



City and County of San Francisco

Meeting Minutes

Complaint Committee

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

Members: Dean Schmidt, Laura Stein, and Saul Sugarman

Clerk: Patricia Petersen

(415) 554-7719 ~ patricia.petersen@sfgov.org

Tuesday, June 18, 2024

**5:30 pm
Regular Meeting**

City Hall, Room 408

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:01:10)

Chair Schmidt called the meeting to order at 5:34 p.m. On the call of the roll, Chair Schmidt and Members Stein and Sugarman were noted present. A quorum was present.

A discussion was held regarding the order in which the evening's files would be heard.

2. Approval of the April 23, 2024, Complaint Committee meeting minutes. (00:03:10)

Action: Moved by Member Stein, seconded by Member Sugarman, to approve the April 23, 2024 minutes.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 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. (00:05:35)

Public Comment: None.

4. **File No. 23068:** Complaint filed by Laurent Philomenko against Phil Ginsburg and the Recreation and Parks Department 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. (00:06:28)

Laurent Philomenko (Complainant) consented in advance to Respondent Recreation and Parks Department's request for a continuance.

The Recreation and Parks Department (Respondent) was not present.

A discussion occurred regarding the sufficiency of the parties' supporting documentation.

Action: Moved by Member Stein, seconded by Member Sugarman, to continue File No. 23068 to the call of the chair.

The Committee requested that Petitioner provide an explanation of the documents they believe have not yet been provided and the minutes from the June 1, 2022 meeting of the Recreation and Parks Department in which they believe documents or information is missing. In addition, the Committee requests that staff share this request with the Petitioner.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

5. **File No. 24027** Complaint filed by Jordan Martinez-Miller against the Recreation and Parks 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. (00:16:19)

Jordan Martinez-Miller (Complainant) was not present.

Ashley Summers, Manager II (Respondent) requested a continuance in advance of the meeting.

Action: Moved by Member Stein, seconded by Member Sugarman, to table the matter without prejudice due to non-appearance without prior notice of the Petitioner pursuant to SOTF Complaint Procedure 7(b).

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Stein, Sugarman

Noes: 0 – None

6. **File No. 24031:** Complaint filed by Paul Kniha against the Municipal Transportation Agency 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. (00:22:50)

Paul Kniha (Complainant) provided a summary of the complaint. Mr. Kniha stated that of the three items sought in his complaint, the emails from Ms. Mari Hunter have been provided but he has not received either the sketches or drawings or the attachments referenced in Norman Wong's 3/27/2024 email.

Caroline Celaya, Manager, Public Records Requests (Respondent) provided a summary of the department's position. Ms. Celaya stated that Mr. Kniha's April 2024 request was responded to by staff who were covering for her while she was out of the office. Ms. Celaya further stated that additional responsive documents were obtained and produced 6/6/2024 and that all responsive records have been produced.

A question-and-answer period occurred.

Action: Moved by Member Stein, seconded by Member Sugarman, to find that the Sunshine Ordinance Task Force has jurisdiction over the matter, that the records are public, and referred the matter to the full Task Force Consent Agenda with a recommendation to find that the Municipal Transportation Agency violated the Administrative Code, Section(s) 67.21 by failing to respond to a public records request in a timely and/or complete manner.

The Committee further recommended that certain documents should be produced or declared not to exist; specifically emails and attachments referred to by Norman Wong in his 3/27/2024 email, and drawings or surveys.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 3 – Schmidt, Stein, Sugarman

Notes: 0 – None

7. Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (01:16:24)

A discussion occurred regarding the scheduling of future complaints before the Complaint Committee.

8. ADJOURNMENT (01:26:01)

There being no further business the meeting was adjourned at 7:00 p.m.

APPROVED: _____

Complaint Committee

Sunshine Ordinance Task Force

N.B. the Minutes of this meeting set forth all actions taken by the Complaint Committee of 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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