



City and County of San Francisco

Sunshine Ordinance Task Force

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

Meeting Minutes

Members:

Seat 1	Dean Schmidt	Seat 7	Matthew Yankee - Chair
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 - Vice-Chair		
Ex-officio	<i>(non-voting)</i> Clerk of the Board of Supervisors or their designee		
Ex-officio	<i>(non-voting)</i> Michael Adams, Mayor's designee		

Clerk: Patricia Petersen
(415) 554-7719 ~ patricia.petersen@sfgov.org

**Wednesday, November 5,
2025**

**4:00 p.m.
Regular Meeting**

City Hall, Room 408

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:01:51)**

Chair Yankee called the meeting to order at 4:10 p.m. On the call of the roll Chair Yankee, Vice-Chair Stein and Members Schmidt, LaHood, Sugarman, Kumar, Anderson, and Pilpel were noted present. Members Hyland and Wolfe were noted absent. Ex-officio Member Michael Adams was noted present. A quorum was present. Deputy City Attorney Valerie Lopez was present. Administrator Pat Petersen was present.

Public Comment: None

2. **Welcome new Task Force Member and Introductory Remarks. (00:03:41)**

Ex-officio Member Michael Adams provided background about his interest in San Francisco government and sharing his research.

Public Comment: None

3. **Approval of the October 15, 2025 Sunshine Ordinance Task Force Special Meeting minutes. (00:06:22)**

The members provided edits to the draft minutes.

Action: Moved by Member Pilpel, seconded by Member Anderson, to approve the October 15, 2025 minutes as amended.

Public Comment: None

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

Ayes: 8 – Pilpel, Anderson, Schmidt, LaHood, Sugarman, Kumar, Stein, Yankee

Noes: 0 – None

Absent: 2 – Hyland, Wolfe

4. **Approval of Orders of Determination (00:11:39)**

The members provided edits to the draft Orders of Determination.

- **File No. 24007** Kevin Cantwell against San Francisco Police Department
- **File No. 25037** Paul Kniha against San Francisco Municipal Transportation Agency
- **File No. 25042** Paul Kniha against San Francisco Municipal Transportation Agency
- **File No. 25053** Michael Petrelis against Human Rights Commission
- **File No. 25071** Wesley Saunders against San Francisco Recreation and Parks Department

Action: Moved by Member Pilpel, seconded by Vice-Chair Stein, to approve the Orders of Determination as amended.

Public Comment: None

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

Ayes: 8 – Pilpel, Stein, Schmidt, LaHood, Sugarman, Kumar, Anderson, Yankee

Noes: 0 – None

Absent: 2 – Hyland, Wolfe

5. **Remarks from Members Hyland and Pilpel regarding comments made at the March 5, 2025 Sunshine Ordinance Task Force Regular Meeting. (00:32:14)**

Members Hyland and Pilpel apologized for statements made regarding Petitioner Liza Murawski at the March 5, 2025 Sunshine Ordinance Task Force meeting.

Petitioner Liza Murawski stated her appreciation to Member Pilpel for taking accountability for his statements, and that she finds it very disturbing to think that Member Hyland feels she is deserving of his behavior.

Member Kumar apologized for the actions on behalf of the Task Force.

No action taken.

6. **Administrator’s Report (00:16:48)**

- Task Force and Committee tentative hearing schedule with potential adjustments
- Draft 2026 Meeting Calendar
- Complaints and Hearing Requests
- Pending Petitions / Complaints
- SOTF Member Attendance
- Communications

The members discussed their availability for upcoming meetings and possible changes to the draft 2026 Meeting Calendar.

Member Hyland was noted present at 4:30 p.m.

Action: Moved by Chair Yankee, seconded by Member Anderson, to direct the Administrator to reserve the 2026 Meeting Dates and calendar the item for the 12/3/2025 Task Force meeting.

Public Comment: None

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

Ayes: 9 – Yankee, Anderson, Schmidt, LaHood, Sugarman, Kumar, Hyland, Pilpel, Stein
Noes: 0 – None
Absent: 1 – Wolfe

A pause was taken to hear Item 5, and additional Public Comment was taken upon resuming discussion of Item 6. (01:07:46)

Public Comment: Richard Knee, former Sunshine Ordinance Task Force Chair, stated that term limits should be staggered to assure continuity and the retention of historical and institutional knowledge, and that qualifications to serve should not be body-level.

7. **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. (01:12:02)

Public Comment: None

The meeting was in recess from 5:23 pm to 5:30 p.m.

Member Kumar was noted present at 5:35 p.m.

CONSENT AGENDA – *Item 8*

The Sunshine Ordinance Task Force shall review **File No. 25074** to affirm the Committee's findings 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 5, 2025 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. (*Discussion and Action*)

8. **File No. 25074:** Complaint filed by Patrick Monette-Shaw against the Health Commission and Health Commission Executive Secretary Mark Morewitz for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.5, by failing to hold open and public meetings. (01:21:35)

(On 10/21/25 the Complaint Committee referred the matter to the full Sunshine Ordinance Task Force with the recommendation to find that the Department of Public Health violated Administrative Code (Sunshine Ordinance), Section 67.7, by failing to provide accurate telephone login information for remote meeting access on the agenda.)

Action: Moved by Member Pilpel, seconded by Member Schmidt, to find that the Task Force has jurisdiction and find that the Health Commission and Health Commission Executive Secretary Mark Morewitz violated Administrative Code (Sunshine Ordinance), Section 67.7, by failing to provide accurate telephone log in information for remote meeting access on an agenda.

Public Comment: None

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

Ayes: 7 – Pilpel, Schmidt, LaHood, Anderson, Hyland, Stein, Yankee

Noes: 2 – Sugarman, Kumar

Absent: 1 – Wolfe

COMPLAINT HEARING AGENDA – Items 9 through 12

9. **File No. 23085:** Complaint filed by Mike Spencer against the District Attorney 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 and Section(s) 67.24, by failing to allow other members of the public access to local records pertaining to investigations, arrests, and other law enforcement activity. (01:46:11)

(On 10/24/2023, the Compliance and Amendments Committee found that the Task Force has jurisdiction, that the requested records are public and referred the matter to the Task Force for hearing with no recommendations. The Committee requested that the Task Force Deputy City Attorney provide confidential advice to the Task Force regarding the District Attorney's position prior to hearing that matter at the full Task Force.)

Member Wolfe was noted present at 6:05 p.m.

Mike Spencer (Petitioner) stated that Respondent told him that no records were available, but Mr. Murphy is a three-time convicted felon whose cases have been floating around the San Francisco District Attorney's office for 23 years.

Nikki Moore (Respondent) confirmed that no records exist. Ms. Moore further stated that since the 1990s emails are purged, the Intake Unit wouldn't necessarily create files when they're being presented with evidence and that they make determinations if they can prove the case beyond a reasonable doubt, and the case was not charged. Ms. Moore stated that emails are purged after 90 days, that the Records Room and cold case records were searched and even if we had those records it's likely they'd be withheld because a local ordinance can't overcome the investigation exemption because a murder case has no statute of limitations.

A question-and-answer period occurred.

The parties provided rebuttals.

Action: Moved by Vice-Chair Stein, seconded by Member Anderson, to find that the District Attorney violated Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Public Comment: None

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

Ayes: 10 – Stein, Anderson, Schmidt, LaHood, Sugarman, Kumar, Hyland, Pilpel, Wolfe, Yankee

Noes: 0 - None

Absent: 0 – None

10. **File No. 24015:** Complaint filed by Paul Kniha against the Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a records request in a complete and/or timely manner. (02:16:35)

(On 4/23/2024, the Complaint Committee found that the Task Force has jurisdiction, that the requested records are public, and referred the matter to the full Task Force for hearing, with the recommendation to find that the Municipal Transportation Agency violated Administrative Code, Section(s) 67.21(b), due to improper withholding of records and Section(s) 67.27(b), for failing to justify in writing, citing specific statutory authority that prohibits public disclosure.

The Committee requested that the City Attorney for the Task Force provide guidance about the contention that the MTA ombudsman might come under the mediation information protection cited by Respondent in this matter.)

Paul Kniha (Petitioner) stated that his request concerned communications between City staff regarding him and that communication by default is expected to include confidential information. Mr. Kniha further stated that the SFMTA was looking for a reason to fire him and mentioned a complaint against him that could be used as a reason to terminate him. Mr. Kniha stated that his request was about that complaint and why it was never brought to his attention for discipline, and the results of that investigation should be a public record.

Caroline Celaya (Respondent) stated that she is appearing on behalf of the ombudsman and that when the department responded initially, it initially found no records. Ms. Celaya further stated that there actually had been a withholding.

A question-and-answer period occurred.

The parties provided rebuttals.

Action: Moved by Member Wolfe, seconded by Member Schmidt, to find that the San Francisco Municipal Transportation Agency violated Administrative Code (Sunshine Ordinance), Section 67.21(b), by improperly withholding records, and Section 67.27(b), by failing to cite the specific statutory authority that prohibits public disclosure, order the SFMTA to produce the records, and refer the matter to a committee for follow-up.

Public Comment: None

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

Ayes: 10 - Wolfe, Schmidt, LaHood, Sugarman, Kumar, Anderson, Hyland, Pilpel, Stein, Yankee

Noes: 0 - None

Absent: 0 - None

11. **File No. 25057:** Complaint filed by Annie Gilbertson against the San Francisco Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67. 21, for failing to respond to a public records request in a timely and/or complete manner. (02:58:11)

(On 9/23/2025, the Education, Outreach, and Training Committee found that the Task Force has jurisdiction and referred the matter to the full Task Force with a recommendation to find that the San Francisco Police Department (SFPD) violated Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner. In addition, the Committee forwarded this matter to the full Task Force to consider whether Government Code Section 7923.610 requires the production of the names of individuals arrested beyond the 90-day period provided by the SFPD. Prior to scheduling this file before the full Task Force, the Committee will request a legal counsel opinion on how the court cases cited by the SFPD in their 9/18/25 letter to the Task Force interact with Government Code Section 7923.610 specifically related to contemporaneous data.)

Annie Gilbertson (Petitioner) stated records received from the department had been redacted, that the names of everybody arrested prior to the 90 days that the request was fulfilled had been redacted, and that this is not in keeping with California public records law as arrests are explicitly a public record law under Gov. Code § 7923.610.

Lt. William Heppler (Respondent) stated that the San Francisco Police Department received a public records request on 4/14/2025, invoked an extension, and produced records on 6/17/2025 which included a spreadsheet with all responsive non-exempt information sought by Petitioner including the names of arrestees. Lt. Heppler further stated that Petitioner alleges that unique identifying information was redacted; however, Government Code § 7923.610 does not require the disclosure of an ID number. Lt. Heppler stated that in the department's 7/2/2025 response to Petitioner's rebuttal, the department properly withheld ID numbers which are not subject to public disclosure under Penal Code § 11105 and CORI (Criminal Offender Record Information) personal identifiable criminal history and law enforcement telecommunications systems are categories protected from public disclosure. Lt. Heppler further stated that the department has complied with § 7923.610 which requires only disclosure of arresting information contemporaneous with the request related to persons currently within the criminal justice system, and that the department's provision of data within 90 days properly balances the release of past historical arrest information with privacy concerns.

A question-and-answer period occurred.

The parties provided rebuttals.

Member Anderson was noted absent at 7:54 p.m.

Action: Moved by Member Schmidt, seconded by Chair Yankee, to find no violation by the San Francisco Police Department.

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

Ayes: 5 – Schmidt, Yankee, Kumar, Hyland, Pilpel

Noes: 4 – LaHood, Sugarman, Wolfe, Stein

Absent: 1 – Anderson

Action: Moved by Member Pilpel, seconded by Member Schmidt, to request that the San Francisco Police Department provide to the Task Force a written policy on the department’s 90-day definition of a “contemporaneous” limitation on the disclosure of the full name of every individual arrested under Government Code Section 7923.610(a), and further required codification by a departmental general order, ultimately approved by the Police Commission.

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

Ayes: 4 – Pilpel, Schmidt, Kumar, Hyland

Noes: 5 – LaHood, Sugarman, Wolfe, Stein, Yankee

Absent: 1 – Anderson

Action: Moved by Vice-Chair Stein, seconded by Member Kumar, to find that the San Francisco Police Department violated Administrative Code (Sunshine Ordinance) Section 67.21(b) by failing to respond to a records request in a timely manner.

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

Ayes: 9 – Stein, Kumar, Schmidt, LaHood, Sugarman, Hyland, Pilpel, Wolfe, Yankee

Noes: 0 – None

Absent: 1 – Anderson

Action: Moved by Member LaHood, seconded by Member Wolfe, to find that the San Francisco Police Department violated Administrative Code (Sunshine Ordinance), Section 67.27, by failing to provide appropriate justification which should include evidence of a written policy for withholding records. The Task Force further noted that to comply with this Order the justification or the records need to be produced within five (5) business days and refers the matter to committee for follow-up.

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

Ayes: 4 – LaHood, Wolfe, Hyland, Pilpel

Noes: 5 – Schmidt, Sugarman, Kumar, Stein, Yankee

Absent: 1 - Anderson

12. **File No. 25077:** Complaint filed by Chikodi Chima 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. (04:35:41)

(On 10/21/25 the Complaint Committee referred the matter to the Task Force for hearing without recommendation for consideration and evaluation regarding which agency is the custodian of the records in question.)

Deputy City Attorney Lopez stated that she was present in her capacity as counsel to the Task Force but also serves as general counsel to the Human Services Agency. DCA Lopez further stated she did not work with the Human Services Agency on this specific complaint, but the colleague that did work on this matter subsequently consulted with her on this matter, and she is therefore recusing herself this evening as counsel to the Task Force on this item.

Chikodi Chima (Petitioner) stated that IHSS (In-Home Supportive Services) says to please contact your local county office for payment questions which proves that the Human Services Agency (HAS) has custody of payroll records. Mr. Chima further stated that the 2022 expense declaration listing IHSF income, a 2022 profit and loss statement listing IHSF income and a 2022 IHSF cast stub with the county office instruction show that the records exist locally and involve public funds. Mr. Chima stated that he is asking that HSA release the segregable payroll and transmittal data.

Michelle Berry (Respondent) provided an overview about how In Home Supportive Services program electronically collects, uses, and retains records in a data system called the Case Management Information and Payrolling System (CMIPS). Ms. Berry further stated that the State of California owns, controls and maintains CMIPS, and issues all checks for the individual provider's payment. Ms. Berry stated that the California Department of Social Services (CDSS) has legal oversight over in home supportive services, mandates that IHSS use CMIPS, and maintains strict privacy regulations on electronically collected personal information including that it is exempt from requests made under the California Public Records Act. Ms. Berry further stated that the CDSS instructs counties to obtain a signed authorization from the identified provider when an employment verification is requested by a 3rd party, and that one was requested from Petitioner but the department has not received one.

Jessie Latch, Program Manager for IHSS, stated that HSA follows the All County Letter (ACL) 20-49 from the CDSS, and is not allowed to provide wage info to a 3rd party without a signed authorization to release that information by the provider. Ms. Latch further stated if a provider wishes to have a wage verification or employment wage verification report sent to a 3rd party that they complete a (Department of Public Social Services) SOC 2301A form, and that information is not released without these forms.

A question-and-answer period occurred.

The parties provided rebuttals.

Action: Moved by Member Schmidt, seconded by Member Sugarman, to find no violation by the Human Services Agency.

Public Comment: None

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

Ayes: 9 – Schmidt, Sugarman, LaHood, Kumar, Hyland, Pilpel, Wolfe, Stein, Yankee

Noes: 0 - None

Absent: 1 – Anderson

13. **Hearing on Sunshine Ordinance Amendments: Discussion and potential action regarding proposed amendments to the Sunshine Ordinance.**

The members discussed the prioritization of proposed amendments and explored areas of agreement among the members on various topics, and various administrative matters to be heard at the 12/3/2025 Task Force meeting.

Public Comment: None

No action taken.

14. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force. (Discussion and Action)**

Member Pilpel noted that SB 707 re the Brown Act had passed in Sacramento and that advice from the Deputy City Attorney and discussion at the Education, Outreach, and Training Committee was needed. Member Pilpel also noted that Board of Supervisors File No. 250192 regarding public access to records and meetings of nonprofit organizations had passed, and that information from the Deputy City Attorney was needed to learn how it will be implemented.

Member Pilpel recognized the passing of Member Wolfe's mother as well as Journalist Belva Davis, former Assembly Member Bill Bagley and former Representative John Burton.

Public Comment: None

No action taken.

15. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:05 p.m.

Approved: 12/3/2025
Sunshine Ordinance Task Force

N.B. the Minutes of this meeting set forth all action 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.

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