



City and County of San Francisco

Special Meeting Minutes

Complaint Committee

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

Members: Dean Schmidt (Chair), Laura Stein, and Saul Sugarman

Clerk: Patricia H. Petersen
(415) 554-7719 ~ sotf@sfgov.org

Tuesday, January 21, 2025

4:00 pm
Special Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:00:09)**

Chair Schmidt called the meeting to order at 4:03 p.m. On the call of the roll, Chair Schmidt and Member Stein were noted present. Member Sugarman was noted absent. A quorum was present.

2. **Approval of December 17, 2024, Complaint Committee meeting minutes. (00:03:23)**

Clerk Petersen noted that the draft minutes included corrections to File 23099 as requested by Respondent.

Action: Moved by Chair Schmidt, seconded by Member Stein, to approve the December 17, 2024 minutes.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 2 – Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

3. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction but not on today's agenda. (00:08:40)

Public Comment: None.

4. **Hearing on Complaint Committee Administration** – Discuss Role in Advancing Expansion of SOTF Role per Administrative Code (Sunshine Ordinance), Section(s) 67.30 Authorizations. (01:41:24)

No action taken.

5. **File No. 24065:** Complaint filed by Anonymous (tmr) against the San Francisco City Attorney's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) Section(s) 67.21 by failing to respond to a public records request in a timely and/or complete manner. (00:09:55)

Petitioner stated that they emailed a public records request as instructed by the receptionist at the main line [of the City Attorney's Office] and, after ten days without a response, called again and asked if they could make a records request orally. Petitioner stated that the receptionist said they were instructed to not take public records requests over the phone and directed Petitioner to another email address. Petitioner further stated that although Elizabeth Coolbrith said their office was unable to receive email messages from the protonmail.com domain, some have been received because they have been produced in the records as part of this complaint.

Jen Kwart (Respondent) stated that they have informed Petitioner that their emails were quarantined and had suggested alternative methods of communicating with the City Attorney's office such as calling the mail line. Ms. Kwart stated she was unaware that the receptionists told Petitioner that they were unable to take a request over the phone, as it is not the policy of their office. Ms. Kwart further stated that their IT department cannot identify why the protonmail.com emails are not received.

Action: Moved by Member Stein, seconded by Chair Schmidt, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Task Force for consideration of a violation of Administrative Code, Section(s) 67.21 for timeliness, as well as other possible violations.

Public Comment: Aaron Wilson stated that phone requests should be accepted.

The motion PASSED by the following vote:

Ayes: 2 – Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

6. **File No. 24066:** Complaint filed by Justin Barker against the San Francisco Joint Zoo Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.15 by failing to provide an opportunity for members of the public to directly address a policy body, and 67.16 by failing to record the minutes for each regular meeting of the board or commission. (01:18:07)

Justin Barker (Petitioner) stated that Larry Mazola ordered ABC 7 news to cease filming during a public meeting, Kat Anderson threatened to eject a meeting attendee if they did not stop their recording, and instances of bias included animal welfare advocates being labeled as anti-zoo activists.

The San Francisco Joint Zoo Commission (Respondent) was not present.

Action: Moved by Member Stein, seconded by Chair Schmidt, to find that the Task Force may have jurisdiction in the matter, that the requested records are public, and forward the matter to the full Task Force with recommendation to consider a violation of SO sec 67.7(d) requiring that members of City bodies during public meetings make only minimal clarification or questions during public comment periods, 67.14(a) right of persons attending open or public meetings to take video or audio recordings of the proceedings, section 67.15(c) applying time limits uniformly to members of the public during public comment periods.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 2 – Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

7. **File No. 25001:** Complaint filed by Aaron Wilson against Department of Homeless and Supportive Housing for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a public records request in a timely and/or complete manner. (00:51:22)

Aaron Wilson (Complainant) stated that his request was for emails and texts that mention him, but HSH directs him to contact the privacy officer. Mr. Barker further stated that he has not received responsive records.

Davares Robinson (Respondent) stated that Mr. Wilson's requests were for emails and other mediums of data that included himself, making him a client in the HSH system and thus requiring him to verify his identity before records could be released. Mr. Robinson further stated that responses to Mr. Wilson were timely, including an explanation of public vs. client records), that guidance for submitting a client request were provided, and assistance from the privacy officer was offered.

A question-and-answer period occurred.

Action: Moved by Chair Schmidt, seconded by Member Stein, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and move to the Task Force with a recommendation to consider whether there are one or more violations.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 2 – Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

8. **File No. 25003:** Complaint filed by Justin Barker against San Francisco Zoo for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a public records request in a timely and/or complete manner. (01:31:49)

Justin Barker (petitioner) stated that he submitted a detailed records request to Director Peterson concerning zoo operations and animal welfare, but received an insufficient single page from a larger report.

The San Francisco Zoo (Respondent) was not present.

A Q&A period occurred.

Action: Moved by Member Stein, seconded by Chair Schmidt, that the requested records are public, and refer the matter to the full Task Force for hearing to consider a violation of Administrative Code (Sunshine Ordinance) Section 67.21, by failing to respond to a public records request in a timely and/or complete manner, and an additional consideration of whether the Task Force has jurisdiction.

Public Comment: Michael Angelo Torres (Chairperson for the San Francisco Animal Commission) stated that the Zoo receives \$4 million in funding from the City.

The motion PASSED by the following vote:

Ayes: 2 – Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

9. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee.** (01:42:28)

No action taken.

10. **ADJOURNMENT** (01:43:03)

Approved: 2/18/2025
Complaint Committee
Sunshine Ordinance Task Force

N.B. the Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

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