



City and County of San Francisco

Meeting Minutes

Sunshine Ordinance Task Force

City Hall
1 Dr. Carlton B. Goodlett Place,
Room 244
San Francisco, CA 94102-4689

Members:

Seat 1	Dean Schmidt	Seat 7	Matthew Yankee - Chair
Seat 2	Lila LaHood	Seat 8	Chris Hyland
Seat 3	Saul Sugarman	Seat 9	David Pilpel
Seat 4	Ankita Kumar	Seat 10	Vacant
Seat 5	Maxine Anderson	Seat 11	Bruce Wolfe
Seat 6	Laura Stein - Vice-Chair		
Ex-officio	<i>(non-voting)</i> Clerk of the Board of Supervisors or their designee		
Ex-officio	<i>(non-voting)</i> Mayor or their designee		

Clerk: Patricia H. Petersen
(415) 554-7719 ~ sofj@sfgov.org

Wednesday, March 5, 2025

4:00 pm
Regular Meeting

City Hall, Room 408

NOTE: Hearings on Complaints will begin no earlier than 5:00 p.m. (see details below)

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

Chair Yankee called the meeting to order at 4:XX p.m. On the call of the roll, Chair Yankee, Vice-Chair Stein and Members Schmidt, LaHood, Sugarman Anderson, Hyland, and Pilpel were noted present. Members Kumar and Wolfe were noted absent. There was a quorum. Task Force Administrator Pat Petersen was present. Deputy City Attorney Valerie Lopez was present.

Public Comment: Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California, 94117-0544, requested clarification on what was on the agenda.

Member Wolfe was noted present at 4:09 p.m.

2. **Approval of the minutes from the Sunshine Ordinance Task Force Special Meeting of January 21, 2025. (00:02:21)**

Action: Moved by Member Pilpel, seconded by Member Wolfe, to approve the January 21, 2025 minutes as amended.

Public Comment: Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California, 94117-0544, stated concerns about finalizing minutes and having a way for the public to see proposed edits before they are approved.

The motion PASSED by the following vote:

Ayes: 10 – Pilpel, Wolfe, Schmidt, LaHood, Sugarman, Kumar, Anderson, Hyland, Stein, Yankee

Noes: 0 - None

Absent: 0 - None

Member Kumar was noted present at 4:29 p.m.

3. **[This item number was not used.]**

4. **Approval of Orders of Determination: (00:13:53)**

- **File 24065** Anonymous (tmr) against San Francisco City Attorney's Office
- **File 25001** Aaron Wilson against Department of Homelessness and Supportive Housing
- **File 24066** Justin Barker against San Francisco Joint Zoo Committee
- **File 25003** Justin Barker against San Francisco Zoo

Action: Moved by Member Pilpel, seconded by Member Hyland, to approve the Orders of Determination as amended.

Public comment: None.

The motion PASSED by the following vote:

Ayes – 10 – Pilpel, Hyland, Schmidt, LaHood, Sugarman, Kumar, Anderson, Wolfe, Stein, Yankee

Noes: 0 - None

Absent: 0 - None

5. **Hearing – Approval of the 2024 Annual Report (00:18:05)**

Members of the public can view these documents online (no password or identification required) or review the printed versions in the agenda packet. Public comments on these documents can be sent directly to lstein.sotf@gmail.com or made during public comment on this agenda item.

2024 Annual Report Links

2024 Annual Report Drive Link,

https://drive.google.com/drive/folders/1sOjVm484YLGmHsSEf68N4fDAhbbW_FDS?usp=sharing

Draft 2024 Annual Report,

<https://docs.google.com/document/d/1NYZ6N4mtMQoyN3H8N2PvrP-pZx20cj3x/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true>

- Prefer to not use the link? See the **2024 Annual Report** as a PDF [here](#).

Data Utilized:

Survey Results,

<https://docs.google.com/spreadsheets/d/1qUNbG9Lyow6tv0JPEo7ZS2sGAt-uhra5/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true>

Complaint Resolution Data,

https://docs.google.com/spreadsheets/d/1282lzM5hZC6_aOoYNXITbJKLKlXzImv/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true

NextRequest Report,

<https://drive.google.com/file/d/1Psi4YU5pMME7aYKtkwwFjn14Z5jYWbkV/view?usp=sharing>

Moved by Member Hyland, seconded by Member Wolfe, to approve the 2024 Annual Report as amended.

Public Comment: Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California, 94117-0544 expressed concern that members of the public were not surveyed about the Annual Report available in the agenda.

The motion PASSED by the following vote:

Ayes: 10 – Hyland, Wolfe, Schmidt, LaHood, Sugarman, Kumar, Anderson, Pilpel, Stein, Yankee

Noes: 0 - None

Absent: 0 - None

6. **Administrator's Report** (00:26:21)

- Task Force and Committee tentative hearing schedule with potential adjustments
- Complaints and Hearing Requests
- SOTF Member Attendance
- SOTF Member Training Requirements
- Communications
- Packet Construction

No actions taken.

Public Comment: Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California, 94117-0544, stated that materials received by the Task Force that are not complaints should be agendized.

7. **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. (00:53:38)

Public Comment: Mark LaCroix stated that he did not know if the Fire Commission had been notified of the Order of Determination in File 23099 and that the Order of Determination needs to be corrected to indicate the correct date of the meeting at issue.

Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California, 94117-0544, stated that he wants items for follow up sent to the State Office of the Attorney General, and wants the Administrator to work with Chair Yankee for a letter to be sent to the Board of Supervisors.

Maureen Conefrey stated that the conversation following Mark LaCroix's public comment regarding whether to agendize a discussion of a process for Mr. LaCroix to return to the Task force to confirm whether a violation of the Order of Determination had occurred was unfair.

A recess was taken from 5:37 p.m. to 5:56 p.m.

CONSENT AGENDA – Items 8 through 9

8. **File 25012:** Complaint filed by Barklee Sanders against SF 311 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. (01:33:02)
(On 2/25/2025, Respondent responded to a Notice to Respondent, and stated that SF 311 declared no-contest to all allegations in the complaint, had reassessed its processes, and would be adding the functionality for submitting written records requests to its website.)
9. **File 25014:** Complaint filed Anmarie against the Fine Arts Museums of San Francisco for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.5, by failing to hold open meetings, 67.7 by failing to post an agenda, and 67.16, by failing to record and post minutes of regular and special meetings of the board or commission. (01:34:39)
(On 2/25/2025, Respondent responded to a Notice to Respondent, and stated that the Fine Arts Museums of San Francisco declared no-contest to all allegations.)

Action: Moved by Member Wolfe, seconded by Member Anderson, to affirm the findings of violations declared by Respondents in File 25012 and File 25014.

The motion was withdrawn.

Member Pilpel requested that both items 8 and 9 are severed from the Consent Agenda.

Action: Moved by Member Hyland, seconded by Member Pilpel, to close File 25012 without prejudice. The Task Force acknowledges the efforts of SF 311 to provide written records request functionalities on their website.

Public Comment on Item 8: None.

The motion FAILED by the following vote:

Ayes: 4 – Hyland, Pilpel, LaHood, Stein

Noes: 6 – Schmidt, Sugarman, Kumar, Anderson, Wolfe, Yankee

Absent: 0 - None

Action: Moved by Chair Yankee, seconded by Member Sugarman, to accept the affirmation of no contest regarding Administrative Code (Sunshine Ordinance), Section 67.21(a).

Public Comment: None.

The motion FAILED by the following vote:

Ayes: 5 – Yankee, Sugarman, Schmidt, Anderson, Wolfe

Noes: 5 – Hyland, Pilpel, Stein, LaHood, Kumar

Absent: 0 – None

Action: Moved by Chair Yankee, seconded by Member Hyland, to continue the discussion of Item 8, File 24012, and Item 9, File 25014, to be heard after Item 14.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 10 - Yankee, Hyland, Schmidt, LaHood, Sugarman, Kumar, Anderson, Pilpel, Wolfe, Stein

Noes: 0 - None

Action: Moved by Chair Yankee, seconded by Member Pilpel, to schedule File 25012 for a full hearing before the Task Force at the 4/2/2025 Regular Meeting.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: Yankee, Pilpel, Schmidt, LaHood, Kumar, Anderson, Wolfe, Stein

Noes: 0 – None

Absent: 2 – Sugarman, Hyland

File 25014

Action: Moved by Member Stein, seconded by Member Wolfe, to find that these are public meetings under the jurisdiction of the Task Force, and find a violation of Administrative Code (Sunshine Ordinance) Section 67.5, by failing to hold open meetings, and Section 67.7(a), by failing to post an agenda.

Public Comment: None

The motion PASSED by the following vote:

Ayes: 8 – Stein, Wolfe, Schmidt, LaHood, Kumar, Anderson, Pilpel, Yankee

Noes: 0 – None

Absent: 2 – Sugarman, Hyland

COMPLAINT HEARING AGENDA – Items 10 through 14

10. **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. (02:24:55)
(On 2/4/2025, the Ethics Commission's Director of Enforcement issued a letter dismissing the Task Force's Ethics Complaint No. 24-818 after conducting a preliminary review, and an investigation was not opened. The SOTF's legal counsel determined that the 2/4/2025 letter is not an investigatory record and may be shared publicly.)

The members discussed the response from the Ethics Commission.

Action: Moved by Member Schmidt, seconded by Member Wolfe, to find that the Ethics Commission failed to act properly and handle the matter as required by Administrative Code (Sunshine Ordinance), Section 67.34, with reference to Section 67.30(c) where it states that the Task Force shall, from time to time as it sees fit, issue public reports evaluating compliance with this ordinance and related California laws by the City or any Department, Office, or Official thereof.

Public Comment: Mark LaCroix commended Deputy City Attorney Lopez for her response regarding whether the letter from the Ethics Commission was an investigatory record.

The motion PASSED by the following vote:

Ayes: 10 - Schmidt, Wolfe, LaHood, Sugarman, Kumar, Anderson, Hyland, Pilpel, Stein Yankee

Noes: 0 - None

Absent: 0 – None

11. **File No. 25004:** Complaint filed by Gabriel Greschler v. Human Rights Commission (Request 24-5534) 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. (03:24:52)

Gabriel Greschler (Complainant) stated that the Human Rights Commission has public records beyond the deadline in response to a request sent 9/17/2024. Mr. Greschler stated that Respondent exercised the option of an extension, but nearly half a year later these records have not been produced.

Mawuli Tugbenyoh (Respondent) stated that no records have been produced. Mr. Tugbenyoh further stated that they have communicated to Complainant that the department has insufficient staff and that ongoing investigations are affecting their ability to issue responses. Mr. Tugbenyoh stated that Amelia Martinez, Operations Manager, steps in to assist with Public Records Requests when the Public Information Officer is unavailable, and that they had previously received part-time assistance the Department of Human Resources. Mr. Tugbenyoh stated that some of the documents had been pulled, that they can provide some of the documents 10 days and the rest on a rolling basis.

Action: Moved by Chair Yankee, seconded by Member Pilpel, to find that the Task Force has jurisdiction, that the requested records are public, and find a violation of Administrative Code (Sunshine Ordinance), Section 67.21(b), by failing to respond to a public records request in a timely and/or complete manner, and order the department to fulfill the request within five (5) business days, and refer the matter to the Compliance and Amendments Committee for compliance monitoring.

Public Comment: Charlie Obermeyer stated there is now reason to not provide the records requested here, particularly when there is value in producing financial records.

The motion PASSED by the following vote:

Ayes: 10 – Yankee, Pilpel, Schmidt, LaHood, Sugarman, Kumar, Anderson, Hyland, Wolfe, Stein

Noes: 0 - None

Absent: 0 - None

12. **File No. 25007:** Complaint filed by Gabriel Greschler v. Human Rights Commission (Request 24-5723) 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. (04:03:15)

Gabriel Greschler (Complainant) stated that this request is for records about non-profit receiving funds from the Human Rights Commission that were spent on first class flights, expensive meals, and tickets to a San Francisco musical. Mr. Greschler further stated that these expenses were found in the non-profit's financial records.

Mawuli Tugbenyoh (Respondent) stated that documents have not been provided to Mr. Greschler documents and is unable to say how long it will take to produce the records.

Action: Moved by Chair Yankee, seconded by Member Pilpel, to find that the Task Force has jurisdiction, that the requested records are public, and find a violation of Administrative Code (Sunshine Ordinance), Section 67.21(b), by failing to respond to a public records request in a timely and/or complete manner, and order the department to fulfill the request within five (5) business days, and refer the matter to the Compliance and Amendments Committee for compliance monitoring.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 10 – Yankee, Pilpel, Schmidt, LaHood, Sugarman, Kumar, Anderson, Hyland, Wolfe, Stein

Noes: 0 - None

Absent: 0 - None

Member Sugarman was noted absent at 8:30 p.m.

13. **File No. 25006:** Complaint filed by Mark LaCroix against the San Francisco Fire Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.5, regarding public meetings or a permitted closed session within a public meeting, Section 67.15 by failing to provide the right to an opportunity to address a policy body on items within the policy body's subject matter jurisdiction, and 67.21, by failing to respond to a public request in a timely and or complete manner. (04:19:21)

(On 2/18/2025 the Complaint Committee found that these are public meetings and records involved, that there is one jurisdiction question to be considered by the full Task Force because there is potential jurisdiction on two specific items that the Committee recommends, that the Task Force find no violation of 67.21(b) but consider the other claims, and whether the Task Force has jurisdiction associated with the decision-making process that was done administratively on the closed session denial and the back pay appeal denial (documents Item 3 and 5 in the request), primarily in reference to 67.15.)

Mark LaCroix (Complainant) stated he wants to know if the open meeting laws were when the department brought the wrong charges against me and he was suspended for four months and denied back-pay despite what the Charter provides and the guarantees under the Firefighter Bill of Rights.

Maureen Conefrey (Respondent) stated that on 11/25/2024 Complainant sent a PRR referencing five (5) communications among the Fire Commissioners and staff. Ms. Conefrey stated that a response was sent without consulting the Commissioners and explained on 2/14/2025 that the Fire Commission responds to Public Records Requests.

The parties provided rebuttals.

Action: Moved by Chair Schmidt, seconded by Member Anderson, to find no violation.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 9 – Schmidt, Anderson, LaHood, Kumar, Hyland, Pilpel, Wolfe, Stein, Yankee

Notes: 0 – None

Absent: 1 – Sugarman

14. **File No. 25009:** Complaint filed by Liza Murawski against the Behavioral Health Commission 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. (04:56:43)

Liza Murawski (Complainant) stated that requests were emailed to Amber Gray and Marlo Simmons, and that Human Resources has not responded. Ms. Murawski further stated that she has received the Marlo Simmons email from July 7 from the Department of Public Health but wants to know who at HR received a copy.

Victor Lim (Respondent) stated Complainant's 1/17/2025 emailed request to Amber Gray for emails from Commissioner Humphrey to Human Resources were not treated as a public records request, that the communications with Amber Gray are internal pursuant to their bylaws, and that records may be requested between Commissioners. Mr. Lim further stated that responsive records were provided as a response to a Public Records Request once the department received the Task Force complaint on 2/14/2025, and responded within five days that the department would respond by 2/28/2025.

The parties provided rebuttals.

Member Hyland was noted absent at 9:48 p.m.

Action: Moved by Chair Yankee, seconded by Member Wolfe, to find that the Task Force has jurisdiction, that the requested records are public, and to find a violation of 67.21(b) by failing to respond to a public records request in a timely and/or complete manner.

Public Comment: Charlie Obermeyer stated that there are processes within the Behavioral Health Commission that are working to not include Ms. Murawski and wants to know what resources are available outside of the Task Force. Anonymous Caller #1 (Joy) stated that it should not have taken six months to address Commissioner Murawski's request, and an investigation is needed along with more rules and regulations in the chain of command. Anonymous Caller #2 stated their disappointment that a letter mentioning a suicide attempt would be forwarded to the Supervisors; that it is challenging to find out where it went, and that the issue needs to be looked at.

The motion PASSED by the following vote:

Ayes: 8 - Yankee, Wolfe, Schmidt, LaHood, Kumar , Anderson, Pilpel, Stein

Noes: 0 – None

Absent: 2 – Sugarman, Hyland

15. **Resolution:** Consider approving a resolution stating that: *The Sunshine Ordinance Task Force ("SOTF") declares that when an "authorized representative" per Administrative Code Section 67.21(e) (herein, "representative") appears before SOTF, they are to be knowledgeable of the matter as described in Administrative Code Section 67.22. Any representative who fails in this manner will be determined as violating Administrative Code Sections 67.21(e) and 67.22.* (06:12:32)

Action: Moved by Member Wolfe, seconded by Member Pilpel, to approve the Resolution with the deletion of the words "and 67.22."

Public Comment: None

The motion FAILED by the following vote:

Ayes: Wolfe, Pilpel, LaHood, Kumar, Anderson

Noes: Schmidt, Stein, Yankee

Absent: Sugarman, Hyland

Action: Moved by Chair Yankee, seconded by Vice-Chair Stein, to approve the Resolution striking the last sentence.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 6 - Yankee, Stein, LaHood, Anderson, Pilpel, Wolfe

Noes: 2 - Schmidt, Kumar

Absent: 2 - Sugarman, Hyland

16. **Hearing on Sunshine Ordinance Amendments:** Discussion regarding potential amendments to the Sunshine Ordinance and the related work of the Compliance and Amendments Committee. (06:28:28)

Compliance and Amendments Chair LaHood stated that the Committee is accelerating its review of the Sunshine Ordinance and is identifying a timeline to have it reviewed by the full Task Force and include the amendments on the 2026 ballot.

Public Comment: Honest Charley Bodkin commended the Task Force on its efforts.

17. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force** (*Discussion and Action*) (06:32:28)

(Note: Public Comment on this item is limited to subject matters presented by members of the SOTF.)

Member Pilpel stated that the meetings of the Commission Streamlining Task Force are on the first and third Wednesdays of every month at 1:00 p.m. and that meetings are held in person in City Hall Room 408 and on Webex.

18. **ADJOURNMENT** (06:36:23)

There being no further business, the meeting was adjourned at 11:00 p.m.

Approved: _____
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.

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