



**SUNSHINE ORDINANCE TASK FORCE  
Compliance and Amendments Committee  
CITY AND COUNTY OF SAN FRANCISCO**

**MINUTES**

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

**REGULAR MEETING**

**August 22, 2023  
4:00 PM**

**Members:** Lila LaHood (Chair), Jennifer Wong and Bruce Wolfe

**1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Chair LaHood called the meeting to order at 4:07 p.m. On the call of the roll Chair LaHood and Member Yankee was noted present. Members Wolfe and Wong were noted not present. A quorum was present.

SOTF Chair Yankee appointed himself in place of Member Wong for the August 22, 2023, Compliance and Amendments Committee Meeting.

There were no agenda changes.

**2. Approval of the June 27, 2023, Compliance and Amendments Committee meeting minutes.**

Chair LaHood called for minutes from the February 21, 2023, and April 25, 2023, Compliance and Amendments Committee meeting minutes to be attached to the agenda for the next Compliance and Amendments Committee meeting.

The April 25, 2023, minutes with amendments were approved at the June 27, 2023, Compliance and Amendments Committee meeting.

Chair LaHood called for approval of the February 21, 2023, Compliance and Amendments Committee meeting minutes to be added to the agenda of the next Compliance and Amendments Committee meeting.

**Action: Moved by Chair LaHood, seconded by Member Yankee to approve the June 27, 2023, Compliance and Amendments Committee meeting minutes with amendments.**

Public Comment:

None.

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

Ayes: 2 - LaHood, Yankee

Noes: 0 - None

Absent: 1 - Wolfe

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.

Speakers:

None.

4. **File No. 22010:** Complaint filed by Ron Cicero against the Police 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.

Ron Cicero (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Cicero suggested that the Committee hear another case before his because the Police Dept. neglected to send a person most knowledgeable.

Sgt. Kathryn Winters (Police Department) (Respondent), provided a summary of the department's position. Sgt. Winters is new to the position; she is working to get up to speed and is waiting for a response from the property division to determine if the items can be located. Sgt. Winters stated that they still need to know if the evidence exists.

Chair LaHood stated that the Order of Determination is not being complied with and there needs to be a motion.

Member Yankee noted that this is not productive for the requestor, a letter has been sent to Chief William Scott and there could be violation issues because there has been no

response and that perhaps this matter should be sent back to the SOTF and moved to another venue such as the Ethics Commission.

Member Wolfe was present at 4:30 PM.

**Action: Moved by Chair LaHood, seconded by Member Yankee, to refer the matter back to the SOTF with a recommendation to refer this case to the Ethics Commission and possibly consider willful violation.**

Public Comment:

None.

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

Ayes: 3 - LaHood, Yankee, Wolfe

Noes: 0 - None

5. **File No. 22080:** Complaint filed by Mukund Rathi and the Electronic Frontier Foundation against Lieutenant Lynn Reilly and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(b)(e), 67.25(a)(b)(d), and 67.34, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

David Maass (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Maass stated that EFF received correspondence on July 31, in which Lt. Toomey said they had the same responses that no further records exist and special investigation he didn't just request the report, the data which indicates only on the report exists and that they continue collect that data and to confirm that the requested documents are created.

Lt. William Toomey (Police Department) (Respondent), provided a summary of the department's position. Lt. Toomey stated that the order of the committee was to locate the documents and provide them and if they did not exist to correspond with the Petitioner within five business days. The Police Department complied with the Order of July 25, 2023. Lt. Toomey stated that it is the position of the Police department that the annual report as requested does not exist.

A question and answer period occurred. The parties were provided an opportunity for rebuttals.

**Action: Moved by Member Wolfe, seconded by Chair LaHood, to keep the file open for monitoring through December 31, 2024, and if we do not receive a communication from Electronic Frontier Foundation for further compliance or to request another hearing by December 31, 2024, the SOTF will close the case.**

Public Comment:

Anonymous asked what ALP stands for.

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

Ayes: 3 - Wolfe, LaHood, Yankee

Noes: 0 - None

6. **File No. 22052:** Complaint filed by Lee Heidhues against Megan Bourne and the Fine Arts Museum 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.

Lee Heidhues (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Heidhues sent a copy of the transcript this afternoon and read parts of it into the record. Mr. Heidhues only saw a part of it on August 17, while he and his wife were viewing the Tudor exhibit at the Palace of the Legion of Honor on his wedding anniversary. Mr. Heidhues stated that they only sent him the FAMSf brief on August 17, while he and his wife were viewing the Tudor exhibit at the Legion of Honor Fine Arts Museums and only saw the brief because SOTF Administrator Leger sent it to him. Mr. Heidhues noted that in the brief included the Director's email which is maintained by a COFAM server and that the Director's salary is paid for by COFAM.

Paria Dea (Fine Arts Museum) (Respondent), provided a summary of the department's position. Ms. Dea stated that at the July 25 SOTF hearing the SOTF issued an order and that FAMSf requested that a representative of COFAM review the petitioner's request in light of the cases referenced in the Order. FAMSf has completed this task and has determined that these cases are not relevant in this situation. FAMSf has provided all its responsive records to the petitioner on April 18, 2022, and has no additional records that were already provided to the petitioner.

A question and answer period occurred. The parties were provided an opportunity for rebuttals.

**Action: Moved by Member Yankee, seconded by Chair LaHood, to refer this item back to the SOTF for inclusion of the October 4, 2023, agenda and request the SOTF Deputy City Attorney to provide written advice of a COFAM analysis of the National City, Epstein B and Hollywood.**

Public Comment:

None.

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

Ayes: 3 - Yankee, LaHood, Wolfe  
Noes: 0 - None

7. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Compliance and Amendments Committee.** (*Discussion and Action*)

Chair LaHood stated that the Compliance and Amendments Committee has been reviewing the text of the Ordinance. This item was not on the Committee agenda because this meeting had to be short but will continue the item to the October SOTF agenda.

Public Comment:

None.

8. **ADJOURNMENT.**

There being no further business the meeting was adjourned at 5:26 PM.

**APPROVED: October 24, 2023**  
**Compliance and Amendments Committee**  
**Sunshine Ordinance Task Force**

**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 sequence presented in the published agenda