



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, June 17, 2025

5:30 pm
Regular Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:00:04)**

Chair Schmidt called the meeting to order at 5:34 p.m. On the call of the roll, Chair Schmidt and Vice-Chair Stein were present. Member Sugarman was noted absent. A quorum was present. Administrator Pat Petersen was present.

The members discussed difficulties with accessing the supporting documents for Item 7 (**File 25033**), and there was a concern that the public was also unable to see the supporting documentation.

Member Sugarman was noted present at 5:42 p.m.

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein, to reschedule Item 7 (File 25033) to the next available Committee hearing.

Public Comment: Stacy Smith encouraged the Committee to think deeply about recommendations on how to make changes and improvements to the process of getting information and distributing it to the committee members.

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

Ayes: 2 – Schmidt, Stein

Noes: 0 – None

Absent: 0 – None

Abstain: 1 - Sugarman

The members discussed that a stipulated continuance between the parties to File 25043.

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein, to continue Item 11 (File 25043) to the next Complaint Committee meeting in July 2025.

Public Comment: None

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

Absent: 0 – None

2. **Approval of the May 20, 2025, Complaint Committee Special Meeting minutes (00:21:28)**

The Members discussed edits to the meeting minutes.

Action: Moved by Member Sugarman, seconded by Chair Schmidt, to approve the minutes.

Public Comment: None

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

Ayes: 3 – Sugarman, Schmidt, Stein

Noes: 0 – 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. (00:23:23)

Stacy Smith stated that the complaint process needs to be efficient for everyone and that in a tech hub like San Francisco, everyone could be helped by automating the entire process.

@DisabilityActivismSF stated that it is unconscionable that the Brown Act, which was part of his complaint (File 23092), was not mentioned, considered, or deliberated on by the task force members. @DisabilityActivismSF further stated their disappointment that the Task Force is not upholding the democratic principles of public records access, that their participation as a volunteer is a big commitment, that he is a volunteer, and that people will have to look for other means to access their democracy. @DisabilityActivismSF stated that the Task Force’s ruling in File 23092 that public comment is not required based on an obscure, completely wrong interpretation of the law and the spirit behind it is incorrect because the Mayor’s Disability council was appointed by Mayor Brown and they have evidence to prove that.

4. **File No. 24004: Complaint filed by Zach Karnazes against the Mayor's Office on Disability for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.7(b) for failing to provide a description that is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information on that item. (00:30:12)**

Zach Karnazes, @DisabilityActivismSF and zkarnazes@gmail.com (Petitioner) stated that the website of the Mayor's office on Disability (MOD) was not updating its website and not providing information about upcoming meetings, and that lack of publishing resulted on the public is not aware that there is a Mayor's Disability Council.

Debby Kaplan (Respondent), stated that it would be helpful to understand when Petitioner was looking for information about the MOD, and that information about their meetings has been hosted by the Office of Disability and Accessibility for the past few years. Ms. Kaplan further stated that the Sunshine Ordinance does not apply to the MOD, and that problems experienced in the last two months were due to the website transition.

Action: Moved by Vice-Chair Stein, seconded by Member Sugarman, to find that these are public meetings under the jurisdiction of the Task Force and to refer the matter to the full Task Force for consideration of a violation of Administrative Code (Sunshine Ordinance) Section 67.7 for failing to provide adequate description on the meeting calendar or 67.4 related to a failure to provide notice of passive meetings, and request that Respondent provide a link to where the meetings are located prior to the Task Force Meeting.

Public Comment: None

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

Ayes: 3 – Stein, Sugarman, Schmidt

Noes: 0 – None

Absent: 0 – None

5. **File No. 25021: Complaint filed by Stacy Smith against the San Francisco Public Library, San Francisco Police Department, and 911 Communications 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. (01:31:29)**

Stacy Smith (Petitioner) summarized his position, and stated that he has not used the link from the Police Department to contact the Department of Emergency Management (DEM). Mr. Smith further stated he is awaiting responses to his subsequent requests.

John Cunha, Facilities Director at the San Francisco Public Library (Respondent) stated that the department has responded to four requests and acknowledged that the fourth response was late.

Lt. Jonathan Ozol of the San Francisco Police Department (Respondent) stated that he became aware of Mr. Smith's requests on 4/11/2025 and determined that the Mayor's Office had forwarded Petitioner's request 12/19/2024. Lt. Ozol further stated that the department responded by mail and is awaiting a response to clarifying questions raised in a subsequent email. Lt. Ozol stated that identified two police calls for service for 12/4 and 12/5; these incidents had no associated police reports or body-worn cameras, and he referred Petitioner to DEM where records from Computer-Aided Dispatch systems are maintained.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, that the Task Force has jurisdiction, that the requested records are public, and referred the matter to the Consent Agenda with a finding of no violation by the San Francisco Public Library, and a finding that the San Francisco Police Department violated Administrative Code (Sunshine Ordinance) Section 67.21 by failing to respond to a public records request received in December 2024 until April 2025. The Committee finds no violation by 911 Communications/DEM, and further recommends that Petitioner follow up with the Police Department and DEM.

Public Comment: None

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

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 – None

The Committee was in recess from 8:03 p.m. until 8:16 p.m.

6. **File No. 25031: Complaint filed by Ben Lynch against 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. (02:43:17 and 03:15:16)**

Ben Lynch (Petitioner) provided advance notice that he was unable to attend.

The San Francisco Municipal Transportation Agency (Respondent) provided advance notice that because Petitioner said he was unable to attend, they would not attend.

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein, to close the file per Sunshine Ordinance Task Force Complaint Procedure Section C(7)(b).

Public Comment: None

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

Absent: 0 – None

7. **File No. 25033: Complaint filed by Joudere Gaines against 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.**

See, action taken at Item 1.

8. **File No. 25034: Complaint filed by Joe Fitzgerald Rodriguez against the Office the Mayor 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. (02:45:39)**

Joe Fitzgerald Rodriguez (Petitioner) stated that in April he submitted an Immediate Disclosure Request to the Mayor's office for all of the emails in reply to an email sent by the Mayor's Budget Director, Sophia Kittler, to Department Heads and Staff requesting grant implemented programming and any performance information. Mr. Rodriguez stated that the Mayor's asked for an extension and that the response they provided included email responses but without the attachments. Mr. Rodriguez requested a finding to reinforce the Immediate Disclosure Request.

Dexter Darmali (Respondent) stated that the request was overly burdensome during the budget season, and that they are a new administration that is developing its systems and fine-tuning what they're doing to ensure they are in compliance and that sometimes things take longer. Mr. Darmali further stated that the request has been completed, the documents have been produced, and the request is now closed.

Action: Moved by Vice-Chair Stein, seconded by Chair Schmidt, to refer the matter to the full Task Force to consider whether the Public Records Request should be treated as a regular request or an Immediate Disclosure Request and whether a violation occurred.

Public Comment: None

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

Ayes: 3 – Stein, Schmidt, Sugarman

Noes: 0 – None

Absent: 0 – None

9. **File No. 25039: Complaint filed by Eric Roussel v. Capital Planning Committee (San Francisco Planning 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. (03:17:56)**

Eric Roussel (Petitioner) summarized the status of his construction project stated that the Planning Department has failed to produce records in response to his request to clarify contradictory enforcement actions.

Respondent Capital Planning Committee (San Francisco Planning Department) had provided advance notice that they were unavailable to attend the meeting.

Action: Moved by Vice-Chair Stein, seconded by Chair Schmidt, that the Task Force has jurisdiction, that the requested records are public, and referred the matter to the full Task Force for consideration if a violation of Administrative Code (Sunshine Ordinance) Sec. 67.21 by failing to respond to a public records request in a timely and/or complete manner, whether names were improperly redacted on this document, and whether there are further documents to be produced.

Public Comment: None

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

Ayes: 3 – Stein, Schmidt, Sugarman

Noes: 0 – None

Absent: 0 – None

10. **File No. 25041: Complaint filed by Anmarie against Paria Dea and the Fine Arts Museums of San Francisco for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.5, for failing to hold open and public meetings, 67.10(b) for meeting in closed session on a non-permitted topic, and 67.11 for failing to state the statutory authority for the closed session. (01:12:35)**

The members discussed that parties have a stipulated agreement and the matter was therefore being considered for the Task Force Consent Agenda. The parties were allowed the opportunity to speak,

Anmarie Mabbutt (Petitioner) summarized her position that Fine Arts Museums trustees participated in what they must have known were closed sessions to discuss the appointment of an unidentified person to the FAMSF Board of Trustees, a public body, which is not permitted under Section 67.10(b).

Paria Dea (Respondent) stated that the Fine Arts Museums of San Francisco acknowledged its mistake, that the matter should not have been held in closed session, and that the oversight will be addressed at their October 2025 meeting where the nomination and election process for a new trustee will be held in open session to the public and that the practice will be continued moving forward.

Action: moved by Chair Schmidt, seconded by Vice-Chair Stein, to place this item on the Consent Calendar by stipulation of the parties that the Task Force consider finding that Respondents did violate 67.5 for failure to hold open and public meetings, 67.20(b) for meeting in a closed session on a non-permitted topic, and 67.11 for failing to state the statutory authority or the closed session due to the improper use of a closed session in which the transcript should be open to the public.

Public Comment: None

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

Absent: 0 – None

11. **File No. 25043:** Complaint filed by Anmarie against Fine Arts Museums of San Francisco for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 12L.2 for failing to include requirements for nonprofit organizations in its contracts, 12L.4 for failing to provide public access to meetings, and 12L.5(a) for failing to provide public access to financial information. Complainant requests per Section 12L.5(b) that the Task Force issue an advisory opinion as to whether COFAM is subject to the requirements of Section 12L.

See, action taken at Item 1.

12. **Hearing re Advancing Sunshine Ordinance Task Force Section 67.30 Roles** (03:42:15)

The members discussed ways to prioritize and agendaize complaints when numerous files are awaiting an initial hearing, and balancing the time allocated to parties to present their matter with meeting lengths.

Public Comment: None

13. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee.** (04:18:45)

The members discussed the ongoing meetings of the Streamlining Task Force, whether there would be a feedback survey or an opportunity to provide data, and the possibility of submitting a letter describing the Sunshine Ordinance Task Force.

14. **ADJOURNMENT** (04:21:34)

There being no further business the meeting was adjourned at 9:55 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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The Sunshine Ordinance Task Force was established by the San Francisco Administrative Code, Chapter 67. The purpose of the Task Force is to protect the public's interest in open government and to carry out the duties enumerated in [Chapter 67 of the San Francisco Administrative Code](#). For additional information concerning Sunshine Ordinance Task Force please contact the Task Force by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Agenda Item Information

Each item on the agenda may include the following documents:

- 1) Department or Agency cover letter and/or report;
- 2) Public correspondence; and
- 3) Other explanatory documents.

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the agenda items. These comments will be made a part of the official public record. Written communications should be submitted to the SOTF at: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102.

AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, or on the internet at: <http://www.sfbos.org/sunshine>.

AUDIO RECORDINGS: Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: <http://www.sfbos.org/sunshine>.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino for requests made at least two (2) business days in advance of the meeting, to help ensure availability. For more information or to request services, contact (415) 554-7184.

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Intérpretes de idiomas: Para asegurar la disponibilidad de los servicios de interpretación en chino, filipino y español, presente su petición por lo menos con dos (2) días hábiles de antelación previo a la reunión. Para más información o para solicitar los servicios, envíe su mensaje a bos@sfgov.org o llame al (415) 554-5184.

TAGA SALIN-WIKA: Ipaabot sa amin ang mga kahilingan sa pag salin-wika sa Kastila, Tsino at Pilipino ng hindi bababa sa dalawang araw bago ang pulong. Makakatulong ito upang tiyakin na ang mga serbisyo ay nakalaan at nakahanda. Para sa dagdag kaalaman o para humiling ng serbisyo, maki pagugnayan po sa bos@sfgov.org o tumawag sa (415) 554-5184.

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The following services are available on request two (2) business days prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental

illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-5163; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67 on the Internet at <http://www.sfbos.org/sunshine>.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

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