



# 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 ~ [sotf@sfgov.org](mailto:sotf@sfgov.org)*

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| <b>Tuesday, August 20, 2024</b> | <b>5:30 pm<br/>Regular Meeting</b> | <b>City Hall, Room 408</b> |
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1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:00:04)

Chair Schmidt called the meeting to order at 5:31 p.m. On the call of the roll, Chair Schmidt and Member Stein were noted present. Member Sugarman was noted absent. A quorum was present.

The Unknown Blogger submitted a request to withdraw their complaint, Item 4, File No. 24040 prior to the meeting.

The City Attorney's Office requested a continuance of Item 5, File 24041, and Complainant Rosa L. agreed to the continuance.

The Department of Emergency Management was unaware that Item 7, File 24043, would be on August 20, 2024 due to an incorrect Notice of Hearing.

Sophia De Anda submitted a request for a continuance of Item 9, File 24045.

Public Comment: None.

2. Approval of the July 16, 2024, Complaint Committee meeting minutes. (00:05:07)

**Action: Moved by Chair Schmidt, seconded by Member Stein, to approve the July 16, 2024 minutes.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 - None

Absent: 1 - Sugarman

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. (00:07:35)

Public Comment: None.

4. **File No. 24040:** Complaint filed by the Unknown Blogger 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. (00:07:59)

The matter was withdrawn by Complainant prior to the meeting.

5. **File No. 24041:** Complaint filed by Rosa L. against David Chiu and the City Attorney'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. (00:08:57)

**Action: Moved by Chair Schmidt, seconded by Member Stein, to continue this matter to the next available meeting of the Complaint Committee.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

6. **File No. 24042:** Complaint filed by Rosa L. against the Office of the Mayor 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. (00:11:22)

Rosa L. (Complainant) provided a summary of their complaint. Rosa L. stated that it took Respondent six weeks to respond to their Immediate Disclosure Request saying that no communications from the Mayor via certain communications apps were found. Rosa L. further stated concerns that the Mayor's communications are deleted because a similar records request to San Francisco Public Works produced a text communication with the Mayor.

Hank Heckel (Mayor's Office) (Respondent) provided a summary of the department's position. Mr. Heckel stated that it is unclear why Rosa L.'s initial request was not received, but once identified they informed Rosa L. that more time was needed to respond due to the different platforms identified in the request. Mr. Heckel further stated that day-to-day communications are not subject to the office retention policy.

A question-and-answer period occurred.

**Moved by Chair Schmidt, seconded by Member Stein, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Task Force with a recommendation to find a violation of Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and or complete manner.**

**The Committee further requested that the Mayor's Office produce its retention policy prior to the hearing.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

7. **File No. 24043:** Complaint filed by Rosa L. against the Department of Emergency Management 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. (00:56:22)

**Moved by Chair Schmidt, Seconded by Member Stein, to continue the matter to the next available meeting of the Complaint Committee.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

8. **File No. 24044:** 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. (00:59:19)

Chair Schmidt noted that Respondent's initial response in File 24044 was received 8/19/2024.

Rosa L. (Complainant) provided a summary of their complaint and stated that no response has been received to their records request submitted in 2023.

Lt. Christopher G. Beauchamp (Respondent) provided a summary of the department's position and acknowledged that the department did not respond in a timely fashion. Lt. Beauchamp further stated that the response to the request is still in progress due to the need to consult with the City Attorney's Office regarding ongoing investigation.

**Moved by Chair Schmidt, seconded by Member Stein, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Task Force Consent Agenda with a recommendation to find a violation of Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.**

**The Committee further notes that Respondent acknowledges a violation of Section 67.21 and orders production of all responsive documents pursuant to Section 67.21.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

9. **File No. 24045:** Complaint filed by Sophia De Anda against the Human Services Agency 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. (01:15:15)

Sophia De Anda submitted a request for a continuance of the matter but was not present for the meeting. The Respondent was not present for the meeting.

**Moved by Member Stein, seconded by Chair Schmidt, to find that the Task Force does not have jurisdiction and refer the matter to the full Task Force Consent Agenda due to lack of a specific records request in this matter.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

10. **File No. 24047:** Complaint filed by Rosa L. against the Police Department 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. (01:29:39)

Chair Schmidt noted that Respondent's initial response in File 24047 was received 8/19/2024 and a supplemental response was received 8/20/2024.

Rosa L. (Complainant) provided a summary of their complaint. Rosa L. stated that a response was not released for approximately a month and a half. Rosa L. further stated that the ongoing violations of the timeliness clause by the Police Department impacts the journalistic community is a disservice to the public.

Lt. Christopher G. Beauchamp (Respondent) provided a summary of the department's position and acknowledged a timeliness violation. Lt. Beauchamp further stated that the Police Department contests that this request is an Immediate Disclosure Request because the requested cost analysis was not readily available and required input from their fiscal unit.

A question-and-answer period occurred.

**Moved by Member Stein, seconded by Chair Schmidt, to find that the Task Force has jurisdiction over the matter, that the requested records are public, and refer the matter to the full Task Force Consent Agenda with a recommendation to find a violation of Administrative Code, Section 67.21, for failing to respond to a public records request in a timely manner, and noting the Police Department's acknowledgement that their response was not timely.**

Public Comment: None.

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

Ayes: 2 - Schmidt, Stein

Noes: 0 – None

Absent: 1 – Sugarman

11. Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (01:43:08)

Public Comment: None.

12. ADJOURNMENT (01:43:24)

There being no further business the meeting was adjourned at 7:13 p.m.

**APPROVED: 9/17/2024**

**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.