithrive and SFFOGG: Berlin PRA Response

Hi Eric, Can you please get the SF Muni code site to Mr. Maclear please? Thanks.

Debra D. Lew Assistant Tax Collector Attorney Office of the Treasurer and Tax Collector -Legal Section P.O. Box 7426 San Francisco, CA 94120-7426 Phone: (415) 554-7888

Fax: (415) 554-5010

From: Matthew Maclear [mailto:MCM@atalawgroup.com]

Sent: Friday, April 07, 2017 3:15 PM

To: Lew, Debra (TTX)

Subject: RE: Shambala, Medithrive and SFFOGG: Berlin PRA Response

Can you send the links again as they came up with server errors. Thanks.

From: Lew, Debra (TTX) [mailto:debra.lew@sfgov.org]

Sent: Friday, April 07, 2017 12:54 PM

To: Matthew Maclear < MCM@atalawgroup.com>

Subject: RE: Shambala, Medithrive and SFFOGG: Berlin PRA Response

Hi Matt, in our evening phone call of April 5, 2017, we discussed whether the number of employees was confidential and whether such information was part of a tax return, as that number was redacted in response to your PRAs of October 20, 2016, December 7, 2016 and March 23, 2017. You asked that we provide authority for this position. We refer you to the definition of a return as set forth in San Francisco Business and Tax code section 6.2-17 which states: The term "return" means any written statement required to be filed pursuant to <u>Articles 6, 7, 9, 10, 10B, 11, 12, 12-A</u> or 12-A-1, or pursuant to laws applicable to a fee administered pursuant to Article 6, or pursuant to laws applicable to an assessment levied pursuant to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code sections 36600 et seg.) or Article 15 of this Code.

Also, can you let please let us know whether your client has agreed to withdraw its Complaint with the Sunshine Ordinance Task Force (without prejudice)? We are investigating what happenned or could have happenned. Neither of the two letters were scanned and there is no record of receipt by Legal, Cashiering, or TPA, until your associate appeared in person with the October 20, 2016 letter with Attachment A, where we made a copy of same.

Also, although your client is not a competitor, Govt. Code 6254(i) applies to "other persons" and not just the competitor itself, where disclosure would result in unfair competitive disadvantage to the person supplying the information.

Please contact me with any questions or concerns.

Thanks.

Debra D. Lew
Assistant Tax Collector Attorney
Office of the Treasurer and Tax Collector -Legal Section
P.O. Box 7426
San Francisco, CA 94120-7426
Phone: (415) 554-7888

Fax: (415) 554-7888

From: Matthew Maclear [mailto:MCM@atalawgroup.com]

Sent: Wednesday, April 05, 2017 1:03 PM

To: Lew, Debra (TTX)

Subject: RE: Shambala, Medithrive and SFFOGG PRA Response

Debra:

Nice speaking with you.

CAPA is not a competitor of any entity for whom they are seeking information and CAPA is not in the marijuana dispensary business.

Thanks, Matt

Matthew C. Maclear Aqua Terra Aeris Law Group 415.568.5200 www.atalawgroup.com



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From: Lew, Debra (TTX) [mailto:debra.lew@sfgov.org]

Sent: Tuesday, April 04, 2017 5:12 PM

To: Matthew Maclear < MCM@atalawgroup.com>

Subject: Shambala, Medithrive and SFFOGG PRA Response

Dear Mr. Maclear: Please see the attached letter and documents. Please note that the City and County of San Francisco has no record of receiving your letter dated October 20 or December 7, 2016 by mail. We first became aware of the October 20, 2016 on about March 23, 2017. We are investigating what could have happened and apologize for the delay. What date were these letters sent?

The statement of compliance and documents we are producing herewith, are responsive to your office's multiple requests.

Please feel free to contact the undersigned to discuss this matter further.

Thank you.

Very truly yours,

Debra D. Lew Acting Tax Collector Attorney Office of the Treasurer and Tax Collector -Legal Section P.O. Box 7426 San Francisco, CA 94120-7426 Phone: (415) 554-7888

Fax: (415) 554-5010

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## Young, Victor

From:

SOTF, (BOS)

Sent:

Friday, April 07, 2017 4:03 PM

To:

'dratler@sonic.net'; Lediju, Tonia (CON); CON, Controller (CON); Rosenfield, Ben (CON); 'kjmmbm@gmail.com'; Quezada, Randolph (HOM); HSHSunshine; 'Josh Wolf'; BreedStaff, (BOS); Baumgartner, Margaret (CAT); Guzman, Andrea (CAT); 'Ann Treboux'; Cote, John (CAT); 'gb@atalawgroup.com'; Lew, Debra (TTX); 'Allen Grossman'; Eng, Michael (CPC);

Ionin, Jonas (CPC); Silva, Christine (CPC) Ng, Wilson (BOS); Calvillo, Angela (BOS)

Cc: Subject:

SOTF - Notice of Hearing - Complaint Committee: April 25, 2017, 5:30 p.m.

#### 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:

April 25, 2017

Location:

City Hall, Room 408

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.

### Complaints:

**File No. 17016:** Complaint filed by Jerry Dratler against Ben Rosenfield and the Office of the Controller for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 17017: Complaint filed by Dolores Clean against Randy Quezada and the Department of Homelessness and Supporting Housing for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

**File No. 17018:** Complaint filed by Josh Wolf 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.

File No. 17023: Complaint filed by Ann Treboux against Margaret Baumgartner and the Office of the City Attorney, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a complete and/or timely manner.

File No. 17024: Complaint filed by Gregory Berlin against the Office of the Treasurer and Tax Collector, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, for failure to respond to a request for public records in a timely and/or complete manner.

File No. 17025: Complaint filed by the SF Urban Forest Coalition against Michael Eng, Jonas Ionin, and Christine Silva, Planning Department, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24(c), 67.25, and 67.34, for failure to respond to an Immediate Disclosure Request in a timely and/or complete manner.

The Task Force, upon receipt of the report and/or recommendation from the Committee, shall schedule and conduct a hearing on the merits of the complaint. Notice of hearing will be provided once the hearing date has been confirm.

## Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing. For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, **April 18**, **2017**.

Victor Young Administrator

Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place, City Hall., Room 244
San Francisco CA 94102
phone 415-554-7724 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org



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