



City and County of San Francisco

Sunshine Ordinance Task Force Complaint Committee

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

Meeting Minutes

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

Clerk: *Patricia Petersen*
(415) 554-7719 ~ patricia.petersen@sfgov.org

Tuesday, August 19, 2025

5:30 p.m.
Regular Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES** (00:01:22)

Chair Schmidt called the meeting to order at 5:43 p.m. On the call of the roll, Chair Schmidt, Vice-Chair Stein and Member Sugarman were noted present. A quorum was present. Administrator Pat Petersen was present.

The members discussed the order in which the evening's items would be heard.

Item 8, File No. 25062, was closed at Petitioner's request.

Public Comment: Marc Bruno asked about when Item 7 would be heard.

2. **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. (00:09:23)

Public Comment: None

3. **File No. 25038:** Complaint filed by Paul Kniha 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. (00:57:25)

Paul Kniha (Petitioner) stated that only discussions with a planner who is not an engineer and does not understand the establishing of new zones under federal accessibility compliance were provided.

Hank Willson, Policy Manager for Parking & Curb Management (Respondent) stated that records and responses to subsequent records requests have been provided and acknowledges that because of the volume of requests received some responses have been

late. Because of the volume of Petitioner's requests, the rule of reason has been invoked per conversations with the City Attorney's Office.

A question-and-answer period occurred.

Action: Moved by Vice-Chair Stein, seconded by Member Sugarman, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and to refer the matter to the Consent Agenda with a recommendation to find a violation of Administrative Code (Sunshine Ordinance) Section(s) 67.21 since the records were provided within 12 and 18 calendar days after the initial request.

Public Comment: None

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

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 - None

4. **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 12L5(b) that the Task Force issue an advisory opinion as to whether COFAM is subject to the requirements of Section 12L. (01:15:27)

Anmarie Mabbutt (Complainant) stated that she has provided Form 990s evidencing that COFAM (the Corporation of the Fine Arts Museums) receives in excess of \$250,000 in City funds annually and a memo by DCA Michael Deeb stating that COFAM is a nonprofit. Ms. Mabbutt further noted that neither the one-page MOUR nor the unexecuted lease reference 12L

A question-and-answer period occurred.

Action: Moved by Vice-Chair Stein, seconded by Member Sugarman, that under 12L.5(b) the SOTF is authorized to issue an advisory opinion as to whether COFAM is subject to the requirements of section 12L, and referred the matter to the Full Task Force to consider whether this matter is under the jurisdiction of the SOTF. The Committee further requests that the Task Force consider whether this department has jurisdiction to decide if a department is violating 12 L by not establishing a contractual obligation with regard to contracts.

Public Comment: Patrick Monette Shaw stated his support for the complaint and its forwarding to the Task Force for a hearing.

Paul Kniha thanked the Petitioner for bringing this matter to the Task Force and is happy to hear that the matter has been referred to the Task Force. Mr. Kniha further stated that it is concerning that a nonprofit is receiving in excess of millions of dollars and is not releasing financial information and other documents.

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

Ayes: 3 – Stein, Sugarman, Schmidt

Noes: 0 – None

Absent: 0 - None

5. **File No. 25050:** Complaint filed by Michael Petrelis against Supervisor Rafael Mandelman, Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5, by failing to respond to a request for Proposition G Calendar in a timely and/or complete manner. (01:49:15)

Michael Petrelis (Petitioner) was not present.

Anh Ha, Legislative Aide (Respondent) was present.

Action: Moved by Chair Schmidt, seconded by Member Stein, to close the matter per SOTF Complaint Procedure C(7)(b).

Public Comment: None

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

Ayes: 3 – Stein, Sugarman, Schmidt

Noes: 0 – None

Absent: 0 - None

The Committee was in recess from 7:42 until 7:53 pm.

6. **File No. 25059:** Complaint filed by Patrick Monette-Shaw against Department of Public Health, for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25, by failing to respond to an immediate disclosure request in a timely and/or complete manner. (02:12:29)

Patrick Monette-Shaw (Petitioner) explained that he is using a computer to read his statement to the Task Force due to recent throat cancer radiation treatment. Mr. Monette-Shaw stated he emailed an immediate disclosure request to Mark Morewitz on 7/2/2025 requesting the Health Commission's forward calendar of upcoming meeting topics, but was directed to use the NextRequest system to make all DPH / Health Commission requests.

Victor Lim (Respondent) stated that Petitioner's email was received after 5:00 p.m. on 7/1/2025 and responded to the next business day on 7/3/2025. Mr. Lim further stated that Mark Morewitz suggested that Petitioner please use the NextRequest system to make all DPH and Health Commission requests and did not require that anyone use NextRequest. Mr. Lim stated that the department has invoked the Rule of Reason re Petitioner's numerous requests but has answered all of them in a timely and complete manner.

A question-and-answer period occurred.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to find that the SOTF has jurisdiction over the matter, that the requested records are public, and refer the matter to the Consent Agenda with a recommendation of a violation of Administrative Code (Sunshine Ordinance) Section(s) 67.21(b) for improperly requiring the use of NextRequest in the language of the Respondent's response to the document Request. The Committee finds no improper delay in the response.

Public Comment: None

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

Ayes: 3 – Stein, Sugarman, Schmidt

Noes: 0 – None

Absent: 0 - None

7. **File No. 25061: Complaint filed by Marc Bruno against the San Francisco Planning Department** for allegedly violating Administrative Code (*Sunshine Ordinance*), Section(s) 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner. (00:12:13)

Marc Bruno (Petitioner) stated that Respondent has admitted that the response was late.

Jonas Ionin (Respondent) stated that records were not produced in a timely manner and the department failed to invoke an extension. Mr. Ionin further stated that via email on 7/8/2025 Mr. Bruno was advised that his request would be handled as a standard request-day request and that no additional extension has been found. Mr. Ionin stated that the department has worked with Petitioner since July, that no responsive documents were found, that Mr. Bruno has been provided with a map with layers that addresses some of his concerns but does not fully respond to his precise request, and that that Mr. Bruno may ask the Rent Board if they have relevant data.

A question-and-answer period occurred.

Action: Moved by Chair Schmidt, seconded by Sugarman, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and refer the

matter to the next available full Task for a hearing to consider a violation of Administrative Code (Sunshine Ordinance) Section(s) 67.25 and 67.21

Public Comment: Heather Davies stated that she had submitted a similar request. Some of the data sets that are released are found in SF Data and some are related to properties.

Mr. Grant stated that community members are concerned so there should be greater transparency regarding this sea change, and that it should not be difficult to obtain the data to understand the effect of this change.

Patrick Monette-Shaw encouraged the Complaint Committee to forward the matter to the full Task Force.

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

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 - None

8. **File No. 25062:** Complaint filed by Mary Rivers against Human Rights 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.

See the action taken at Item 1.

9. **File No. 25065:** Complaint filed by Richard Corriea against Supervisor Joel Engardio for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5 by failing to provide a Prop G Calendar in a timely and/or complete manner, and 67.34 for willful failure to discharge duties imposed by the Sunshine Ordinance, the Brown Act, or the Public Records Act. (02:38:31)

Richard Corriea (Complainant) stated that Respondent's response was neither timely nor complete, as Respondent acknowledged that a May 28, 2024 meeting in that appeared in an October 2024 calendar was unintentionally omitted from a March 2025 production.

Jonathan Goldberg Chief of Staff (Respondent) acknowledged the omission of the May 28, 2024 meeting in their response to Petitioner's immediate disclosure request (IDR) and had provided a screenshot to demonstrate that the IDR went to their trash or spam folder. Mr. Goldberg further stated that the process for managing Prop G calendar requests was cumbersome and caused alternate versions to be created, and that appropriate steps have been taken to address the issue.

A question-and-answer period occurred.

Action: moved by Vice-Chair Stein, seconded by Chair Schmidt, to find that the SOTF has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Task Force with a recommendation of a violation of Administrative Code (Sunshine Ordinance) Section(s) 67.29-5 by failing to provide a Prop G Calendar in a timely and/or complete manner, 67.27 by withholding a meeting from a document released without justification, and consider a willfulness violation under 67.34 by failing to discharge any duties imposed by the Sunshine Ordinance, the Brown Act or the public Records Act by an elected official.

Public Comment: Lisa Argis stated that in her job working with regulators, this is a record. There aren't "versions," there are records. There's meta data to document activity, and the calendar entry in question was significant given the political activity occurring at the time. Todd David became the Yes on K committee and Lux was also a committee member.

Heather Davies stated her concern about the data integrity, and Word has version control options and identifies who made the changes. Concerned that this information was handled by an aide/intern, and surprising that Goldberg can't remember the names of the interns or attend this meeting.

Mark Brent stated that the guardrails of the Ethics Commission are in place for a reason.

Sean Killian stated that effective government requires trust, and we are being asked to suspend our disbelief. Mr. Goldman can't remember whether he attended a meeting. The Sunshine Ordinance Task Force has an obligation to us.

[Anonymous] stated that Supervisor Engardio has been making policy that we are not part of he was able to push Prop K without sufficient time for the public to respond.

Dave Davies stated that Truman did not say that "the buck stops with the intern." Supervisor Engardio could be here to explain what was willful and what was not on his part, but he's not.

Selena Chu stated that she was a volunteer with Supervisor Engardio and finds it unsettling and cannot believe that Mr. Goldman is unable to remember if he was part of that meeting. Ms. Chu further stated that there were not that many interns, that digital forensics are available to identify how the meeting was deleted, and believes Mr. Goldberg is trying to hide something and this is disappointing.

Patricia Arack stated that there is no question in her mind that the meeting was deliberately removed so that Supervisor Engardio could cover his tracks. Ms. Arack further stated that Prop K was placed on the ballot on the last day, that he met with Todd David who is a champion of real estate developers, that he created Prop K without notifying the constituents and he should be found liable for his actions.

Angela thanked Richard Corriea, and is not surprised that Supervisor Engardio is not at the meeting just as he is not there for the Sunset, and he uses propaganda and manipulation. Angela stated that she listened to the debate with Gordon Mar, and when the moderator asked Supervisor Engardio about Prop K it was suspicious.

John Crabtree stated there can be no reasonable explanation why an intern, staff, chief of staff or the supervisor would alter a calendar, and that a change made 5 or 6 months to a static record by definition makes that document specious and compels you to move for violation. Mr. Crabtree further stated there is no sufficient reason for not responding to Corriea's original request, that one meeting of 344 disappearing is statistically not a likely event particularly when it's combined with that meeting being of significant interest to the public, and that was not accidental and if it was not technological or accidental in nature it was willful.

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

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 - None

10. **File No. 25060:** Complaint filed by Ben Lynch against the City Attorney's Office 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. (03:50:58)

Ben Lynch (Complainant) stated that he requested public records from the City Attorney's Office (CAT) related to the City's use of settlement language on checks issued to satisfy court judgments and filed this complaint after ten days of no response. Mr. Lynch stated that a CAT employee told him she was specifically instructed to include the settlement language on his check, but the CAT has never produced records related to a written directive to include this language. Mr. Lynch further stated that he was asked to narrow his request, and that they search would have to be done by hand as there was no way to search for documents by text.

Jen Kwart stated that Mr. Lynch submitted a public records request on 6/24/2025, but the CAT missed the email and it was not processed at that time. Ms. Kwart further stated that a search for records began when the SOTF complaint was received, and responsive documents were sent 7/15/2025. Ms. Kwart stated that Mr. Lynch received a check he had gotten in a judgment against the City in Small Claims with an internal message on the check stub that said it was for the settlement for a claim of damages but internally the message means nothing to us because the people who write and prepare the checks are different than the people who work on substantive matters that are at issue.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, that the SOTF has jurisdiction over the matter, that the requested records are public, and refer the matter to the Consent Agenda with a recommendation of a finding of a violation of Administrative Code (Sunshine Ordinance) Sec. 67.21 for a delay in the production of a response to a public records request as acknowledged by Respondent.

Public Comment: None.

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 - None

11. Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (04:36:35)

The parties discussed future discussion and action on time limits for the length of meetings, and how to streamline cases where the parties agree to the violation and the response.

Public Comment: None

No action taken.

12. ADJOURNMENT (04:58:34)

There being no further business the meeting was adjourned at 10:40 p.m.

**APPROVED: 10/21/2025
Sunshine Ordinance Task Force
Complaint Committee**

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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