



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

**REMOTE MEETING**

**November 15, 2022**  
**5:30 PM**

**Remote Regular Meeting**

**Members:** Dean Schmidt (Chair), Laura Stein and Bruce Wolfe

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

Chair Schmidt called the meeting to order at 5:38 p.m. On the call of the roll Chair Schmidt and Member Stein were noted present. Member Wolfe was noted not present. A quorum was present.

The Committee changed the order of the scheduled cases and heard Item 8 after Item 5.

**2. Approval of the October 18, 2022, Complaint Committee meeting minutes.**

**Action: Moved by Chair Schmidt, seconded by Member Stein, to approve the October 18, 2022, meeting minutes.**

Public Comment:

None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 - None

Absent: 1 - Wolfe

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.

Member Wolfe was noted present at 5:45 PM.

4. **File No. 20111:** Complaint filed by Anonymous (ARE) against Mayor London Breed, Sean Elsbernd and Hank Heckel, and the Office of the Mayor for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 for failing to respond to a records request in a timely and/or complete manner; 67.26, failing to keep withholding to a minimum; 67.27 failing to provide justification for withholding; 67.34 for willful failure.

The Petitioner did not make an appearance and did not notify the SOTF Administrator of their absence.

Hank Heckel (Mayor's Office) (Respondent), was noted present.

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

**Action: Moved by Chair Schmidt, seconded by Member Stein to continue the matter to the call of the Chair due to the absence of the Petitioner.**

Public Comment:

None.

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

Ayes: 3 - Schmidt, Stein Wolfe

Noes: 0 - None

5. **File No. 20138:** Complaint filed by Anonymous (ARE) against Mayor London Breed, Sean Elsbernd, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26, 67.27 and 67.34, by failing to respond to a records request in a timely and/or complete manner, failing to keep withholding to a minimum, failing to provide justification for withholding and for willful failure.

The Petitioner did not make an appearance and did not notify the Administrator of their absence.

Hank Heckel (Mayor's Office) (Respondent), was noted present.

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

**Action: Moved by Chair Schmidt, seconded by Member Stein to continue the matter to the call of the Chair due to the absence of the Petitioner.**

Public Comment:

None.

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

Ayes: 3 - Schmidt, Stein, Wolfe

Noes: 0 - None

6. **File No. 21150:** Complaint filed by Maria Schulman against Justine Alberto and the Animal Care and Control Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to public records request in a timely and/or complete manner.

Maria Schulman (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Schulman stated that on November 12, 2021, she filed her complaint because the respondent was withholding a record that was requested. Ms. Schulman stated that she followed up twice reiterating her request for this particular record and the respondent refused to release it due to attorney/client privilege. Ms. Schulman stated that the record had been shared with multiple people before the City Attorney said that the record could be released.

The Respondent was not present for the hearing but did 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 Stein, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing.**

Public Comment:

None.

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

Ayes: 3 - Wolfe, Stein, Schmidt

Noes: 0 - None

7. **File No. 22070:** Complaint filed by Maria Schulman against Sara Maunder and the Department of Police Accountability for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond for public records in a timely and/or complete manner.

Maria Schulman (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Schulman stated that she filed a records request in June 2022 asking for emails related to a complaint as well as police officer records. Ms. Schulman stated the response from the Department of Police Accountability (DPA) Chief of Staff was there is no file.

Sara Maunder (Department of Police Accountability (DPA)) (Respondent), provided a summary of the department's position. Ms. Maunder stated that DPA received a request for a police officer's records pertaining to an investigation and that Ms. Schulman wanted everything including emails. Ms. Maunder is not contesting jurisdiction.

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

**Action: Moved by Chair Schmidt, seconded by Member Stein, to find that the SOTF has jurisdiction, find that the requested records are held publicly though there is an exemption claimed and to send to the SOTF for a violation for failure to disclose publicly available segments of files held by the Department of Police Accountability and consider the proper scope of the peace officer employment exemption as it applies to emails across city departments.**

Public Comment:

None.

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

Ayes: 3 - Schmidt, Stein, Wolfe

Noes: 0 - None

8. **File No. 22119** Complaint filed by Michael Petrelis against Supervisor Rafael Mandelman (Board of Supervisors) for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5, by failing to provide required calendars of certain officials in a timely and/or complete manner.

Michael Petrelis (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Petrelis stated that he requested Supervisor

Mandelman's Prop G calendar due to the ballot measures of the Supervisor and meetings related to official business. Mr. Petrelis stated that he received the calendar seven days after his request and that responses should have been provided within three days. Mr. Petrelis also noted that information about attendees and topics discussed at the meetings were not provided.

Jackie Thornhill (Board of Supervisors, Supervisor Rafael Mandelman's Office) (Respondent), provided a summary of the department's position. Ms. Thornhill stated that the request was voluminous and had Mr. Petrelis requested this information about a specific meeting, it would have been provided sooner. Ms. Thornhill also stated that while not every attendee was listed the subjects of the meetings were listed and that the record reflects that a good faith effort was made to provide the requested calendar entries.

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

**Action: Moved by Chair Schmidt, seconded by Member Stein, to find that the requested records are public, there is jurisdiction and to refer the matter to the SOTF for hearing with a recommendation to find a violation of 67.29-5 for failure to keep or cause to be kept a daily calendar.**

Public Comment:

None.

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

Ayes: 3 - Schmidt, Stein, Wolfe

Noes: 0 - None

9. **File No. 22126** Complaint filed by Michael Petrelis against President Shamann Walton (Board of Supervisors) for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.29-5, by failing to provide required calendars of certain officials in a timely and/or complete manner.

Michael Petrelis (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Petrelis stated that he submitted a request for Supervisor Walton's Prop G calendar and the response from the Supervisor's Office was that they didn't have responsive records. Mr. Petrelis followed up clarifying his request to the Supervisor's office when he realized that they did not know what a Prop G calendar was which is why the Supervisor's office did not respond.

Natalie Gee (Board of Supervisors, President Shamann Walton) (Respondent), provided a summary of the department's position. Ms. Gee stated that on October 17, 2022, Mr. Petrelis sent a records request to President Walton's office requesting his Prop G calendar. MS. Gee stated that on October 17 Supervisor Walton's office responded that

they did not have any responsive records. Ms. Gee stated that on November 1, Mr. Petrelis clarified that he was referring to Prop G of 1999 when requesting the Supervisor's calendar. Ms. Gee stated that on November 8, 2022, responsive records were provided to Mr. Petrelis.

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

**Action: Moved by Chair Schmidt, seconded by Member Wolfe, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing.**

Public Comment:

None.

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

Ayes: 3 - Schmidt, Wolfe, Stein

Noes: 0 - None

10. **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.*)

11. **ADJOURNMENT**

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

**APPROVED: 12/20/22**  
**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.