

**REVISED**



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

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

**Meeting Minutes**

**March 19, 2024 – 5:30 PM**

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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).

**Members:** Dean Schmidt (Chair), Laura Stein, and Saul Sugarman

**Clerk:** Patricia Petersen

**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 (00:05:28)**

Chair Schmidt called the meeting to order at 5:38 p.m. On the call of the roll Chair Schmidt, Member Stein, and Member Sugarman were noted present. A quorum was present.

Item 4, **File No. 23042** Anonymous (SFS) against the Department of Department of Building Inspection was withdrawn.

Item 9, **File No. 24008** Anonymous (ACU against Chief William Scott, Lt. Chris Beauchamp and the Police Department was withdrawn.

**Action: Motion by Chair Schmidt, seconded by Member Stein, to Continue File No. 24001 to the April 16, 2024, Complaint Committee meeting.**

**Public Comment:**

Monique stated that the Tenderloin Neighborhood Development Corporation has not had public board meetings this year.

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

Ayes: 3 – Schmidt, Stein, Sugarman  
Noes: 0 – None

2. **Approval of the February 20, 2024, Complaint Committee meeting minutes.**  
(00:24:02)

Member Stein provided edits to the minutes.

**Action: Moved by Chair Schmidt, seconded by Member Sugarman, to approve the February 20, 2024 minutes as amended.**

**Public Comment:** None.

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

Ayes: 3 – Schmidt, Stein, Sugarman  
Noes: 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. (00:30:01)

**Public Comment:** None.

4. **File No. 23042:** Complaint filed by Anonymous (SFS) against the Department of Building Inspection 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; California Public Records Act 6253 for failure to provide a response within 24 days. (00:30:55)

**Item 4 was withdrawn by the Petitioner prior to the meeting.**

5. **File No. 23084:** Complaint filed by Marc Bruno against Patrick Hannon and the Department of Building Inspection 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. (00:32:04)

**Action: Moved by Chair Schmidt, seconded by Member Stein, to table the matter without prejudice due to non-appearance without prior notice of the Petitioner pursuant to SOTF Complaint Procedure 7(b).**

**Public Comment:** None.

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

Ayes: 3 – Schmidt, Stein, Sugarman  
Noes: 0 – None

6. **File No. 23078:** Complaint filed by Brian Browne against Public Utilities Revenue Bond and Oversight Committee for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.16 by failing to record appropriate meeting minutes and 67.21 by failing to provide responsive records in a complete manner. (00:41:03)

Brian Browne (Complainant) provided a summary of the complaint. Mr. Browne stated that comments he made at a November 17, 2010 meeting did not appear in the meeting minutes.

Alisa Somera, Legislative Deputy Director, Office of the Clerk of the Board (Respondent), provided a summary of the department's position and stated that she oversees the Clerk of the Revenue Bond and Oversight Committee ("RBOC"). Ms. Somera further stated that per the City Attorney's office, while it is customary for the minutes of a meeting to be considered and adopted at the next meeting it is not legally required, and therefore an explanatory statement that the RBOC Working Group had been dissolved was included in the minutes.

A question-and answer period occurred.

**Action: Moved by Member Stein, seconded by Member Sugarman, to find that the Sunshine Ordinance Task Force has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Sunshine Ordinance Task Force for hearing.** The Committee stated that the full Sunshine Ordinance Task Force may want to consider (Sunshine Ordinance), Section(s) 67.29-7 and 67.21(c) for failing to maintain public records and failing to provide assistance. The Committee further stated that it believes there is no violation of Section(s) 67.21 or 67.16.

**Public Comment:** None.

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

7. **File No. 24001:** Complaint filed by Rosa L. 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. (00:54:57)

**Item 7 was continued to April 16, 2024, during agenda changes.**

8. **File No. 24005:** Complaint filed by Anonymous (ACU) against the Fine Arts Museum Board of Trustees for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.7(a), 67.7(d), and 67.16, by failing to post a meaning full agenda in a timely manner; acting on an item that does not appear in the posted minutes; failing to post minutes online; and California Government Code Section 54953(c) by taking action by secret ballot. (01:36:56)

A question-and-answer period occurred regarding Notice of Hearing sent to Respondent.

**Action: Moved by Chair Schmidt, seconded by Member Sugarman, to continue the matter to the April 16, 2024, meeting of the Complaint Committee of the Sunshine Ordinance Task Force.**

**Public Comment:** None.

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

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

9. **File No. 24008:** Complaint filed by Anonymous (ACU) against Chief William Scott, Lt. Chris Beauchamp and 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; and 67.34 for willful failure/official misconduct. (01:39:11)

**Item 9 was withdrawn by the Petitioner prior to the meeting.**

10. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee.** (00:48:38)

The Committee discussed proposed edits to the complaint process and a discussion of possible changes to the bylaws that would be heard at the April 3, 2024 meeting of the full Sunshine Ordinance Task Force.

**Public Comment:**

Peter Warfield, Executive Director, Library Users Association, [libraryusers2004@yahoo.com](mailto:libraryusers2004@yahoo.com), P.O. Box 170544, San Francisco, CA 94117-0544, stated that issues regarding how to produce copies of documents, the charge per page for documents and how to make payment has to be discussed.

11. **ADJOURNMENT** (01:40:18)

There being no further business the meeting was adjourned at 7:13 p.m.

**APPROVED: 4/23/2024**  
**Complaint 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.

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 [soff@sfgov.org](mailto:soff@sfgov.org) or by calling (415) 554-7724.