



# **SUNSHINE ORDINANCE TASK FORCE**

## **Complaint Committee**

### **CITY AND COUNTY OF SAN FRANCISCO**

### **MINUTES**

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

**November 21, 2023  
5:30 PM**

### **Regular Meeting**

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

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:49:55 - 00:52:33)**

Chair Schmidt called the meeting to order at 5:33 p.m. On the call of the roll Chair Schmidt, Member Stein and Member Sugarman were noted present. A quorum was present.

There were no agenda changes.

Public Comment: None.

2. **Approval of the October 17, 2023, Complaint Committee meeting minutes. (00:52:46 – 01:05:36)**

Member Stein provided proposed edits to the minutes.

**Action: Moved by Chair Schmidt, seconded by Member Stein, to approve the October 17, 2023, minutes as amended.**

Public Comment: None.

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

Ayes: 3 - Schmidt, Stein, Sugarman

Noes: 0 - (None)

Absent: 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. (01:05:49 – 01:06:55)

Speakers: None.

4. **File No. 20008:** Complaint filed by Ann Treboux against Dwight Moore and the Office of the City Attorney, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.25 and 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner. (01:07:04 – 01:47:55)

Ann Treboux (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Treboux stated that over 10 days passed after submitting an Immediate Disclosure Request, and that the requested documents have not been provided.

Jen Kwart (City Attorney's Office) (Respondent) provided a summary of the department's position. Ms. Kwart stated that the City Attorney's Office responded to Ms. Treboux request for records and all non-privileged records have been provided.

A question-and-answer period occurred.

**Action: Moved by Member Stein, seconded by Member Sugarman, to find that the requested records are public, the SOTF has jurisdiction, and to refer the matter to the SOTF for consideration.**

Public Comment: None.

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

Ayes: 3 - Schmidt, Stein, Sugarman

Noes: 0 - (None)

Absent: 0 - (None)

5. **File No. 23070:** Complaint filed by Paul Kniha against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to provide public records in a timely and/or complete manner. (01:48:09 – 01:52:35)

The Petitioner was not present at the meeting and did not inform the SOTF prior to the meeting.

The Respondent representative was present.

**Action: Moved by Chair Schmidt, Seconded by Member Stein, to table the matter per Complaint Procedure 7(b).**

Public Comment: None.

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

Ayes: 3 - Schmidt, Stein, Sugarman

Noes: 0 - (None)

Absent: 0 - (None)

6. **File No. 23081** Complaint filed by Zahir Naseri against San Francisco International Airport (Ground Transportation Unit) for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to provide public records in a timely and/or complete manner. (01:52:52 – 02:21:18)

Zahir Naseri (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Naseri stated that he submitted a public records request for six documents but received only two of the six. Mr. Naseri stated that neither of the two documents were received within 10 days.

Doug Yakel (San Francisco International Airport) (Respondent) provided a summary of the department's position. Mr. Yakel stated that the Airport responded timely, producing all responsive and non-privileged elements on a rolling basis.

A question-and-answer period occurred.

**Action: Moved by Member Stein, seconded by Member Sugarman, to find that the requested records are public, the SOTF has jurisdiction, and refer the matter to the SOTF for consideration of a timeliness violation.**

Public Comment: None.

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

Ayes: 3 - Schmidt, Stein, Sugarman

Noes: 0 - (None)

Absent: 0 - (None)

7. **File No. 23095** Hearing - Proposed edits to the SOTF Complaint Procedure to expedite complaint processing, per the Sunshine Ordinance requirements. (*Discussion and Action*) (02:21:35 – 02:26:44)

The Committee discussed proposed changes to the complaint process to expedite the complaint process.

Public Comment:

Mark LaCroix stated that the complaint form does not provide anywhere to state that a complaint is about a records request. Mr. LaCroix further stated that the website information about the complaint process does not mention which committee will hear a complaint.

**No action taken.**

8. **Announcements, Comments, Questions, Future Agenda Items, and Pending Calendar by members of the Committee.**

The Committee discussed the Complaint Committee cancellation of the December 19, 2023, meeting. (03:27:06 – 03:28:38)

9. **ADJOURNMENT**

There being no further business the meeting was adjourned at 8:10 p.m. (03:28:43)

**APPROVED: January 16, 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.