



City and County of San Francisco

Meeting Minutes

Complaint Committee

Sunshine Ordinance Task Force

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, February 18, 2025

5:30 pm
Regular Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:01:02)**

Chair Schmidt called the meeting to order at 5:30 p.m. On the call of the roll, Chair Schmidt and Members Stein and Sugarman were present. A quorum was present. Clerk Petersen was present.

Item 5 is withdrawn.

Public Comment: None.

2. **Approval of the January 21, 2025, Complaint Committee meeting minutes. (00:03:10)**

Action: Moved by Chair Schmidt, seconded by Vice Chair Stein, to approve the January 21, 2025 minutes as amended.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Stein, Sugarman

Notes: 3 – None

Absent: 0 – None

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. (00:08:07)

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 (01:03:47)

The Members discussed cultivating communications with the press and media, formulating goals around the practical and timely implementation of the laws, guidance for the departments on implementing the laws, developing processes for identifying complaints that will not be pursued, guidelines for Immediate Disclosure Requests, trainings for departments experiencing repeated complaints, and using the Annual Report as a resource for identifying other goals for the body.

5. **File No. 25005:** Complaint filed by Mark LaCroix against the San Francisco Fire Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, for failing to respond to a public records request in a timely and or complete manner, and 67.24(h), withholding records based on a deliberative process exemption.

This matter was withdrawn.

6. **File No. 25006:** Complaint filed by Mark LaCroix against the San Francisco Fire Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.5, regarding public meetings or a permitted closed session within a public meeting, Section 67.15 by failing to provide the right to an opportunity to address a policy body on items within the policy body's subject matter jurisdiction, and 67.21, by failing to respond to a public request in a timely and or complete manner. (00:09:15)

Mark LaCroix (Complainant) stated that he has provided supporting documents from the Fire Commission showing actions taken outside of public meetings, including the denial of records responding to the Sunshine Ordinance Task Force the denial of an appeal where the Fire Commission disregarded the Charter, and the denial of some \$77,000 in back pay when faulty separation charges were properly dismissed by motion before the Fire Commission. Mr. LaCroix further stated that the Fire Commission contends that it has no record of communications among the Fire Commission and staff regarding these supporting documents.

Maureen Conefrey (respondent) read the Fire Commission's response in the record, and stated that Public Records Requests are processed by staff, that it is rare that staff communicates with the Commissioners except where it would be reasonable for staff to assume that commissioners are in possession of responsive records. Ms. Conefrey further stated that the assumption that decisions made on behalf of the Commission must be made by the body and not by staff is incorrect. Ms. Conefrey stated that there were no responsive records to Complainant's request.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to find that these are public meetings and records are involved, that there is one jurisdiction question to be considered by the full Task Force because there is potential jurisdiction on two specific items that the Committee recommends, that the Task Force find no violation of 67.21(b) but consider the other claims, whether the Task Force has jurisdiction, associated with the decision-making process that was done administratively on the closed session denial and the back pay appeal denial (documents Item 3 and 5 in the request), primarily in reference to 67.15.

Public Comment: Anonymous #1 stated that the City Attorney but it's being presented as a decision made by the Fire Commission. Anonymous #2 stated that under the Fire Commission Secretary's job description there is no wording about making decisions and that it is the secretary's duty to inform the commission on these matters and they're supposed to rule on them. Anonymous #3 stated that the Task Force should look into whether it is the City Attorney who is denying the release of public documents if the point is transparency.

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Sugarman, Stein

Notes: 3 – None

Absent: 0 – None

7. Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (01:59:40)

Public Comment: None.

No actions taken.

8. ADJOURNMENT (02:00:01)

Approved: 3/25/2025

Complaint Committee

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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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