



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, December 16,
2025

5:30 p.m.
Regular Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:01:20)**

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

Public Comment: None

2. **Approval of the November 18, 2025, Sunshine Ordinance Task Force Complaint Committee Regular Meeting minutes. (00:06:35)**

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein, to approve the November 18, 2025 Minutes as amended.

Public Comment: None

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

Ayes: 3 – Schmidt, Stein, Sugarman

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. (00:09:26)

None.

4. **File No. 25064:** Complaint filed by Michael Turon against the City Attorney of San Francisco 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. (00:49:12)

Samual Ray, counsel for Michael Turon (Petitioner) presented Petitioner's position, and stated that Petitioner was the subject of litigation where he was plaintiff with the City and County of San Francisco that concluded with the dismissal on 7/7/2025. Mr. Ray further stated that Petitioner submitted a sunshine request requesting the billing records from the underlying litigation matter, but no records were produced. Mr. Ray stated that Petitioner sent follow-up correspondence including a demand letter, but the City refused on a blanket privilege basis to provide any documents. Mr. Ray further stated the requested documents are subject to the Sunshine Ordinance under County of L.A. Bd. Of Supervisors v. Superior Court (2016) 2 Cal.5th 282.

Jen Kwart (Respondent) presented the department's position and stated that Petitioner filed a case in 2021 related to an unauthorized dwelling unit on his property. Ms. Kwart stated that a settlement settlement and stipulated injunction was reached in December 2024, requiring Petitioner to dismiss the case, take corrective action to construct a new unit in his backyard, and pay the City 400,000 in damages if he did not build the unit. Ms. Kwart further stated that the settlement required that the new unit would be subject to the City's rent control ordinance and the complaint would record a notice of special restrictions on the property to that effect. Ms. Kwart stated that the Notice of Special Restriction was not filed until November 2025 and the complaint made substantive changes to the Notice of Restrictions that do not comply with the settlement agreement. Ms. Kwart further stated that Petitioner has taken the position that he does not need to comply with the rent control ordinance despite the settlement agreement, and there is an open question about whether the settlement agreement will be honored and the court has entered an injunction against Petitioner that remains active. Ms. Kwart stated that regarding the records request, Petitioner sought letters to outside counsel who were not used so records do not exist, attorney billing records which are attorney client privileged, cumulative cost totals for lawsuits which are not available because the litigation is active, and case closure settlement memos that are attorney/client privileged and attorney work product.

A question-and-answer period was held.

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein, to find that the Task Force has jurisdiction, that the requested records are public, and refer the matter to the Consent Agenda with a recommendation of a finding of no violation. The Task Force further stated that the dispute that the parties have litigated is an ongoing matter before the Court and so County of L.A. Bd. Of Supervisors v. Superior Court (2016) 2 Cal.5th 282 does not apply and the reasons for withholding do apply.

Public Comment: Anonymous stated that there is case law that once litigation has concluded, the taxpayer has a right to access via Superior Court.

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

Absent: 0 – None

5. **File No. 25085:** Complaint filed by Michael Turon against the San Francisco Planning Department, Hugo Cabrera and Chan Son 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, Section(s) 67.25, by failing to respond in a timely and/or complete manner to an immediately disclosure request, Section(s) 67.26, by failing to keep withholdings to a minimum, and Section(s) 67.27, by failing to provide written justification of withholdings. (01:10:42)

Samuel Ray, counsel for Michael Turon (Petitioner) presented Petitioner's position and stated that Petitioner filed a sunshine request on 7/25/2025 on his property on Folsom Street and requested messages from zoning administrator Corey Teague and Richard Sucré and that a denial letter saying that there were no responsive records was received on 8/12/2025. Mr. Ray further stated that the department's search was not adequate because Petitioner later independently obtained text message threads between Supervisor Jackie Fielder and Richard Sucré, and 8/5/2025 text messages between Matt Green/Department of Building Inspection and Corey Teague.

A representative from the San Francisco Planning Department (Respondent) was not present.

Jen Kwart, Office of the City Attorney (Respondent) stated on behalf of the City Attorney's Office and Hugo Cabrera that their response was timely and concluded that the Planning Department had not improperly withheld or redacted the records that it produced.

A question-and-answer period occurred.

Action: Moved by Vice-Chair Stein, seconded by Member Sugarman to find that the Task Force has jurisdiction, that the requested records are public, and forwarded the matter to the Task Force with a recommendation to consider violations around withholding meta data, not providing records in the original format requested, the fact that planning did not send a representative, and that some records from personal devices were not produced, that claims related to the failure to engage in proper extensions and rolling production, and to provide a neutral custodian as supervisor of records . The Committee further found that that the claims related to a failure to engage in property extensions, rolling production, the assigning of a neutral custodian or to provide records logs with the names of reviewers were not compelling.

Public Comment: None

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

Ayes: 3 – Stein, Sugarman, Schmidt

Noes: 0 – None

Absent: 0 - None

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to dismiss Hugo Cabrera for the reason that there are no cognizable claims against him since only the City Attorney is legally the supervisor of records and to forward the matter to the Consent Agenda.

Public Comment: None

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

Ayes: 3 – Schmidt, Sugarman Stein

Noes: 0 – None

Absent: 0 – None

6. **File No. 25088:** Complaint filed by Rick Sanders against the Office of 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. (00:10:10)

Rick Sanders (Petitioner) presented his position, and stated that the Mayor responded that the documents are privileged because the City attorney is copied on them, and that the production is not complete because the City Attorney could not have been copied on all correspondence.

Dexter Darmali, Legislative & Ethics Secretary (Respondent) stated that the responsive documents fall under attorney-client privilege because this complaint was also forwarded to the supervisor of records in the City Attorney's Office and they, as a 3rd party to this had independently determined that these documents that could be responsive to this were withheld properly under City and state law, and beyond the documents that do have attorneys included in consultation, there are no other documents that are being withheld, so every document that could be responsive to this request is withheld under attorney client privilege. Mr. Darmali further stated there were no responsive documents or that were withheld for attorney/client privilege.

A question-and-answer period occurred.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to find that the Task Force has jurisdiction, that the requested records are public, and refer the matter to the full Task Force with a recommendation that the Office of the Mayor violated Administrative Code (Sunshine Ordinance), Section 67.21, by applying inappropriate standards for withholding privileged documents and that Respondent

be order to apply the correct standards in a second attempt to respond and to produce the documents.

Public Comment: None

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

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 – None

7. **File No. 25099:** Complaint filed by grant.review@proton.me against Department of Public Works 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. (02:38:19)

Anonymous (Petitioner) presented their position, and stated that Respondent's failure to produce the delayed replacement tree report as required by the City's administrative code is a willful violation and official misconduct because the custodian knowingly misled this Task Force. Petitioner further stated that Respondent claimed the law requiring the report was relatively new, but Respondent knew of the June 2020 requirement. Petitioner stated that these draft records dating back to 2023 were produced after this complaint was filed with the Task Force.

David Steinberg (Respondent) stated that the department did not have records, but after an initial statement that the department did not have responsive records, Chris Buck was able to identify a draft which was then produced. The draft records that were produced were provided to Petitioner as not directly responsive but may be useful. The requested report has never been developed.

Chris Buck, Urban Forestry (Respondent) stated that the Delayed Replace Tree Report includes details of when we anticipate planting trees and why, and that that report as requested does not exist.

A question-and-answer period occurred.

Action: Moved by Vice-Chair Stein, seconded by Chair Schmidt, to find that the Task Force has jurisdiction, that the requested records are public, and referred the matter to the Consent Agenda with a recommendation of no violation.

Public Comment: None

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

Ayes: 3 – Stein, Schmidt, Sugarman

Noes: 0 – None

Absent: 0 – None

8. **File No. 25100:** Complaint filed by Concerned San Francisco Residents against the Department of Public Health 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. (03:03:57)

Petitioner clarified that they are the same Petitioner as in Item 7 and stated in response to a records request submitted on October 30 the department invoked a 14-day extension which may have been improper as the records are standard responsive documents. Petitioner further stated that the department only released the first contracts on December 5 after the filing of this complaint, and the Initial Response sent 12/16/2025 left them insufficient time to narrow their request.

Victor Lim (Respondent) stated that the department has provided some records and is continuing to respond on a rolling basis. Mr. Lim further stated that Petitioner's 12/5/2025 communication provided helpful information, but the department has been engaged in the stabbing at Zuckerberg General Hospital. Mr. Lim stated that the department has offered to work with Petitioner re the requested records, as there are software limitations in responding directly.

A question-and-answer period occurred.

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein, to find that the Task Force has jurisdiction, that the requested records are public, and to refer the matter to the full Task Force on the questions of whether there has been timely production of the requested documents and whether there is a need to issue an order to produce.

Public Comment: None

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

Absent: 0 – None

9. **File No. 25102:** Complaint filed by Michael Petrelis against Mayor Daniel Lurie and the Office of the Mayor 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. (01:48:53)

Michael Petrelis (Petitioner) provided his position, and stated that he believes that the Mayor is creating five weeks' worth of telephone logs of Zoom calls, and transcripts of phone conversations with President Trump and that the records should not be withheld from him.

Dexter Darmali (Respondent) stated that no responsive records exist. Mr. Darmali further stated that a request for records of calls from September 1 through October 27 of the entire department would take longer than one business day and the request would be treated as a standard request. Mr. Darmali stated that a response was provided in three days and the request was closed.

A question-and-answer period occurred.

Action: Moved by Chair Schmidt, seconded by Vice-Chair Stein to find that the Task Force has jurisdiction, that the requested records are public, and to refer the matter to the full Task Force with no recommendation.

Public Comment: None

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

Absent: 0 – None

The Committee was in recess from 8:00 until 8:11 p.m.

10. **File No. 25109:** Complaint filed by Anonymous (PUB) against the Supervisor Connie Chan, Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), by failing to make a Twitter account used for public business open to the public. (03:30:58)

Petitioner was not present.

Robyn Burke (Respondent) was present.

Action: Moved by Chair Schmidt, seconded by Member Sugarman, to close the matter per Sunshine Ordinance Task Force Complaint Procedure C(7)(b).

Public Comment: None

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

Ayes: 3 – Schmidt, Sugarman, Stein

Noes: 0 – None

Absent: 0 – None

11. Hearing re Advancing Sunshine Ordinance Task Force Section 67.30 Roles (03:38:48)

The Members discussed the need for Committee to report at least annually to the Task Force re their accomplishments and goals per 67.30.

Public Comment: None

No action taken.

12. Hearing re Proposed Bylaw Amendments to Improve Meeting Efficiency (04:06:31)

The Members discussed creating a list of individual items to present individually to the Task Force with the objective of achieving incremental agreement.

Public Comment: None

No action taken.

13. Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (04:51:10)

None.

Public Comment: None

No action taken.

14. ADJOURNMENT (04:51:29)

There being no further business the meeting was adjourned at 10:24 p.m.

APPROVED: _____
Sunshine Ordinance Task Force
Complaint Committee

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

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