



SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES - DRAFT

REGULAR MEETING

October 24, 2023
4:30 PM

Members: Lila LaHood (Chair), David Pilpel and Bruce Wolfe

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

Chair LaHood called the meeting to order at 4:43 p.m. On the call of the roll Chair LaHood and Member Pilpel were noted present. Member Wolfe was noted absent. A quorum was present.

Sergi Severinov requested that his complaint be heard after 8:30 PM due to travel restrictions.

Member Pilpel suggested that Items 4 and 5 be heard after Item 7. The sequence of agenda items was called in the following order: 1, 2, 3, 6, 8, 9, 10, 7, 4, 5, 11 and 12.

Action: Moved by Chair LaHood, seconded by Member Pilpel, to adopt the agenda changes.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 2 - LaHood, Pilpel

Noes: 0 - None

Absent: 1 - Wolfe

Member Wolfe noted present at 4:55 PM.

2. **Approval of the February 21, 2023, Compliance and Amendments Committee meeting minutes.**

Member Pilpel provided suggested amendments.

Action: Moved by Member Pilpel, seconded by Chair LaHood, to adopt the February 21, 2023 minutes as amended.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, LaHood, Wolfe

Noes: 0 - None

3. **Approval of the April 25, 2023, Compliance and Amendments Committee meeting minutes.**

Member Pilpel provided suggested amendments.

Action: Moved by Member Pilpel, seconded by Chair LaHood, to adopt the April 25, 2023 minutes as amended.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, LaHood, Wolfe

Noes: 0 - None

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

Action: Moved by Member Pilpel, seconded by Member Wolfe, to continue the matter to the to the December 19, 2023 meeting.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Wolfe, LaHood

Noes: 0 - None

5. **Approval of the August 22, 2023, Compliance and Amendments Committee meeting minutes.**

Action: Moved by Member Pilpel, seconded by Member Wolfe, to continue the matter to the Call of the Chair.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Wolfe, LaHood

Noes: 0 - None

6. **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. .

7. **File No. 22020:** Complaint filed by Sergei Severinov against the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(c), by failing to respond to a public records request in a timely and/or complete manner.

Sergi Severinov (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Severinov stated that between July 14 and July 17, 2023 he received records from the police department which included emails not drafted by him. Mr. Severinov concluded that those email records had never before been disclosed to him.

Lt. William Toomey (Police Department) (Respondent), was not present and did not inform the SOTF Administrator of their absence.

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

Action: Moved by Chair LaHood, seconded by Member Pilpel, to continue the matter to the December 19, 2023 Compliance and Amendments Committee meeting and requested the SOTF Administrator confirm the Respondent’s attendance at the meeting.

Public Comment:

None.

The motion PASSED by the following vote:

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

8. **File No. 23030** Complaint filed by Michael Turon against the Assessor-Recorder’s Office 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; 67.25; by failing to keep withholding to a minimum; CPRA 6253(b) by failing to provide “exact copies of records; CPRA 6253.9 by failing to provide the “electronic format in which you hold the information; CPRA 6254.5 by withholding exemptions already waived by providing the records to the public before this request.

Michael Turon (Petitioner) was not present for the hearing and did not notify the SOTF Administrator of their absence.

Derek Ah Nin (Assessor-Recorder’s Office) (Respondent) was present.

Action: Moved by Chair LaHood, seconded by Member Wolfe, to continue the matter to the Call of the Chair.

Public Comment:

None.

The motion PASSED by the following vote:

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

9. **File No. 23085:** Complaint filed by Mike Spencer against the District Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a records request in a timely and/or complete manner.

Mike Spencer (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Spencer stated that he is requesting records regarding the Gary Murphy murder of June 12, 1998 and has received nothing.

Nikki Moore, (District Attorney's Office) (Respondent), provided a summary of the department's position. Ms. Moore referred to the response letter provided which lays out the department's timeliness violation and concludes that after conducting a search for the requested records, the District Attorney's Office was unable to locate them.

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

Action: Moved by Member Pilpel, seconded by Member Wolfe, to find that the SOTF has jurisdiction, that the requested records are public and referred the matter to the SOTF for hearing with no recommendation. The Committee requested that the SOTF Deputy City Attorney provide confidential advice to the SOTF regarding the District Attorney's position prior to hearing the matter at the full SOTF> . (BEE SURE TO ADD THIS NOTE TO FORWARD CALANDAR

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Wolfe, LaHood

Noes: 0 - None

10. **File No. 23086:** Complaint filed by Mike Spencer against the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a records request in a timely and/or complete manner.

Mike Spencer (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Spencer stated that he is requesting records regarding the Gary Murphy murder of June 12, 1998. Mr. Spencer stated that he received an incident report from 2020 and the prosecution memo written by a retired detective.

Lt. William Toomey (Police Department) (Respondent), was not present for the hearing and did not notify the SOTF Administrator of their absence.

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

Action: Moved by Member Wolfe, seconded by Member Pilpel, to find that the SOTF has jurisdiction, find that the requested records are public and referred the matter to the SOTF for a hearing with no recommendation.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - LaHood, Wong, Wolfe

Noes: 0 - None

11. Committee members will review Articles I and II of the Sunshine Ordinance and discuss possible amendments to recommend to the full Task Force. Recommendations proposed by members of the public at previous committee meetings will be taken into consideration.

The Committee discussed the hearing matter.

Public Comment:

None.

No action taken on the matter.

12. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Compliance and Amendments Committee.**

Chair LaHood proposed that possibly two additional meetings be scheduled to continue the review of the Sunshine.

Public Comment:

None.

13. **ADJOURNMENT**

There being no further business the meeting was adjourned at 9:59 p.m.

APPROVED: DRAFT
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 chronological sequence in which the matters were taken up.