

**SUNSHINE ORDINANCE
TASK FORCE**



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San Francisco Ethics Commission
25 Van Ness Avenue, Suite 220
San Francisco, CA 94102

Referral of Violation of the Sunshine Ordinance

This is a referral from the March 22, 2011, hearing of the Sunshine Ordinance Task Force (“SOTF”) against a former administrator of the Department of Public Health’s Single Room Occupancy (“SRO”) Task Force after a finding by the SOTF that the employee continuously violated the Sunshine Ordinance. The referral is made pursuant to Sunshine Ordinance Section 67.30(c).

On July 1, 2010, Tomas Picarello filed a complaint with the Task Force alleging that SRO Chair Anne Kronenberg failed to comply with certain requirements of the Sunshine Ordinance by denying him the chance to provide public comment at a June 17, 2010, meeting as well as by holding illegal meetings.

At a hearing on August 24, 2010, Mr. Picarello told the SOTF that at the end of an action item on the June 17 SRO agenda, he was told to express his opinion at the end of the meeting during general public comment. He also provided the SOTF with copies of an exchange of emails between SRO members. After Mr. Picarello made his presentation, Ms. Kronenberg was invited to the lectern. Ms. Kronenberg, who had been notified of the hearing, was not present and no one in the audience presented facts or evidence in her support.

The SOTF deliberated and found the SRO in violation of Sunshine Ordinance Section 67.3(b) and Section 67.5 for holding a meeting under Section 67.15(b). Ms. Kronenberg, as chair of the SRO Task Force, was found in violation of Section 67.21(e) for failing to send a knowledgeable representative to the hearing. An Order of Determination was issued and the SRO was instructed to appear before the Education, Outreach and Training Committee.

The committee met on January 13, 2011, and again Mr. Picarello was present and Ms. Kronenberg was not. It was later learned that the SRO stewardship had changed hands and it was now under the leadership of Rosemary Bosque of the Department of Building Inspection. Ms. Bosque was notified of the complaint and findings by the SOTF and was invited to the February 10 Education, Outreach and Training Committee hearing. Ms. Kronenberg also

was notified. Ms. Bosque was in attendance but Ms. Kronenberg was not. The committee voted to send the matter back to the SOTF for review.

The SOTF met March 22 and voted to find Ms. Kronenberg in violation of Ordinance Section 67.21(e) for failing to send a person knowledgeable on the issue to the Task Force and its committee hearings, and to have the case forwarded to the Ethics Commission for enforcement.

This request and referral are made under Section 67.30(c) of the Sunshine Ordinance, whereby the SOTF shall make referrals to a municipal office with enforcement power under this Ordinance whenever it concludes that any person has violated any provision of this Ordinance.

Attached is a copy of the SOTF's August 28, 2010, Order of Determination.

If you need any further information, please feel free to contact the SOTF Administrator at (415) 554-7724. Audio recordings of SOTF and Committee meetings are available at <http://www.sfbos.org/index.aspx?page=9811> and <http://www.sfbos.org/index.aspx?page=9840> respectfully.



Richard Knee, Chair
Sunshine Ordinance Task Force



David Snyder, Member, Seat #1*
Sunshine Ordinance Task Force

cc: Thomas Picarello, complainant
Anne Kronenberg, respondent
Jerry Threet, Deputy City Attorney

*Sunshine Ordinance Task Force Seat #1 is a voting seat held by an attorney specializing in sunshine law.