



# City and County of San Francisco

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

## Special Meeting Agenda

### Sunshine Ordinance Task Force

#### *Members:*

Seat 1	Dean Schmidt	Seat 7	Matthew Yankee - <b>Chair</b>
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 - <b>Vice-Chair</b>		
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 ~ [sotf@sfgov.org](mailto:sotf@sfgov.org)*

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**Tuesday,  
November 19, 2024**

**4:00 pm  
Special Meeting**

**City Hall, Room 408**

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

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### 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/yc59rne>**

**Password: sunshine**

**Telephone Call-in:**

**[1 \(415\) 655-0001 / Meeting ID: 2664 936 2781 # #](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](mailto: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://www.sfgov.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 August 7, 2024** (*Discussion and Action*) ([attachments](#))
3. **Approval of the minutes from the Sunshine Ordinance Task Force Meeting of September 4, 2024** (*Discussion and Action*) ([attachments](#))
4. **Approval of the minutes from the Sunshine Ordinance Task Force Meeting of October 2, 2024** (*Discussion and Action*) ([attachments](#))
5. **Approval of Orders of Determination:** (*Discussion and Action*) ([attachments](#))
  - **File No. 23058:** Paul Kniha against the San Francisco Municipal Transportation Agency
  - **File No. 23067:** Kimo Crossman against the Office of the Chief Medical Examiner
  - **File No. 23068:** Laurent Philonenko against Phil Ginsburg and the Recreation and Parks Department
  - **File No. 23081:** Zahir Nasri against the San Francisco International Airport
  - **File No. 23086:** Mike Spencer against the Police Department
  - **File No. 23090:** Lance Carnes against Public Works
  - **File No. 23095:** Mark LaCroix against the SF Fire Commission
  - **File No. 23099:** Mark LaCroix against the SF Fire Commission
  - **File No. 23100:** Jimmer Cassiol against the City Administrator's Office
  - **File No. 24009:** Paul Kniha against Hakem, Ibrahim, Tracy Minicucci and the Municipal Transportation Agency
  - **File No. 24020:** Beth Winegarner against David Serrano Sewell and the Office of the Medical Examiner
  - **File No. 24025:** Anonymous against the Police Department
  - **File No. 24028:** HVSafe against the Municipal Transportation Agency
  - **File No. 24041** Rosa L. v. City Attorney
  - **File No. 24042** Rosa L. v. Mayor's Office
  - **File No. 24043** Rosa L. v. Department of Emergency Management
  - **File No. 24044:** Rosa L. V. Police Department
  - **File No. 24045:** Sophia De Anda v. Human Services Agency
  - **File No. 24047:** Rosa L. v. Police Department
  - **File No. 24048** Rosa L. v. Police Department

6. **Hearing - Review of the 2025 Annual Meeting Calendar:** Discussion and adoption of the 2025 meeting calendar of the Sunshine Ordinance Task Force and its Committees. *(Discussion and Action)* ([attachments](#))
  
7. **Administrator's Report.** *(Discussion and Action)* ([attachments](#))
  - Task Force and Committee tentative hearing schedule with potential adjustments
  - Complaints and Hearing Requests
  - SOTF Member Attendance
  - Communications

\*\*\* *Continued on Next Page* \*\*\*

**SPECIAL ORDER 5:00 P.M.**  
**Public Comment, Consent Agenda, and Complaint Hearings Agenda**

(Note: Public Comment, Consent Agenda, and hearings on  
Complaints listed below will begin at 5:00 P.M.  
or as soon thereafter as possible.)

8. **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. *(No Action)*

**CONSENT AGENDA – Item 9**

The Sunshine Ordinance Task Force shall review **File 24054** to affirm the Committee's finding 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 November 19, 2024** Sunshine Ordinance Task Force meeting but may attend to provide testimony during the public comment period for this item related to the determinations listed below.

9. **File No. 24054:** Complaint filed by Michael Petrelis against the Mayor's Office 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. *(Discussion and Action)* ([attachments](#))

*(On 10/15/2024, the Complaint Committee found that the SOTF has jurisdiction, that the requested records are public, and referred the matter to the SOTF Consent Agenda with a recommendation to find no violation of Administrative Code (Sunshine Ordinance) Section 67.21 for the reason that the Committee does not have evidence that the two parties have texted about City business and that one of the parties is a private party and not subject to the Sunshine Ordinance.)*

**COMPLAINT HEARING AGENDA – Items 10 through 13**

The Sunshine Ordinance Task Force (SOTF) shall conduct hearings to review **File Nos. 23067, 24021, 23096 and 24053**. The Petitioner/Complainant and Respondent will be provided an opportunity to provide facts and evidence. The SOTF will discuss the matters and ask questions as needed. The Petitioner/Complainant and Respondent will be an opportunity to provide clarifications/rebuttals. Public Comment will be requested on each item prior to action by the SOTF (see below Meeting Procedures). Only the Respondent in File 23067 is required to attend. Both the Petitioner/Complainant and Respondent in File Nos. 24021, 23096 and 24053 are **required to attend the November 19, 2024** Sunshine Ordinance Task Force meeting.

10. **File No. 23067:** Complaint filed by Kimo Crossman against the Office of the Chief Medical Examiner for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to provide public records in a timely and/or complete manner; 67.28 by failing to make public records available for inspection and copying; California Public Records Act (CPRA) 6253(a) by failing to allow public records to be available for inspection; and CPRA 6253.1(a) by failing to allow access to an electronic public record. ([attachments](#))  
*(On 8/7/2024, the SOTF found a violation of Sunshine Ordinance Section 67.28 against the Office of the Chief Medical Examiner for charging a member of the public for a public record and ordered the Office of the Chief Medical Examiner to make available to members of the public a digital copy free of charge and send a verification to the SOTF Administrator that these changes will take place within 10 days.)*
- a) Hearing on the complaint. (*Discussion and Action*)
11. **File No. 24021** Complaint filed by Matthew Lotocki 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. ([attachments](#))  
*(On October 2, 2024, the SOTF found that the Police Department violated Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to provide the requested records. The SOTF orders the Police Department to provide the requested records, and to send the file to the Compliance and Amendments Committee for follow-up.*
- On 10/22/2024, the Compliance and Amendments Committee moved that if the Police Department does not deliver requested records to Petitioner and the Compliance and Amendments Committee (CAC) by 10/31/2024, the CAC will recommend that this matter be returned to the full SOTF for consideration of a violation of Sec. 67.31 for willful violation of the SOTF's 10/2/2024 SOTF order of determination. The CAC further instructed the SOTF Administrator to include San Francisco Police Chief William Scott and Director of Crime Strategy Ryan Kao on the distribution list of the Notice of Hearing of the 11/6/2024 SOTF Regular Meeting.)*
- a) Hearing on the complaint. (*Discussion and Action*)
12. **File No. 23096:** Complaint filed by Paul Kniha against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(k) by failing to provide records that may fall under the scope of attorney/client privileged in a timely and/or complete manner. ([attachments](#))  
*(On 1/16/2024, the Complaint Committee found that the SOTF has jurisdiction, that the requested documents are public, and forwarded the matter to the SOTF to consider whether the documents were properly redacted/withheld.)*
- a) Hearing on the complaint. (*Discussion and Action*)

13. **File No. 24053:** Complaint filed by Ellen Tsang against the Planning Department for allegedly violating the Administrative Code (Sunshine Ordinance), Section(s) 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner. ([attachments](#))

*(On 10/15/2024, the Complaint Committee found that the SOTF has jurisdiction, that the requested documents are public, and referred the matter to the full SOTF with a recommendation to find that the Planning Department violated Administrative Code (Sunshine Ordinance) Section 67.21, by failing to provide the requested records, and Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner. The Committee ordered the Planning Department to respond directly that they did not have the documents or produce the documents. The Committee noted that the Planning Department did not submit a written response to the Complaint Committee and requests one prior to the SOTF meeting.)*

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

14. **Hearing - Communication to City Officials on Sunshine Requirements:** Discuss and potentially approve a communication to certain current, departing, and incoming city officials regarding their requirements under the Sunshine Ordinance, California Public Records Act, and Brown Act. *(Discussion and Action)* ([attachments](#))
15. **Hearing - Sunshine Ordinance Task Force Annual Report:** Authorize Production of SOTF's 2024 Annual Report. *(Discussion and Action)* ([attachments](#))

Members of the public and the SOTF can view the 2024 Annual Report proposal online at: <https://docs.google.com/document/d/1gE9XCjztYkpb6fB7FlzSGDryfMg-YsKK/edit?usp=sharing&oid=105519330310899598939&rtpof=true&sd=true>

No password or identification is required. Public comments on this document can be sent directly to [lstein.soft@gmail.com](mailto:lstein.soft@gmail.com) or made during public comment on this agenda item.

16. **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.)*

17. **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](mailto: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: Language services are available in Spanish, Chinese and Filipino for requests made at least two (2) business days in advance of the meeting, to help ensure availability. For more information or to request services, contact (415) 554-5184.

傳譯服務: 所有常規及特別市參事會會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少兩 (2) 個工作日作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見. 如需更多資訊或請求有關服務, 請發電郵至 [bos@sfgov.org](mailto:bos@sfgov.org) 或致電 (415) 554-5184 聯絡我們.

INTÉRPRETES DE IDIOMAS: Para asegurar la disponibilidad de los servicios de interpretación en chino, filipino y español, presente su petición por lo menos con dos (2) días hábiles de antelación previo a la reunión. Para más información o para solicitar los servicios, envíe su mensaje a [bos@sfgov.org](mailto:bos@sfgov.org) o llame al (415) 554-5184.

TAGA SALIN-WIKA: Ipaabot sa amin ang mga kahilingan sa pag salin-wika sa Kastila, Tsino at Pilipino ng hindi bababa sa dalawang araw bago ang pulong. Makakatulong ito upang tiyakin na ang mga serbisyo ay nakalaan at nakahanda. Para sa dagdag kaalaman o para humiling ng serbisyo, maki pagugnayan po sa [bos@sfgov.org](mailto:bos@sfgov.org) o tumawag sa (415) 554-5184.

### **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 two business days 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](mailto: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](http://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](http://sfethics.org).

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