



City and County of San Francisco

Meeting Minutes

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

Complaint Committee

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

Clerk: Patricia H. Petersen
(415) 554-7719 ~ sotf@sfgov.org

Tuesday, October 15, 2024

5:30 pm
Regular Meeting

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:00:04)**

Chair Schmidt called the meeting to order at 5:32 p.m. On the call of the roll, Chair Schmidt, Member Stein, and Member Sugarman were noted present. A quorum was present.

Chair Schmidt stated that Item 4 would be heard after Item 7.

Clerk Petersen noted that Item 5 had been withdrawn.

2. **Approval of the September 17, 2024, Complaint Committee meeting minutes. (00:03:02)**

Action: Moved by Chair Schmidt, seconded by Member Stein, to approve the September 17, 2024 minutes.

Public Comment:

Michael Petrelis asked that the Committee approve the minutes.

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. (00:05:34)

Public Comment:

Michael Petrelis stated his opposition to Prop D, and that the possible elimination of the Sunshine Ordinance Task Force would harm local democracy. Mr. Petrelis also stated his wish that the Board of Supervisors allocate funds to broadcast the monthly SOTF meetings on SFGovTV.

4. **Hearing on Complaint Committee Administration** – Discuss Role in Advancing Expansion of SOTF Role per Administrative Code (Sunshine Ordinance), Section(s) 67.30 Authorizations (01:17:29)

Chair Schmidt stated that while there have been improved procedural efficiencies there is potential for a broader role for the SOTF to explore, including the limits of the SOTF's jurisdiction. The Committee discussed potential actions for expansion.

Public Comment: None.

No actions were taken.

5. **File No. 24049:** Complaint filed by Michael Petrelis against Andrea Aiello (Castro Community Benefit District) 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. (00:07:39)

Chair Schmidt stated that Petitioner had withdrawn the matter but called the matter for procedural issues.

The Committee discussed the rationale for consideration of jurisdiction questions by the full Task Force, the nexus of public/private partnerships and the public's right to information, applicability of the California Public Records Act, the introduction of procedural controls when setting agendas to ensure cases advance as scheduled, and the impacts of a late withdrawal of an agenda item.

Mr. Petrelis stated that having two items agendaized for the same evening was challenging and requested that going forward there be only one item per evening.

Public Comment: None.

No action was taken.

6. **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. (00:30:04)

Ellen Tsang (Petitioner) provided a summary of her case. Ms. Tsang stated that she has received no response to an Immediate Disclosure Request for three items sent 8/14/2024 or a follow-up request on 8/25/2024.

Jonas Ionin (Planning Department, Respondent), provided a summary of the department's position. Mr. Ionin stated that all documents in the department's possession were provided, and that Petitioner's request concerns whether gates swing in or out.

A question-and-answer period occurred.

Action: Moved by Member Stein, seconded by Member Sugarman, to find that the SOTF has jurisdiction, that the requested documents are public, and refer 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 orders the Planning Department to respond directly that they did not have the documents or produce the documents. The Committee notes that the Planning Department did not submit a written response to the Complaint Committee and requests one prior to the SOTF meeting.

Public Comment: None.

The motion PASSED by the following vote:

Ayes: 3 – Stein, Sugarman, Schmidt

Noes: 0 – None

7. **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. (00:59:44)

Michael Petrelis (Petitioner) provided a summary of his complaint. Mr. Petrelis stated that the Mayor's Office informed him that there were no responsive records regarding his request for any and all texts between the Mayor and Gary Tan.

Hank Heckel (Mayor's Office, Respondent) provided a summary of the department's complaint. Mr. Heckel stated that Mr. Petrelis's request was received on 9/9/2024 and, following an inquiry for such texts, responded timely on 9/19/2024 informing him that no responsive records were found.

A question-and-answer period occurred.

Action: Moved by Member Sugarman, seconded by Chair Schmidt. to find that the SOTF has jurisdiction, that the requested records are public, and refer 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.

Public Comment: none.

The motion PASSED by the following vote:

Ayes: 3 – Sugarman, Schmidt, Stein

Noes: 0 – None

8. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Complaint Committee. (01:59:31)**

Public Comment: None.

No Actions taken.

9. **ADJOURNMENT (02:00:05)**

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

###

§ 2 of 44 results Original terms

West's Annotated California Codes

Government Code

Title 1. General

Division 10. Access to Public Records

West's Ann.Cal.Gov.Code T. 1, D. 10, Refs & Annos

[Currentness](#)

Editors' Notes

GENERAL NOTES

2023 Electronic Pocket Part Update

<Division 10 was added by Stats.2021, c. 614 (A.B.473), § 2, eff. Jan. 1, 2022, operative Jan. 1, 2023.>

OPERATIVE EFFECT

<For operative effect of Division 10, see **Government Code § 7931.000**.>

PUBLISHER'S NOTE

<The following table was provided by the California Law Revision Commission, and is reproduced with minor modifications. The original table was published in the California Law Revision Commission recommendation titled "California Public Records Act Clean-Up" [46 Cal. L. Revision Comm'n Reports 207 (2019)].>

DERIVATION TABLE

This table shows the derivation of each proposed provision in this recommendation. Unless otherwise indicated, all statutory references are to the **Government Code**.

New Section	Old Section
7920.000	6251
7920.005	new
7920.100	new
7920.105	new
7920.110	new
7920.115	new
7920.120	new
7920.200	6260
7920.500	6254.21(f)

7920.505		new
7920.510		6252(a)
7920.515		6252(b)
7920.520		6252 (c)
7920.525(a)	[6252(d)
7920.525(b)		new
7920.530		6252(e)
7920.535		6254.24
7920.540		6252(f)
7920.545		6252(g)
7921.000		6250
7921.005		6253.3
7921.010		6270
7921.300		6257.5
7921.305		6252.5
7921.310		6252.7
7921.500		6254 next-to-last ¶
7921.505		6254.5
7921.505(a)		6254.5 2d sent
7921.505(b)		6254.5 1st sent
7921.505(c)		6254.5(a)-(i)
7921.700		6263
7921.705		6264
7921.710		6265
7922.000		6255(a)
7922.200		6254.29
7922.205		6254.27
7922.210		6254.28
7922.500		6253(d) 1st sent
7922.505		6253(e)
7922.525		6253(a)
7922.525(a)		6253(a) 1st sent
7922.525(b)		6253(a) 2d sent
7922.530(a)		6253(b)
7922.530(b)		6253(d)(1)
7922.530(c)		6253(d)(2)
7922.535		6253(c)
7922.535(a)		6253(c) 1st, 4th sent
7922.535(b)		6253(c) 2d, 3d sent
7922.535(c)		6253(c) 5th sent
7922.540(a)		6255(b)
7922.540(b)		6253(d)(3)
7922.540(c)		new
7922.545		6253(f)

7922.545(a)	6253(f) 1st sent
7922.545(b)	6253(f) 2d sent
7922.570-7922.580	6253.9
7922.570(a)	6253.9 intro cl 1st part
7922.570(b)	6253.9 intro cl 2d part, (a)(1), (a)(2) 1st sent
7922.570(c)	6253.9(d)
7922.575(a)	6253.9(a)(2) 2d sent
7922.575(b)	6253.9(b)
7922.580(a)	6253.9(c)
7922.580(b)	6253.9(e)
7922.580(c)	6253.9(f)
7922.580(d)	6253.9(g)
7922.585	6254.9
7922.600	6253.1(a)-(c)
7922.605	6253.1(d)
7922.630	6253.4(a) 1st ¶
7922.635	6253.4(a) 2d ¶
7922.640	6253.4(b)
7922.680	6253.10
7922.700-7922.725	6270.5
7922.700(a)	6270.5(c)(1)
7922.700(b)	6270.5(c)(3)
7922.705	6270.5(c)(2)
7922.710(a)	6270.5(a) 1st sent
7922.710(b)	6270.5(f)
7922.715(a)	6270.5(a) 2d sent
7922.715(b)	6270.5(a) 3d sent
7922.720(a), (b)	6270.5(a) 4th sent
7922.720(c)	6270.5(e)
7922.725(a)	6270.5(b)
7922.725(b)	6270.5(d)
7923.000	6258 1st sent
7923.005	6258 2d sent
7923.100-7923.500	6259 (except (c) 1st sent intro cl)
7923.100	6259(a) 1st sent
7923.105	6259(a) 2d sent
7923.110	6259(b)
7923.115(a)-(b)	6259(d)
7923.115(c)	6259(e)
7923.500	6259(c) (except obsolete intro cl)
7923.600-7923.625	6254(f)
7923.600(a)	6254(f) 1st sent
7923.600(b)	6254(f) 2d ¶
7923.605(a)	6254(f) 2d sent

7923.605(b)	6254(f) 3d sent
7923.610	6254(f) 3d ¶ (re 6254(f)(1)), 6254(f)(1)
7923.615(a)	6254(f) 3d ¶ (re 6254(f)(2)), 6254(f)(2)(A) 1st sent
7923.615(b)	6254(f)(2)(A) 2d, 3d sent
7923.615(c)	6254(f)(2)(B)
7923.620(a)	6254(f) 3d ¶ (re 6254(f)(3)), 6254(f)(3) 1st, 2d sent
7923.620(b)	6254(f)(3) 3d sent
7923.620(c)	6254(f)(3) 4th sent
7923.625	6254(f)(4)
7923.630	new
7923.650	6262
7923.655	6254.30
7923.655(a)	6254.30 1st sent
7923.655(b)	6254.30 2d sent
7923.700	6254(z)
7923.750	6254.4.5
7923.755	6254.17
7923.800-7923.805	6254(u)
7923.800	6254(u)(1)
7923.805	6254(u)(2)-(3)
7924.000	6254.4
7924.005	6253.6
7924.100	6253.5(c)
7924.105	6253.5(d)
7924.110(a)-(b)	6253.5(a) 1st sent
7924.110(c)	6253.5(a) 2d sent
7924.110(d)	6253.5(b)
7924.300-7924.335	6254.2
7924.300	6254.2(a)
7924.305(a)	6254.2(b)
7924.305(b)	6254.2(c)
7924.305(c)	6254.2(d)
7924.305(d)	6254.2(e)
7924.305(e)	6254.2(m)
7924.305(f)	6254.2(f)
7924.310(a)-(b)	6254.2(h)
7924.310(c)	6254.2(k)
7924.315	6254.2(i)
7924.320	6254.2(j)
7924.325	6254.2(n)
7924.330	6254.2(l)
7924.335	6254.2(g)
7924.500	6254.11
7924.505	6254(o)

7924.510	6254.7 (except (c))
7924.510(a)	6254.7(a)
7924.510(b)	6254.7(b)
7924.510(c)	6254.7(d) 1st sent
7924.510(d)	6254.7(e)
7924.510(e)	6254.7(f)
7924.510(f)	6254.7(d) 2d sent
7924.700	6254.7(c)
7924.900	6253.8(a)-(e)
7925.000	6254(i)
7925.005	6254(n)
7925.010	6254(x)
7926.000	6254(s)
7926.100	6254(ac)
7926.200	6254 last ¶ (unlabeled)
7926.205	6254.22
7926.205(a)	6254.22 1st sent
7926.205(b)	6254.22 2d sent
7926.205(c)	6254.22 3d & 4th sent
7926.210	6254(t)
7926.215	6254.14(a)
7926.215(a)	6254.14(a)(1)
7926.215(b)	6254.14(a)(2)
7926.215(c)	6254.14(a)(3)
7926.215(d)	6254.14(a)(4)
7926.215(e)	6254.14(a)(5)
7926.220(a)	6254(q)(1)
7926.220(b)	6254(q)(2)
7926.220(c)	6254(q)(3)
7926.220(d)	6254(q)(4), 6254.14(b) (re 6254(q))
7926.225(a)	6254(v)(1)
7926.225(b)	6254(v)(2)
7926.225(c)	6254(v)(3)
7926.225(d)	6254(v)(4), 6254.14(b) (re 6254(v))
7926.230(a)	6254(y)(1)
7926.230(b)	6254(y)(2)
7926.230(c)	6254(y)(3)
7926.230(d)	6254(y)(4), 6254.14(b)(re 6254(y))
7926.230(e)	6254(y)(5)
7926.235	6254(w)
7926.235(a)	6254(w)(1)
7926.235(b)	6254(w)(2)
7926.235(c)	6254(w)(3)
7926.300	6253.2

7926.400-7926.430	6254.18
7926.400	6254.18(b)
7926.400(a)	6254.18(b)(1)
7926.400(b)	6254.18(b)(2)
7926.400(c)	6254.18(b)(3)
7926.400(d)	6254.18(b)(4)
7926.405	6254.18(a)
7926.410	6254.18(c)
7926.415	6254.18(d)
7926.415(a)	6254.18(d) 1st sent
7926.415(b)	6254.18(d) 3d sent
7926.415(c)	6254.18(d) 2d sent
7926.420	6254.18(e)
7926.425	6254.18(f)
7926.430	6254.18(g)
7926.500	6270.7
7927.000	6254(r)
7927.005	6254.10
7927.100	6254(j)
7927.105	6267
7927.200	6254(b)
7927.205	6254.25
7927.300	6254(e)
7927.305	6253.21
7927.400	6254.20
7927.405	6254.1(b)
7927.410	6254.16
7927.415	6254.1(a)
7927.420	6252.6
7927.500	6254(a)
7927.600	6254.6
7927.605	6254.15
7927.700	6254(c)
7927.705	6254(k)
7928.000	6254 (l)
7928.005-7928.010	6268
7928.005	6268(a)
7928.010(a)	6268(b)
7928.010(b)	6268(c)
7928.015	6268.5
7928.100	6254(m)
7928.200-7928.230	6254.21 (except (f))
7928.200(a)	6254.21(g)
7928.200(b)	6254.21(e)

7928.205	6254.21(a)
7928.210	6254.21(b)
7928.215-7928.225	6254.21(c)
7928.215	6254.21(c)(1)
7928.215(a)	6254.21(c)(1)(E)
7928.215(b)	6254.21(c)(1)(A)
7928.215(c)	6254.21(c)(1)(B)
7928.215(d)	6254.21(c)(1)(C)
7928.215(e)	6254.21(c)(1)(D)
7928.220	6254.21(c)(3)
7928.225	6254.21(c)(2)
7928.230	6254.21(d)
7928.300	6254.3
7928.400	6254.8
7928.405	6254(p)(1)
7928.410	6254(p)(2)
7928.700	6253.31
7928.705	6254(h)
7928.710(a)	6254.26(c)
7928.710(b)	6254.26(a)
7928.710(c)	6254.26(b)
7928.715	6254.33
7928.720	6261
7928.800	6270.6
7929.000	6254(d)
7929.005	6254.12
7929.010	6254.35
7929.200	6254(aa)
7929.205	6254(ab)
7929.205(a)	6254(ab) 2d sent
7929.205(b)	6254(ab) 1st sent
7929.205(c)	6254(ab) 3d sent
7929.210	6254.19
7929.215	6254.23
7929.400-7929.430	6254(ad)
7929.400	6254(ad)(1)
7929.405	6254(ad)(2)
7929.410	6254(ad)(3)
7929.415	6254(ad)(4)
7929.420	6254(ad)(5)
7929.425	6254(ad)(6)
7929.430	6254(ad)(7)
7929.600	6254.1(c)
7929.605	6254(g)

7929.610	6254.13
7930.000-7930.215	6275-6276.48
7930.000	6275
7930.005	6276
7930.100	6276.01
7930.105	6276.02
7930.110	6276.04
7930.115	6276.06
7930.120	6276.08
7930.125	6276.10
7930.130	6276.12
7930.135	6276.14
7930.140	6276.16
7930.145	6276.18
7930.150	6276.22
7930.155	6276.24
7930.160	6276.26
7930.165	6276.28
7930.170	6276.30
7930.175	6276.32
7930.180	6276.34
7930.185	6276.36
7930.190	6276.38
7930.195	6276.40
7930.200	6276.42
7930.205	6276.44
7930.210	6276.46
7930.215	6276.48

Relevant Additional Resources

Additional Resources listed below contain your search terms.

HISTORICAL AND STATUTORY NOTES

2021 Legislation

For legislative findings and declarations concerning the California Public Records Act recodification from [Stats.2021, c. 614](#) (A.B.473), see Historical and Statutory Notes under [Government Code § 7920.000](#).

CROSS REFERENCES

Bay Area Housing Finance Authority, regional expenditure plan, public participation processes, see [Government Code § 64511](#).

California Tourism Marketing Act, exemption for information obtained to determine assessments, see [Government Code § 13995.54](#).

City auditor, public records, see [Government Code § 36525](#).

Climate resilience district, meetings, public records, see **Government Code § 62311**.

Duties of state agency heads relative to records and information collection practices, see **Government Code § 12274**.

Electronic recording delivery systems, exemption of audit reports from disclosure under California Public Records Act, see **Government Code § 27394**.

Enhanced infrastructure financing district, public financing authority, application of this division, see **Government Code § 53398.51.1**.

Exemptions from public disclosure of items in custody of State Archives, exemption not applicable to item seventy-five years after it was created, notice of public access, see **Government Code § 12237**.

Financial and legal records of California Indian tribes and tribal business enterprises, disclosure, see **Government Code § 63048.63**.

Local agencies, sexual harassment prevention training and education records, see **Government Code § 53237.2**.

Local agency auditors, public records, see **Government Code § 26908.5**.

Local agency ethics training records, status as public records subject to disclosure, see **Government Code § 53235.2**.

Local agency expense report forms, status as public records subject to disclosure, see **Government Code § 53232.3**.

Long Beach Civic Center, contracting and procurement procedures, negotiations, disclosure of documents, see **Government Code § 5976**.

Procedures for destruction or disposal of records of special districts, copies not required, destruction or disposal of certain records prohibited, see **Government Code § 60201**.

Public employees' health benefits, disclosure of cost, utilization, actual claim payments, and contract allowance amounts for health care services rendered, see **Government Code § 22854.5**.

Tribal Nation Grant Fund Program, preventing disclosure of confidential information, see **Government Code § 12019.55**.

West's Ann. Cal. Gov. Code T. 1, D. 10, Refs & Annos, CA GOVT T. 1, D. 10, Refs & Annos Current with Ch. 1 of 2023-24 1st Ex.Sess, and urgency legislation through Ch. 2 of 2023 Reg.Sess. Some statute sections may be more current, see credits for details.

End of Document

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