



City and County of San Francisco

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, May 20, 2025

5:30 p.m.
Regular Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:01:41)**

Chair Schmidt called the meeting to order at 5:33 p.m. On the call of the roll, Chair Schmidt and Member Sugarman were present. Vice-Chair Stein was noted absent. A quorum was present. Administrator Pat Petersen was present.

There were no changes to the Agenda.

2. **Approval of the March 25, 2025, Complaint Committee Special Meeting minutes.(00:05:33)**

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to approve the March 25, 2025 Complaint Committee Special Meeting Minutes as amended.

Public Comment: None

The motion **PASSED** by the following vote:

Ayes: 2 – Schmidt, Sugarman

Noes: 0 – None

Absent: 1 – Stein

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. (00:14:39)

Zach Karnazes recognized the dedication of volunteers who are unpaid and spend time away from family loved ones, working to make the City a better place while holding departments accountable to the laws that protect our rights to public records and public access. The departments themselves are paid, receive very nice salaries, and get legal advice from the City Attorney's Office. Anything that can be extended to the general public, be that an extension of time for submitting records or disability accommodations like this office did are greatly appreciated.

4. **File No. 23092:** Complaint filed by Zach Karnazes against the Mayor's Office on Disability for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.12, 67.15, and 67.25, by failing to provide an opportunity for members of the public to directly address a body on items of interest on the agenda. (00:09:33)

Member Kumar was noted present at 5:50 p.m.

Zach Karnazes at Disability Activism SF (Petitioner) stated that technical issues with making public comment at meetings of the Mayor's Office on Disability is a recurring problem which he continues to highlight on his YouTube channel, Disability Activism SF, and in MP3 recordings submitted with this complaint. Mr. Karnazes stated that he is surprised that Debby Kaplan does not acknowledge the problem, and notes that the Mayor's Office on Disability was found previously at fault by the Task Force for not releasing his own public records to him for almost a year.

The Mayor's Office on Disability (Respondent) was not present.

Action: Moved by Sugarman, seconded by Kumar, to refer the matter to the full Task Force for consideration of jurisdiction and possible violation of Administrative Code (Sunshine Ordinance) Sections 67.15 and the Brown Act, and refer the matter to the full Task Force to consider and make a decision as to the claims made.

Public Comment: Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, CA 94117-0544, stated his support of the motion and urged the finding of violations of both the Sunshine Ordinance and the Brown Act.

Speaker #2 noted a similar experience with another City agency that was found in violation for not providing a reasonable alternative opportunity for public comment, and a technical problem with being able to give public comment at a meeting of the Board of Supervisors during COVID. Speaker #2 further stated a message was passed to then-President Walton, and public comment was reopened.

The motion **PASSED** by the following vote:

Ayes: 3 – Sugarman, Kumar, Schmidt

Noes: 0 – None

Absent: 1 – Stein

5. **File No. 25028:** Complaint filed Anmarie against the Fine Arts Museums of San Francisco for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.5 by failing to hold open meetings, 67.7 by failing to post an agenda, 67.15 by failing to allow public testimony, and 67.16 by failing to record and post minutes of regular and special meetings of the board or commission. (01:07:30)

Anmarie Mabbutt (Petitioner) stated that she brought this complaint to establish if the singular or serial attendance over time of a majority of members of the Fine Arts Museum's Board of Trustees or a standing committee thereof renders COFAM meetings public meetings as defined by the Sunshine Ordinance. Ms. Mabbutt further stated that Paria Dea noted in emails that FAMSF has not had a nominating or executive committee since at least 2019.

Paria Dea (Respondent) stated that COFAM is a privately-supported independently operated nonprofit that is separate from the Museums. Ms. Dea further stated that there has been overlap over the years and they have been actively working to separate out the boards and make the process more transparent, with open meetings and open agendas.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to refer to the matter to the Full Task Force for consideration of whether there is a violation of Administrative Code (Sunshine Ordinance) Section 67.21 failing to produce public records.

Public Comment: None

The motion **PASSED** by the following vote:

Ayes: 3 – Schmidt, Sugarman, Kumar

Noes: 0 – None

Absent: 1 – Stein

6. **File No. 25029:** Complaint filed by Madison Alvarado against the San Francisco Police Department 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. (01:32:42)

Madison Alvarado (Petitioner) stated that she is a reporter with San Francisco Public Press seeking to assist folks who are sleeping on the streets with obtaining records related to incident reports, citations and arrest numbers. Ms. Alvarado further stated that communications to Lieutenant Robert Rueca have been unanswered and two attempts to obtain guidance for narrowing the requests have yielded no response.

Lt. Jonathan Ozol (Respondent) stated that Lt. Rueca is awaiting records from their Data Analysis unit, and understands the frustration with not being able to provide a date.

Action: Moved by Member Sugarman, seconded by Chair Schmidt, to find that the Task Force has jurisdiction, that the requested records are public, finds a violation of Administrative Code (Sunshine Ordinance) Section 67.21, and forwards the matter to Consent Agenda. The Committee orders under Section 67.21 that the records be produced as requested and refers the matter to the Compliance and Amendments Committee for monitoring at the next available meeting.

Public Comment: None

The motion **PASSED** by the following vote:

Ayes: 3 – Sugarman, Schmidt, Kumar

Noes: 0 – None

Absent: 1 – Stein

The meeting was in recess from 7:39 p.m. until 7:46 p.m.

7. **File No. 25030:** Complaint filed Barklee Sanders against the San Francisco Public Utilities Commission 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, 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or manner, and 67.27 by failing to provide written justification for withholdings. (02:13:56)

Barklee Sanders (Petitioner) stated that the Public Utilities Commission has invoked a Rule of Reason to slow roll public records requests. Mr. Sanders further stated that because the Commission is not obligated to respond to resolutions of the CAC [Citizen's Advisory Committee], he submits records requests to obtain information about the 511 outages on Treasurer Island in the last 25 years.

Chloe Noonan and Chelsea Boilard (Respondent) requested dismissal of the complaint, as Sections 67.25(a), 67.21(a) and 67.27(a) do not apply to the SFPUC's Rule of Reason letter, Mr. Sanders' reference to Order of Determination 19041 does not exist, and the City Attorney's Office provides guidance on when the Rule of Reason may be invoked. Ms. Noonan further stated that the SFPUC will continue to respond to Mr. Sanders' request in the manner stated in the Rule of Reason letter.

Action: Moved by Chair Schmidt, seconded by Member Sugaman, to find that the Task Force has jurisdiction, that the records are public, and refers the matter to the full Task Force for consideration of a violation of Administrative Code (Sunshine Ordinance) Section 67.21 for failure to produce records in a timely and/or complete manner.

Public Comment: None

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Sugarman, Kumar

Noes: 0 – None

Absent: 1 – Stein

8. **File No. 25031:** Complaint filed by Ben Lynch against the San Francisco Municipal Transportation Agency 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. (02:47:52)

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to continue the matter to the next complaint committee agenda.

Public Comment: None

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Sugarman, Kumar

Noes: 0 – None

Absent: 1 – Stein

9. **File No. 25032:** Complaint filed by Michael J. Turon against Assessor-Recorder Joaquin Torres, Aydin Salim Kayali, and the Office of the Assessor-Recorder for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25 by failing to respond to an Immediately Disclosure Request in a timely and/or complete manner, 67.26 by failing to keep the withholding of records to a minimum, and 67.27 by failing to provide justification for withholding information. Additional allegations: Violations of California Government Code, Sections 7922.525 and 7922.535(a). (02:47:52)

Michael Turon (Petitioner) stated his concern with the Assessor's refusal to produce a detailed index of records withheld, as it is a linchpin of transparency. Mr. Turon further stated that in this case, the withholding of records results in property owners being in the dark about how to lawfully secure or verify partial seismic tax exclusions on their property and requests the release of non-exempt records and respect the immediate disclosure rules going forward.

Aydin Kayali (Respondent) stated that responsive BOE-64 forms were provided to Mr. Turon after the follow-ups to his 2/14 Immediate Disclosure Request. Mr. Kayali further stated that Mr. Turon requested confirmation within three days, and that other than one internal record protected under the Revenue and Taxation Code Sec. 408, no further records were found.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to find that the Task Force has jurisdiction, that the requested documents are public, and forward the matter to the full Task Force to consider whether there is a violation Administrative Code (Sunshine Ordinance) Section 67.21.

Public Comment: None

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Sugarman, Kumar

Noes: 0 – None

Absent: 1 – Stein

10. **Hearing re Advancing Sunshine Ordinance Task Force Section 67.30 Roles (03:29:02)**

The Committee discussed opportunities for individual Task Force members to participate in various projects to improve processes, identify ways to provide greater exposure for the Task Force, and expand education about the Sunshine Ordinance.

Public Comment: None

11. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (03:37:54)**

No action taken.

Public Comment: None

12. **ADJOURNMENT (03:38:10)**

There being no further business the meeting was adjourned at 9:11 p.m.

Approved: _____

SOTF – Complaint Committee

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

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