City and County of San Francisco

Sunshine Ordinance Task Force

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

Meeting Minutes

Members:

Seat 1	Dean Schmidt	Seat 7	Matthew Yankee - **Chair**
Seat 2	Lila LaHood	Seat 8	Chris Hyland
Seat 3	Saul Sugarman	Seat 9	David Pilpel
Seat 4	Ankita Kumar	Seat 10	VACANT
Seat 5	Maxine Anderson	Seat 11	Bruce Wolfe
Seat 6	Laura Stein - **Vice-Chair**		

Ex-officio *(non-voting)* Clerk of the Board of Supervisors or their designee
Ex-officio *(non-voting)* Mayor's designee

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

Wednesday, September 3, 2025	**4:00 p.m. Regular Meeting**	**City Hall, Room 408**

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES** (00:02:56)

Chair Yankee called the meeting to order at 4:03 p.m. On the call of the roll Chair Yankee, Vice-Chair Stein and Members LaHood, Sugarman, Anderson, and Pilpel were noted present. Members Schmidt, Kumar, Hyland and Wolfe were noted absent. A quorum was present. Task Force Administrator Pat Petersen was present. Deputy City Attorney Mary Kumikihara was present.

A 9/3/2025 communication from Member Wolfe was read into the record.

Public Comment: Richard Corriea stated that regarding Respondent's request for a continuance of File 25065, members of the public arrive not knowing whether there will be a hearing or a continuance, asked that the matter be heard by the Task Force and referred to the Ethics Commission for consideration of a willfulness violation.

Lisa Arjes stated that the request for continuance is suspicious given the upcoming recall election.

John Crabtree stated that the supervisor and his staff should be held to the same standard to appear as Petitioner and urged the Task Force to continue the pace for hearing the matter as provided for by the procedures.

Judy Gorski opposed the idea of a continuance, and urged the Task Force to move forward as quickly as possible to determine whether the deletion of a contentious calendar item was done wilfully.

Member Kumar was noted present at 4:16 p.m.

Member Schmidt was noted present at 4:21 p.m.

2. **Approval of the August 6, 2025, Sunshine Ordinance Task Force Regular meeting minutes**. (00:20:03 and 00:52:13)

Action: Moved by Member Pilpel, seconded by Member Anderson, to continue the approval of the minutes to the next Task Force meeting.

Public Comment: None

Ayes: 8 – Pilpel, Anderson, Schmidt, LaHood, Sugarman, Kumar, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

3. **Approval of Orders of Determination** (00:23:27 and 06:21:42)

- **File No. 25028** Anmarie against Fine Arts Museums of San Francisco
- **File No. 25035** Paul Kniha against San Francisco Municipal Transportation Agency
- **File No. 25036** Paul Kniha against Broderick Paulo and the San Francisco Municipal Transportation Agency
- **File No. 25046** Michael Petrilis against Supervisor Jackie Fielder
- **File No. 25047** Michael Petrelis against Supervisor Matt Dorsey
- **File No. 25052** Michael Petrelis against the Human Rights Commission
- **File No. 25054** HVSafe against Supervisor Bilal Mahmood

Action: Moved by Member Pilpel, seconded by Member Sugarman, to approve the Orders of Determination as amended.

Public Comment: None

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

Ayes: 8 – Pilpel, Sugarman, Schmidt, LaHood, Kumar, Anderson, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

4. **Report on August 8, 2025 Ethics Commission Meeting:** Discussion of the proposed amendments to the Ethics Commission's Enforcement Regulations. (00:26:56)

The members discussed how Task Force referrals are enforced at the Ethics Commission.

Public Comment: None

No action taken.

5. **Proposed Amendments to SOTF's By-Laws:** Adoption of proposed amendments to the Sunshine Ordinance Task Force's By-Laws related to Article II, Section 2 – Attendance. (00:33:25)

The members discussed the proposed changes to the By-Laws.

Action: Moved by Member Pilpel, seconded by Member Anderson, to approve the changes to the By-Laws.

Public Comment: None

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

Ayes: 8 – Pilpel, Anderson, Schmidt, LaHood, Sugarman, Kumar, Stein, Yankee
Noes: 0 - None
Absent: 2 – Hyland, Wolfe

6. **Administrator's Report.** (00:38:24)
   - Task Force and Committee tentative hearing schedule with potential adjustments
   - Complaints and Hearing Requests
   - Pending Petitions / Complaints
   - SOTF Member Attendance
   - Communications

The members discussed the upcoming calendar changes.

Public Comment: None

No action taken.

7. **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. (00:59:57)

   Marc Sullivan stated the Ethics Commission does not want to enforce [Administrative Code (Sunshine Ordinance) Section] 67.35(d) and supports the actions of the Sunshine Ordinance Task Force.

   CONSENT AGENDA – *Items 8 through 11*

   The Sunshine Ordinance Task Force shall review **File Nos. 25038, 25048, 25059, and 25060** to affirm the Committee's findings regarding the Sunshine Ordinance Task Force's jurisdiction; violations of the Sunshine Ordinance, Brown Act, or California Public Records Act; and, if applicable, to issue an Order of Determination and refer matters to a Committee for monitoring. The Complainant and Respondent are *not required to attend the September 3, 2025* Sunshine Ordinance Task Force meeting but may attend to provide testimony during the public comment period for this item related to the determinations listed below. (01:03:50)

8. **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.

   (On 8/192025, the Complaint Committee found that the Task Force has jurisdiction over the matter, that the requested records are public, and referred 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.)

9. **File No. 25048:** Complaint filed by Mark Sullivan against David Steinberg and San Francisco Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(b) for failing to respond in a timely and/or complete manner, 67.21(l) for failing to provide public information for inspection and copying, 67.26 for failing to keep the withholding of records without justification to a minimum, and 67.27 for failing to provide a justification for withholding records. *(attachments)*

   (On 7/22/2025, the Education, Outreach and Training Committee found that the Task Force has jurisdiction and forwarded the matter to the Consent Agenda with a recommendation to find no violation.)

10. **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.

    (On 8/19/2025, the Complaint Committee found that the Task Force has jurisdiction over the matter, that the requested records are public, and referred the matter to the Consent Agenda with a recommendation to find 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 found no improper delay in the response.)

11. **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.

    (On 8/19/2025, the Complaint Committee found that the Task Force has jurisdiction over the matter, that the requested records are public, and referred the matter to the Consent Agenda with a recommendation to find 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 the Respondent.)

Action: Moved by Vice-Chair Stein, seconded by Member Anderson, to approve the Consent Agenda and adopt the recommendations of the Committees.

Public Comment: None

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

Ayes: 8 – Stein, Anderson, Schmidt, LaHood, Sugarman, Kumar, Pilpel, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

When Item 12 was called, Marc Sullivan noted that his hand had been raised to provide public comment on the Consent Agenda, but he was not called on. Chair Yankee permitted him to speak. (01:24:41)

Public Comment: Marc Sullivan stated that regarding File 25048 at the [Education, Outreach, and Training Committee] hearing, Respondent stated incorrectly that the visibility interface was not a record used by city custodians, but custodians use the visibility interface with every request. Mr. Sullivan further stated that he would take any form of a copy of the visibility interface in response to his records request.

Action: Moved by Member Pilpel, seconded by Member LaHood, to rescind the vote on the Consent Agenda.

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

Ayes: 8 – Pilpel, LaHood, Schmidt, Sugarman, Kumar, Anderson, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

Action: Moved by Member Anderson, seconded by Member Sugarman, to approve the Consent Agenda and adopt the recommendations of the Committees.

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

Ayes: 8 – Anderson, Sugarman, Schmidt, LaHood, Kumar, Pilpel, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

The meeting was in recess from 5:15 until 5:25 p.m.

COMPLAINT HEARING AGENDA – *Items 12 through 16*

12. **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. (01:22:35 and 01:31:30)

(On 8/192025, the Complaint Committee referred the matter to the full Task Force with a recommendation to find 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.)

Member Pilpel disclosed that he is a District 4 resident, but has not donated money to or volunteer for either the for- or against-recall side of the matter.

Chair Yankee disclosed that he is a District 4 resident, and has had no involvement with either the pro- or anti-recall groups.

Richard Correa (Petitioner) stated that the calendar provided to him in response to an immediate disclosure request for Joel Engardio's 2024 calendar differed from an earlier version of the calendar showing a meeting with [Prop K] proponents whom the community feels were working behind the scenes with Supervisor Engardio with regard to changes in their culture, lifestyle and safety. Mr. Correa further stated that the calendar issued to him in March 2025 was incomplete, it was not provided timely, that the omission was intentional, and the matter should be referred to the Ethics Commission.

Lisa Arjus, speaking as a witness for Petitioner, stated that edited documents become "fraud," and that it is highly unlikely that only meeting out of 344 would be deleted. Ms. Arjus further stated that there is a pattern of Supervisor Engardio skirting the government systems as he almost entirely uses his gmail account and an Apple platform.

Action: Moved by Chair Yankee, seconded by Member Sugarman, to find Supervisor Engardio in violation of Administrative Code (Sunshine Ordinance), Section 67.29-5 by failing to provide a Prop G calendar in a timely and/or complete manner. The Task Force also finds a violation of Administrative Code (Sunshine Ordinance), Section 67.21(e) for failing to send an authorized representative to the meeting. Additionally, the Task Force finds that it cannot determine whether or not a willful failure occurred under Administrative Code (Sunshine Ordinance), Section 67.34, and so it refers this matter to the Ethics Commission and encourages them to investigate it under their authority found in the Charter of the City and County of San Francisco, Article XV, Section 15.100.

Member Pilpel requested that the motion be divided, with a separate vote taken on the final sentence of the motion.

Public Comment: John Crabtree stated that Mr. Correa's interests were known to Supervisor Engardio, and consideration of this matter should be construed in favor of the public's right to know.

Judy Gorski that the Task Force may send the matter to the Ethics Commission to decide if the omission is willful.

Brandy Markman stated that as an intern at the Board of Supervisors from 2017 to 2019, one of her responsibilities was to help manage the supervisor's calendar and finds it preposterous and unimaginable that a legislative aide would mistakenly delete such an important meeting from the calendar.

Charles Perkins stated that the obligation to produce public records includes the obligation to produce undoctored records and urged the Task Force to find a willfulness violation.

Heather Davies stated that Supervisor Engardio dismissed the significance of the complaint and retaliated against five individuals who spoke at [the Complaint Committee] meeting by posting their images on social media and referred to them as the enemies of progress.

Patricia Arack stated that she encouraged the Task Force to refer the matter to the Ethics Commission.

Action: To find Supervisor Engardio in violation of Administrative Code (Sunshine Ordinance), Section 67.29-5 by failing to provide a Prop G calendar in a timely and/or complete manner. The Task Force also finds a violation of Administrative Code (Sunshine Ordinance), Section 67.21(e) for failing to send an authorized representative to the meeting

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

Ayes: 8 – Yankee, Sugarman, Schmidt, LaHood, Kumar, Anderson, Pilpel, Stein
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

Action: Additionally, the Task Force finds that it cannot determine whether or not a willful failure occurred under Administrative Code (Sunshine Ordinance), Section 67.34, and so it refers this matter to the Ethics Commission and encourages them to investigate it under their authority found in the Charter of the City and County of San Francisco, Article XV, Section 15.100.

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

Ayes: 6 – Yankee, Sugarman, Schmidt, LaHood, Kumar, Stein
Noes: 2 – Anderson, Pilpel
Absent: 2 – Hyland, Wolfe

13. **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). (03:35:13)

(On 5/20/2025, the Complaint Committee found that the Task Force has jurisdiction, that the requested documents are public, and referred the matter to the full Task Force to consider whether there is a violation of Administrative Code (Sunshine Ordinance), Section 67.21.

On 6/4/2025, the Task Force continued File 25032 to the call of the Chair.

On 6/24/2025, Petitioner requested a continuance of File No. 25032 which was scheduled before the Task Force on 7/2/2025. The Task Force granted Petitioner's request on 6/25/2025.

On 7/30/2025, the Task Force granted Petitioner's request received 7/25/2025 to continue the matter to the next available regular meeting on or after August 22, 2025.)

Michael Turon (Petitioner) stated that he requested but did not receive an index of withheld records, the reasons for any withholdings, and any partial BOE-64 forms which are required for seismic exceptions. Mr. Turon encouraged a finding of a violation for timeliness, that a memo be provided within ten business days with only specific numbers or confidential items redacted, and that a compliance hearing be agendized.

Aydin Kayali (Respondent) stated that further research was required before providing responsive records to Mr. Turon and acknowledged the timeliness violation.

The parties provided rebuttals.

Action: Moved by Member Pilpel, seconded by Member Schmidt, to find Assessor-Recorder Joaquin Torres, Aydin Salim Kayali, and the Office of the Assessor-Recorder in violation of Administrative Code (Sunshine Ordinance) Section 67.25(a) for failing to respond no later than the close of business on the day following the day of the two Immediate Disclosure Requests.

Public Comment: None

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

Ayes: 8 – Pilpel, Schmidt, LaHood, Sugarman, Kumar, Anderson, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

The meeting was in recess from 8:17 until 8:26 p.m.

Member Kumar was noted present at 8:27 p.m.

14. **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. (04:22:56)

(On 8/19/2025, the Complaint Committee found that under 12L.5(b) the Task Force 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.)

Anmarie Mabbutt (Petitioner) stated that neither FAMSF or COFAM have explained why COFAM is exempt from the Section 12L public disclosure or meeting requirements other than the failure of the FAMSF trustees to execute a lease or written requirement with a reference to 12L and requested a finding of a failure to send a representative to the August 19, 2025 Complaint Committee.

Jason Seifer, Chief Financial Officer (Respondent) stated that they were unaware of the August 19, 2025 Complaint Committee meeting because communications were sent to Paria Dea who is on extended leave. Mr. Seifer stated that the 12L requirements are typically embedded in their City grant contracts but here, revenues from ticket sales are deposited weekly into an admission fund for salaries and benefits and any remainder is returned to the not for profit organization to fund basic operations. Mr. Seifer further stated that without a specific grant amount it is hard to rule that 12L is relevant, and there is no publicly disclosable budget which is a 12L requirement.

The parties provided rebuttals.

Action: Moved by Chair Yankee, seconded by Member LaHood, to issue an advisory opinion under Administrative Code, Section 12L that the Corporation of the Fine Arts Museums (COFAM) is subject to the requirements of Section 12L, and to find that the Task Force does not have jurisdiction to find whether the Fine Arts Museums of San Francisco (FAMSF) is subject to Section 12L.2 because Section 12L.5 only provides the Task Force with jurisdiction over complaints regarding nonprofit organizations.

Public Comment: None

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

Ayes: 8 - Yankee, LaHood, Schmidt, Sugarman, Kumar, Anderson, Pilpel, Stein
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

Action: Moved by Member Schmidt to include in the Task Force's advisory opinion regarding COFAM and Administrative Code, Section 12L, that Petitioner has demonstrated ` COFAM failed to comply with Section 12L.4 regarding public access to meeting requirements and failed to comply with 12L.5 regarding the disclosure of financial information.

The motion **DIED** for lack of a second.

15. **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. (05:27:55)

(On 8/19/2025, the Complaint Committee found that the Task Force has jurisdiction over the matter, that the requested records are public, and referred the matter to the next available meeting of the full Task Force for a hearing to consider a violation of Administrative Code (Sunshine Ordinance) Section(s) 67.25 and 67.21.)

Marc Bruno (Petitioner) stated that Respondent indicated that his Immediate Disclosure Request for what affordable housing units are eligible for upzoning would be answered immediately, but was then told by the Secretary for Records Requests that ten days were needed to respond but an extension not to exceed 14 days may be needed.

Jonas Ionin (Respondent) stated that their initial response conceded that they were in violation of an untimely response. Mr. Ionin further stated that they responded to Mr. Bruno the day after his immediate disclosure the day after it was received and let him know that it would be handled as a regular request but did not request an extension. Mr. Ionin stated that Mr. Bruno was directed to a webpage with the Family Zoning Plan that might help him find the information he seeks but the department did not have a document that was entirely responsive.

The parties provided rebuttals.

Action: Moved by Member Pilpel, seconded by Member Anderson, to find the San Francisco Planning Department in violation of Administrative Code (Sunshine Ordinance), Section 67.25(a) for failing to respond no later than the close of business on the day following the day of an Immediate Disclosure Request.

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

Ayes: 8 – Pilpel, Anderson, Schmidt, LaHood, Sugarman, Kumar, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

16. **File No. 25039:** Complaint filed by Eric Roussel against the 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. (06:07:44)

(On 6/17/2025, the Complaint Committee found that the Task Force has jurisdiction, that the requested records are public, and referred the matter to the full Task Force for consideration of a violation of Administrative Code (Sunshine Ordinance) Section(s) 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.

On 7/2/2025, the Task Force found that the San Francisco Planning Department violated Administrative Code (Sunshine Ordinance), Section 67.21(b) for failure to respond to a public request in a timely and/or complete manner, and ordered the production of all identifiable documents request that have not been produced, be produced per the ordinance, and further that Respondent failed to have an authorized representative in attendance in violation of Section 67.21(e), and to refer the matter to a Committee for follow up.

On 7/22/2025, the Education, Outreach and Training Committee continued the matter to the call of the Chair.

On 8/6/2025, the Task Force approved the Order of Determination in File No. 25039.)

Eric Roussel (Petitioner) stated that emails that have been produced are missing subject lines, Cc lines, and attachment lines.

Jonas Ionin (Respondent) stated that the department has no additional responsive documents, that personnel documents subject to confidentiality are not being released, and that there are documents that have been redacted that are not going to be provided to Mr. Roussel based on Government Code Sections 7927,700, 7925.705, 7921.00 and Administrative Code (Sunshine Ordinance) Section 67(g), and Evidence Code Section 1041.

Public Comment: None

Action: Moved by Member Pilpel, seconded by Member Anderson, to close the file.

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

Ayes: 8 – Pilpel, Anderson, Schmidt, LaHood, Sugarman, Kumar, Stein, Yankee
Noes: 0 – None
Absent: 2 – Hyland, Wolfe

17. **Hearing on Sunshine Ordinance Amendments**: Discussion regarding amendments to the Sunshine Ordinance and potential action to guide the related work of the Compliance and Amendments Committee. *(Discussion and Action)*

Members of the Task Force are encouraged to review these suggestions and come to the meeting prepared with comments. They are also invited to propose additional suggestions for each of the three sections: high priority changes, functional updates and other possible changes.

The members discussed potential issues ranging from the consequences of matters being heard at the courts, the identification of departmental compliance with insufficient data, the potential impact of decisions on labor union employees, departmental processes and best practices, exploring how to address ministerial updates without having to return to the voters, and the need to have enforcement power reflected in the law.

Public Comment: None

No action taken.

18. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force. (Discussion and Action)** (06:55:45)

Public Comment: None

No action taken.

19. **ADJOURNMENT** (05:56:38)

There being no further business, the meeting was adjourned at 11:00 p.m.

Approved: _____
Sunshine Ordinance Task Force

N.B. the Minutes of this meeting set forth all action 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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