

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

DATE THE DECISION ISSUED

January 27, 2009

MICHAEL PETRELIS v. SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH STD CONTROL AND PREVENTION UNIT (09002)

FACTS OF THE CASE

Complainant alleges that on or about December 4, 2008, the Department of Public Health STD Control and Prevention Unit held a meeting without giving proper public notice. The STD unit convened a "community partners meeting" on that date to discuss with the general public and gay community information about syphilis statistics and programs as well as future actions. On January 8, 2009, in response to Complainant's allegations, Eileen Shields, Public Information Officer to the Department of Public Health, alleges that the meeting was not intended to include the "gay community" or the public, but was a meeting for the STD Director to meet with those who provide services to the community and businesses who have an interest in the activities of the STD Office.

COMPLAINT FILED

On January 5, 2009, Complainant filed a complaint with the Sunshine Ordinance Task Force alleging that the Public Health Control and Prevention Unit had violated Sections 67.7, 67.9, and 67.15 of the Sunshine Ordinance, by its alleged failure to provide advanced notice and an agenda for the December 4, 2008, meeting

HEARING ON THE COMPLAINT

On January 27, 2009, Complainant Michael Petrelis appeared before the Task Force and presented his claim. The Respondent Agency was not present.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented the Task Force finds that the STD Control and Prevention Unit's meeting was not a "passive meeting body" under Sec. 67.4, and not otherwise subject to the requirements for public meetings under the Sunshine Ordinance.

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DECISION AND ORDER OF DETERMINATION

The Task Force finds that the agency did not violate the Sunshine Ordinance.

This Motion not to find violation by Craven and Goldman was voted as follows:

Ayes: Craven, Knee, Knoebber, Johnson, Goldman, Chu

Absent: Cauthen, Chan

Excused: Washburn, Williams

A handwritten signature in black ink, appearing to read "Kristin M. Chu". The signature is written in a cursive, flowing style.

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney
Rosa Sanchez, Deputy City Attorney
Michael Petrelis, Complainant
Eileen Shields, Respondent
Others