



**SUNSHINE ORDINANCE TASK FORCE  
CITY AND COUNTY OF SAN FRANCISCO**

**AGENDA**

**Hearing Room 408  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689**

**REGULAR MEETING**

**April 3, 2024 – 4:00 PM**

**(NOTE: Hearings on complaints will begin no earlier than 5:00 P.M.)  
(See below for additional details.)**

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**Remote Access and/or In-Person Participation**

The Sunshine Ordinance Task Force and its committees convene hybrid meetings that allow in-person attendance, in-person public comment, remote access for petitioners and respondents, and remote public comment via teleconference (via Webex).

**Webex Remote Link/Log-in:  
<https://tinyurl.com/bd2h56m4>  
Password: sunshine**

**Telephone Call-in:  
1 (415) 655-0001 / Meeting ID: 2663 544 7880 # #  
(press \*3 to enter the speaker line)**

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Seat 1	Dean Schmidt	Seat 7	Matthew Yankee - <b>Chair</b>
Seat 2	Lila LaHood	Seat 8	Chris Hyland
Seat 3	Saul Sugarman	Seat 9	David Pilpel
Seat 4	Ankita Kumar	Seat 10	Thuan Thao Hill
Seat 5	Maxine Anderson	Seat 11	Bruce Wolfe
Seat 6	Laura Stein – <b>Vice-Chair</b>		

Ex-officio (non-voting) Clerk of the Board of Supervisors or his or her designee  
Ex-officio (non-voting) Mayor or his or her designee

*Members of the public may participate by phone or may submit their comments by email to: [sotf@sfgov.org](mailto:sotf@sfgov.org); all comments received will be made a part of the official record. Sunshine Ordinance Task Force agendas and their associated documents are available at <https://sfbos.org/sunshine>.*

**Meeting Decorum:** Any member of the Sunshine Ordinance Task Force may call for decorum due to the disorderly conduct of meeting participants. Persons who engage in threatening and/or menacing behavior may be asked to leave.

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES.**
2. **Approval of the minutes from the Sunshine Ordinance Task Force Meeting of March 6, 2024.** (*Discussion and Action*) ([attachments](#))
3. **Approval of Orders of Determination:** (*Discussion and Action*) ([attachments](#))

**From the February 7, 2024 Sunshine Task Force meeting:**

**File No. 23016** - Complaint filed by Rosa L. against the Department of Emergency Management

**File No. 23098** - Complaint filed by Mark Sullivan against the Ethics Commission

**File No. 22134** - Complaint filed by Michael Petrelis against Mayor London Breed

**File No. 22135** - Complaint filed by Michael Petrelis against Mayor London Breed

**File No. 23013(C)** - Complaint filed by Chris Ward Kline against the Mayor's Office

**File No. 23013(D)** - Complaint filed by Chris Ward Kline against the Department of Emergency Management

**From the March 6, 2024 Sunshine Task Force meeting:**

**File No. 21125** - Complaint filed by Liza Murawski against the Department of Public Health

**File No. 22126** Complaint filed by Michael Petrelis against President Shamann Walton (Board of Supervisors)

**File No. 22129** - Complaint filed by HVSafe against the Police Department

**File No. 23020 and 23036** - Complaint filed by Paul Kniha against the Municipal Transportation Agency

**File No. 23024** - Complaint filed by Paul Kniha against the Municipal Transportation Agency

**File No. 23033** - Complaint filed by Andrew J. White against the Department of Police Accountability

**File No. 24003** - Complaint filed by Anonymous (acu) v. Fine Arts Museums

4. **Administrator's Report, Complaints and Communications.** (*Discussion and Action*) ([attachments](#))
  - Task Force and Committee tentative hearing schedule with potential adjustments
  - Complaints and Hearing Requests
  - Communications
5. **File No. 23097 – Proposed Revisions to the Complaint Procedures and By-Laws:** Potentially adopt proposed revisions to the SOTF Complaint Procedures to expedite complaint processing per the Sunshine Ordinance requirements, and present and discuss related proposed changes to the SOTF By-Laws. (*Discussion and Action*) ([attachments](#))

- 6. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF’s jurisdiction, but not on today’s agenda. *Public comment shall be taken at 5:00 p.m. or as soon thereafter as possible. (No Action)*

**NOTE: Hearings on complaints and other agenda items listed below will begin no earlier than 5:00 P.M.**

- 7. **File No. 23013(C): Reconsideration of Complaint:** Complaint filed by Chris Ward Kline against the Mayor’s Office for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, 67.24(b), and 67.25, by failing to respond to a request for public records in a timely and/or complete manner. *(Discussion and Action) (attachments)*

*(On 2/7/24 the SOTF heard the matter and found no violation. On 3/5/24 the Petitioner provided additional documents not available during the hearing and requested reconsideration of the complaint.)*

- a) Hearing on the request for reconsideration. *(Discussion and Action)*

- 8. **A File No. 22027: Hearing on the status of the Order of Determination:** Complaint filed by John Templeton against the Planning Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.7; 67.21, and 67.29-7, by failing to post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting; failing to responded to a request for public records in a timely and/or complete manner; and failing to maintain and preserve all documents is a professional manner. *(attachments)*

*(On July 6, 2022, the Task Force moved to find that the Planning Department and Planning Department Head Rich Hillis are in violation of Administrative Code, Sunshine Ordinance, Sections 67.21(b) for failing to provide records in a timely manner; 67.29-7 for the department head failing to maintain records in a professional and businesslike manner including all documents, agendas and correspondence from 2006-2009; and orders the Department to supply the responsive records within five business days to the complainant. On February 27, 2024, the Compliance and Amendments Committee referred the matter to the Task Force for further proceedings.)*

- a) Hearing on the complaint. *(Discussion and Action)*

**Part 1 of 4**

**Part 2 of 4**

**Part 3 of 4**

**Part 4 of 4**

**B. File No. 22028: Hearing on the status of the Order of Determination:** Complaint filed by John Templeton against the Historic Preservation Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.7, 67.21, and 67.29-7, by failing to post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting; failing to respond to a request for public records in a timely and/or complete manner; and failing to maintain and preserve all documents in a professional manner. (*attachments*)

*(On July 6, 2022, the Task Force moved to find a violation of Section 67.21(b) for failure to timely respond to the document request and order that the Historic Preservation Commission go back and produce those documents that would respond to the initial request and that the records disclosure shall include all items that were submitted with the intake of the complaint. Order of Determination issued and approved on November 1, 2023. On February 27, 2024, the Compliance and Amendments Committee referred the matter to the Task Force for further proceedings.)*

a) Hearing on the complaint. (*Discussion and Action*)

9. **File No. 23034** Complaint filed by Library Users Assn. against Margot Shaub, Michael Lambert, and the San Francisco Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(a), by failing to respond to a public records request in a timely and/or complete manner, and 67.21(l), by failing to allow inspection and copying of documentary public information stored in electronic form which shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, including disk, tape, printout or monitor at a charge no greater than the cost of the media on which it is duplicated. (*attachments*)

*(On July 18, 2023 Complaint Committee referred the matter to the Task Force finding that the records are public, the SOTF has jurisdiction and for hearing with no recommendation.)*

a) Hearing on the complaint. (*Discussion and Action*)

10. **File No. 22060** Complaint filed by Wynship Hillier against Executive Director Geoffrey Grier and the Behavioral Health Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(b) and California Government Code, Section(s) 6253(c), by failing to respond to or acknowledge receipt of a records request in a timely and/or complete manner. (*attachments*)

*(On January 23, 2024 the Education, Outreach and Training Committee found that the Task Force has jurisdiction, the records are public, and referred the matter to the Task Force with the recommendation for a violation of Section 67.21(b) and requested the release of the site report within 10 business days.)*

a) Hearing on the complaint. (*Discussion and Action*)

11. **File No. 22099** Complaint filed by Wynship Hillier against Geoffrey Grier and the Behavioral Health Commission for allegedly violating Administrative Code (Sunshine

Ordinance), Section(s) 67.21(b) and California Government Code, Section(s) 6253(c), by failing to respond to or acknowledge receipt of a records request in a timely and/or complete manner. (*attachments*)

*(On January 23, 2024 the Education, Outreach and Training Committee found that the Task Force has jurisdiction, the records are public and referred the matter to the Task Force with a recommendation to find a violation of Section 67.21(b).)*

a) Hearing on the complaint. (*Discussion and Action*)

12. **File No. 23023** Complaint filed by Jorge Rivero against the Police 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. (*attachments*)

*(On June 20, 2023, the Complaint Committee found that the Task Force has jurisdiction, the requested records are public, and referred the matter to the Task Force for hearing pending receipt of the original request so that the nature of the violation can be properly identified.)*

a) Hearing on the complaint. (*Discussion and Action*)

13. **File No. 23013(E)** Complaint filed by Chris Ward Kline against the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, 67.24(b), and 67.25 by failing to respond to a request for public records in a timely and/or complete manner. (*attachments*)

*(On March 21, 2023 the Complaint Committee found that the Task Force has jurisdiction, that certain public records are involved and forwarded the matter to the Task Force for hearing with the recommendation that the Petitioner clarify which request is at issue in relation to each agency.)*

a) Hearing on the complaint. (*Discussion and Action*)

14. **Hearing - Update on 2023 Annual Report.** (*Discussion and Action*) (*attachments*)

SOTF members may view all documents and comment on narrative documents online. Members of the public may view all documents and send any comments to [Lstein.sotf@gmail.com](mailto:Lstein.sotf@gmail.com).

Full Draft report

at: [https://docs.google.com/document/d/1\\_Gg9UQzXmUiwmb4YAlmq0dk9YuKsj\\_V9/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true](https://docs.google.com/document/d/1_Gg9UQzXmUiwmb4YAlmq0dk9YuKsj_V9/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true)

Complaint Resolution Data for 2023

at: [https://docs.google.com/spreadsheets/d/1mZIXGEXaTh8PRKToQN0e\\_oOYEwwQtECGi/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true](https://docs.google.com/spreadsheets/d/1mZIXGEXaTh8PRKToQN0e_oOYEwwQtECGi/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true)

Survey Data for 2023

at: [https://docs.google.com/spreadsheets/d/1vhAlpITwd13KCd\\_sRTuuBnXFLQxBuDtk/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true](https://docs.google.com/spreadsheets/d/1vhAlpITwd13KCd_sRTuuBnXFLQxBuDtk/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true)

15. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force.** *(Discussion and Action)*  
*(Note: Public Comment on this item is limited to subject matters presented by members of the SOTF.)*
  
16. **ADJOURNMENT.**

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](mailto: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;
- 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

- |    |  |                      |
|----|--|----------------------|
| 1. | Complainant presents his/her facts and evidence  | 5 minutes            |
|    | Other parties of Complainant present facts and evidence  | Up to 3 minutes each |
| 2. | City responds  | 5 minutes            |
|    | Other parties of City respond  | Up to 3 minutes each |
|    | <i>Above total speaking times for Complainant and City to be the same.</i>                                   |                      |
| 3. | Matter is with the Task Force for discussion and questions.  |                      |
| 4. | Respondent and Complainant presents clarification/rebuttal   | 3 minutes            |
| 5. | Matter is with the Task Force for motion and deliberation.   |                      |
| 6. | Public comment (Excluding Complainant & City response, witnesses)  | Up to 3 minutes each |
| 7. | Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.) |                      |

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: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact [bos@sfgov.org](mailto:bos@sfgov.org) or call (415) 554-7725.

AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el Viernes anterior a la reunion. Llame [bos@sfgov.org](mailto:bos@sfgov.org) or (415) 554-5184.

Paunawa: Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求  
請電 (415) 554-7719

### **Disability Access**

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours 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](mailto: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](http://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](http://sfethics.org).