



SUNSHINE ORDINANCE TASK FORCE
Education, Outreach and Training Committee
CITY AND COUNTY OF SAN FRANCISCO

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

MINUTES - DRAFT

REGULAR MEETING

January 23, 2024
5:30 PM

Regular Meeting

Members: Chris Hyland (Chair) Thuan Thao Hill and David Pilpel

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

Chair Hyland called the meeting to order at 5:30 p.m. On the call of the roll Chair Hyland and Members Hill and Pilpel were noted present. Task Force Administrators Leger, Petersen and Young were also noted present. A quorum was present.

There were no agenda changes.

2. Approval of the November 28, 2023, Education, Outreach and Training Committee meeting minutes.

Member Pilpel provided suggested amendments.

Action: Moved by Member Pilpel, seconded by Member Hill, to approve the minutes as amended.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Hill, Hyland

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.

Speakers:

None.

4. **File No. 22060** Complaint filed by Wynship Hillier against Executive Director Geoffrey Grier and the Behavioral Health Commission Anonymous 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.

Wynship Hillier (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Hillier stated that the request was made to the Behavioral Health Commission (BHC) for a report on psych visits in the City and County. Mr. Hillier stated that the report was approved but was not available to the public. Mr. Hillier stated that the BHC response was provided by Marlo Simmons, and she was waiting for the Deputy City Attorney to provide a directive.

Marlo Simmons (Behavioral Health Commission (BHC)), Respondent, provided a summary of the department's position. Ms. Simmons stated that she has not consulted with the City Attorney. Ms. Simmons stated that she will provide the report within 10 business days.

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

Action: Moved by Member Pilpel, seconded by Member Hill, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing with the recommendation of a violation of Administrative Code, Sunshine Ordinance, Section(s) 67.21(b) for failure to respond to and acknowledge a records request in a timely and/or complete manner and they are required to release the site report to Mr. Hillier within 10 business days.

Public Comment:

Geoffrey Grier stated that Mr. Hillier requested that he send an email as part of his comments about psych visits and that there a transition of all virtual site and halfway depending on the site.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Hill, Hyland

Noes: 0 - None

5. **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.

Wynship Hiller (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Hillier stated that this complaint deals with two records requests; one sent to Mr. Hillier in February 2022 and another six months later having to do with site visits. Mr. Hillier requested a copy of an agenda and was sent the agenda that was posted on the website. Mr. Hillier sent another request five months later for additional documents. Mr. Hillier concluded that he did not receive the documents he was requesting.

Marlo Simmons (Behavioral Health Commission, Respondent), provided a summary of the department's position. Ms. Simmons requested clarification on which document Mr. Hillier needed. Ms. Simmons admitted that she was unaware of the request but was willing to look into the matter.

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

Action: Moved by Member Pilpel, seconded by Chair Hyland, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing with a recommendation for a violation of Administrative Code, Sunshine Ordinance Section(s) 67.21(b) related to the potentially revised agenda for failure to timely respond to the February 17, 2022 emails requesting that the Department of Public Health review their files and respond within 10 business days that they either found a revised agenda or that they didn't and what steps were taken to search for the record.

Public Comment:

Geoffrey Grier was befuddled because no one remembered the documentation that Mr. Hillier was sending.

Liza Murawski stated that Mr. Hillier is not speaking the truth and that these problems have been rectified so many times by the BHC.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Hyland, Hill

Noes: 0 - None

6. **File No. 22129** Complaint filed by HVSafe against the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25, by failing to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner.

Misch Reckers, SFSafe, (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Reckers stated that SFSafe wanted to yield the time to the Commission and that they are reporting that nothing has happened.

Richard Johnson,(SFSafe (Petitioner) stated that members of the public experienced difficulties moving meetings from Covid to in person that were at one time facilitated by Zoom and if they can't provide Zoom to not take the sign-in sheets from the meeting and not turn them over to the Federal Government.

Lt. Chris Beauchamp , Police Department (Respondent), provided a summary of the department's position. Lt. Beauchamp stated that the Police Department has no responsive records and the last communications with SFSafe stated that they did not have a copy of the Zoom meeting recording.

Lt. William Toomey, Police Department (Respondent) stated that the Police Department reached out to the community asking about hosting meetings. Lt. Toomey stated that SFSafe will no longer be hosting meetings, and the Police Department will use this experience as an opportunity to host electronic meetings.

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

Action: Moved by Member Hill, seconded by Member Pilpel, to find no violation, that this matter be placed on the Task Force Consent Calendar and that the Committee requests that the Police communicate in writing with the petitioners memorializing the procedures and consider crafting standard language for future public meetings.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Hill, Pilpel, Hyland

Noes: 0 - None

7. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Education Outreach and Training Committee.**

Member Pilpel stated that he is working on his guide to public meetings and hopes to have it completed by March 2024. Member Pilpel also reflected on the cease fire resolution and Board of Supervisors public comment on this subject.

Public Comment:

None.

8. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:32 p.m.

APPROVED: DRAFT
Education, Outreach and Training 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.