



City and County of San Francisco

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

Meeting Agenda

Sunshine Ordinance Task Force

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 his or her designee		
Ex-officio	<i>(non-voting)</i> Mayor or his or her designee		

Clerk: Cheryl Leger
(415) 554-4442 ~ cheryl.leger@sfgov.org

Wednesday, June 5, 2024

4:00 pm
Regular Meeting

City Hall, Room 408

(NOTE: Hearings on complaints will begin no earlier than 5:00 P.M.)
(See below for additional details.)

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).

Webex Remote Link/Log-in:
<https://tinyurl.com/mscbstdf>
Password: sunshine

Telephone Call-in:
[1 \(415\) 655-0001 / Meeting ID: 2660 719 1631 # #](tel:14156550001)
(press *3 to enter the speaker line)

Members of the public may participate by phone or may submit their comments by email to: sotf@sfgov.org; all comments received will be made a part of the official record. Sunshine Ordinance Task Force agendas and their associated documents are available at <https://sfbos.org/sunshine>.

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.**
2. **Approval of the minutes from the Sunshine Ordinance Task Force Meeting of April 3, 2024.** (*Discussion and Action*) ([attachments](#))
3. **Approval of the minutes from the Sunshine Ordinance Task Force Meeting of May 1, 2024.** (*Discussion and Action*) ([attachments](#))
4. **Approval of Orders of Determination:** (*Discussion and Action*) ([attachments](#))

From the March 6, 2024 Sunshine Task Force meeting:

File No. 21125 - Complaint filed by Liza Murawski against the Department of Public Health

From the April 3, 2024 Sunshine Task Force meeting:

File No. 23034 - Complaint filed by Library Users Assn. against Margot Shaub, Michael Lambert, and the San Francisco Public Library

From the May 1, 2024 Sunshine Task Force meeting:

File No. 23007 - Pic Van Cleef against Planning Department

File No. 23030 - Michael Turon against the Assessor-Recorder's Office

File No. 23048 - Rosa L. against the Police Department

File No. 23060 - Joe Dworetzky against the Department of Homelessness and Supportive Housing

5. **Administrator's Report, Complaints and Communications.** (*Discussion and Action*) ([attachments](#))
 - Task Force and Committee tentative hearing schedule with potential adjustments
 - Complaints and Hearing Requests
 - SOTF Member Attendance (By-Laws Article II, Section 2)
6. **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. **Public comment shall be taken at 5:00 p.m. or as soon thereafter as possible.** (*No Action*)

NOTE: Hearings on complaints and other agenda items listed below will begin no earlier than 5:00 P.M.

7. **CONSENT AGENDA** - The Sunshine Ordinance Task Force shall review **File Nos. 24001, 24005, 24013, 24014, 24016, 24017** to affirm the Committee's findings regarding

the Sunshine Ordinance Task Force’s jurisdiction; violations of the Sunshine Ordinance, Brown Act, or California Public Records Act; and, if applicable, to issue an Order of Determination and refer matters to a Committee for monitoring. The Complainant and Respondent are **not required to attend the June 5, 2024** Sunshine Task Force meeting but may attend to provide testimony during the public comment period for this item related to the above-listed determinations. *(Discussion and Action)*

7A. File No. 24001: Complaint filed by Rosa L. against the Department of Public Health for allegedly violating the Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a public records request in a timely and/or complete manner.

(On April 23, 2024 the Complaint Committee moved to find that the Sunshine Ordinance Task Force has jurisdiction, the requested records are public, and referred the matter to the Task Force Consent Agenda with a recommendation to find that the Department of Public Health violated Administrative Code, Section(s) 67.21(c) for inadequate efforts to assist the Complainant in refining their search for public records. The Committee requested that there be an order that the Department of Public Health document the location and produced documents that are responsive, and that the response and refinement process be reviewed by the Compliance and Amendments Committee (“CAC”). The Compliance and Amendments Committee will review the efforts by the parties to determine a searchable refined list of Department of Public Health employees who served as point persons involved in the encampment resolution regarding COVID. The Committee further recommends that the matter be referred to the Compliance and Amendments Committee to monitor compliance with the Committee’s request to provide documentation of the located and produced documents that are responsive.) (Discussion and Action) [\(attachments\)](#)

7B. 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 meaningful agenda in a timely manner; acting on an item that does not appear in the posted agenda; failing to post minutes online; and California Government Code Section 54953(c) by taking action by secret ballot.

(On April 23, 2024, the Complaint Committee moved to find that the Sunshine Ordinance Task Force has jurisdiction, that the records are public, and referred the matter to the Task Force Consent Agenda with a recommendation to find that the Fine Arts Museums violated Administrative Code, Section(s) 67.7(a) by failing to post an agenda with meaningful descriptions in a timely manner, 67.7(d) for acting on an item that does not appear in the posted agenda, and California Government Code Sec. 54953(c) by taking action by secret ballot. In addition, the Committee found no violation of the Administrative Code, Section(s) 67.16, for failing to post minutes online. The Committee noted that the

Respondent acknowledged that the response was late, and the Board bylaws have a different definition of quorum.) (Discussion and Action) (attachments)

7C. File No. 24013: Complaint filed by Michael Petrelis against Supervisor Ahsha Safai, Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5, by failing to respond to a request for Proposition G Calendar in a timely and/or complete manner.

(On April 23, 2024, the Complaint Committee moved to find jurisdiction, that the records are public, and referred the matter to the Task Force Consent Agenda with a recommendation to find that Supervisor Ahsha Safaia violated Administrative Code, Section(s) 67.29-5 by failing to provide a Proposition G Calendar in a timely manner.) (Discussion and Action) (attachments)

7D. File No. 24014: Complaint filed by Rosa L. 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.

(On April 23, 2024 the Complaint Committee moved to find jurisdiction, the requested records are public, and referred the matter to the Task Force Consent Agenda, with a recommendation to find that the Police Department violated Administrative Code, (Sunshine Ordinance) Section(s) 67.21(b), by failing to respond to a public records request in a timely and/or complete manner. The Committee noted that the Respondent acknowledged that the referenced violation occurred.) (Discussion and Action) (attachments)

7E. File No. 24016: Complaint filed by Paul Kniha against the Municipal Transportation Agency 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.

(On April 23, 2024, the Complaint Committee moved to find that there is jurisdiction, that the requested records are public, and referred the matter to the Task Force Consent Agenda with a recommendation to find no violation because the information requested was under attorney-client privilege.) (Discussion and Action) (attachments)

7F. File No. 24017: Complaint filed by Paul Kniha against the Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

(On April 23, 2024 the Complaint Committee moved to find that there is jurisdiction, that the records are public, and referred the matter to the Task Force Consent Agenda with a recommendation to find no violation of Administrative Code, Section(s) 67.21 as all records were provided in a timely manner (within 10 days)). (Discussion and Action) (attachments)

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; 67.26 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.

(On May 1, 2024 the Task Force moved to continue the matter to the call of the Chair, requested that SOTF Deputy City Attorney provide a memo regarding Revenue and Tax Code 408. The SOTF noted that the Petitioner and Response are not required, but are welcome to attend, the June 5, 2024, hearing.) (Discussion and Action) (attachments)

a) Hearing on the complaint.

9. **File No. 23048:** Complaint filed by Rosa L. against the Police Department for allegedly violating the Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a records request in a timely and/or complete manner.

(On May 1, 2024 the Task Force moved to find that the Police Department violated Administrative Code (Sunshine Ordinance), Section(s) 67.21(b), by failing to provide public records in a timely manner and request that Lt. Christopher Beauchamp provide responsive records by the June 2024 Task Force hearing along with an update on any records that are in the process of being produced. The Task Force further moved to continue the matter to the June 5, 2024, SOTF meeting.) (Discussion and Action) (attachments)

a) Hearing on the complaint. *(Discussion and Action)*

10. **File No. 23093** Complaint filed by Michael Petrelis against the Mayor's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5 by failing to respond to a public records request for Prop G calendar entries in a timely and/or complete manner.

(On January 16, 2024, the Complaint Committee moved to find that the SOTF has jurisdiction, that the requested documents are public, and to refer the matter to the SOTF for consideration.) (Discussion and Action) (attachments)

a) Hearing on the complaint.

11. **File No. 23053:** Complaint filed by Sergei Severinov against the Police Department for allegedly violating the Administrative Code (Sunshine Ordinance), Section(s) 67.21(b), by failing to respond to a public records request in a timely and/or complete manner.
(On August 15, 2023, the Complaint Committee found that the SOTF has jurisdiction, that the records are public, and referred the matter to the full Task Force with the recommendation for a violation of Administrative Code, Sunshine Ordinance, Section 67.21). (attachments)
 - a) Hearing on the complaint. *(Discussion and Action)*
12. **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.
(On October 24, 2023, the Compliance and Amendments Committee found that the SOTF has jurisdiction, that the records are public and referred the matter to the full Task Force with no recommendations.) (attachments)
 - a) Hearing on the complaint. *(Discussion and Action)*
13. **File No. 23079** Complaint filed by Lance Carnes against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide responsive records in a timely and/or complete manner.
(On September 19, 2023, the Complaint Committee moved to find that the SOTF has jurisdiction, that the requested records are public and referred the matter to the SOTF for hearing.) (attachments)
 - a) Hearing on the complaint. *(Discussion and Action)*
14. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force.** *(Discussion and Action)*
(Note: Public Comment on this item is limited to subject matters presented by members of the SOTF.)
15. **ADJOURNMENT.**

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 sotf@sfgov.org or by calling (415) 554-7724.

Agenda Item Information

Each item on the agenda may include the following documents:

- 1) Department or Agency cover letter and/or report;
- 2) Public correspondence;
- 3) Other explanatory documents.

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

- | | | |
|----|--|----------------------|
| 1. | Complainant presents his/her facts and evidence | 5 minutes |
| | Other parties of Complainant present facts and evidence | Up to 3 minutes each |
| 2. | City responds | 5 minutes |
| | Other parties of City respond | Up to 3 minutes each |
| | <i>Above total speaking times for Complainant and City to be the same.</i> | |
| 3. | Matter is with the Task Force for discussion and questions. | |
| 4. | Respondent and Complainant presents clarification/rebuttal | 3 minutes |
| 5. | Matter is with the Task Force for motion and deliberation. | |
| 6. | Public comment (Excluding Complainant & City response, witnesses) | Up to 3 minutes each |
| 7. | Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.) | |

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the agenda items. These

comments will be made a part of the official public record. Written communications should be submitted to the SOTF at:

1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102.

AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, or on the internet at: <http://www.sfbos.org/sunshine>.

AUDIO RECORDINGS: Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: <http://www.sfbos.org/sunshine>.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact bos@sfgov.org or call (415) 554-7725.

AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el Viernes anterior a la reunion. Llame bos@sfgov.org or (415) 554-5184.

Paunawa: Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-5163; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67 on the Internet at <http://www.sfbos.org/sunshine>.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.