

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

August 4, 2008

DATE THE DECISION ISSUED

July 22, 2008

BARRY TARANTO v. TAXI COMMISSION (08029)

FACTS OF THE CASE

Complainant Barry Taranto claims that when he attended the May 27, 2008 meeting, the Commission committed the following acts: 1. Commission President Paul Gillespie allowed an unidentified public speaker to defame the character of another public Speaker in light of warnings provided by the Deputy City Attorney who advises the Commission; 2. The Commission President arbitrarily sets the time for public comment on agenda items without regard to the urgency/seriousness of the items(s); 3. The Commission President allows more time to some members of the public without giving more time to others.

COMPLAINT FILED

On 5/29/08 Barry Taranto filed a complaint that did not specifically list the sections of the Sunshine Ordinance that was violated but described the violations as listed above.

HEARING ON THE COMPLAINT

On July 22, 2008, Complainant Barry Taranto appeared before the Task Force and presented his Complaint. Respondent Commission was represented by Jordanna Thigpen who presented the Commission's defense.

The issue in the case is whether the Commission violated Section(s) 67.15 & 67.7 of the Ordinance and Sections 54957.9 of the California Public Records Act.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented, the Task Force finds that public speaking time was not uniformly allocated. The Task Force did not vote or find a violation with respect to the other two allegations.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the Commission violated Section(s) 67.15 (c) of the Sunshine

ORDER OF DETERMINATION

Ordinance that allows each person wishing to speak on an item before the body at a regular or special meeting shall be permitted to be heard once for up to three minutes. Time limits shall be applied uniformly to members of the public wishing to testify. The Commission shall appear before the Compliance and Amendments Committee on August 13, 2008.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on July 22, 2009, by the following vote: (Pilpel / Cauthen)

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Pilpel, Chu, Goldman, Williams

Excused: Gokhale, Chan



Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

- c: Ernie Llorente, Deputy City Attorney
- Barry Taranto
- Jordanna Thigpen, Director, SF Taxi Commission
- Tom Oneto, Commissioner, SF Taxi Commission