

File No. N/A

SOTF Item No. _____
CAC Item No. 2

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: _____

Compliance and Amendments Committee

Date: April 17, 2012

CAC/SOTF

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February 21, 2012, Special Meeting Minutes

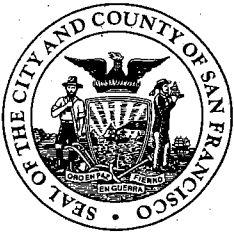
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Completed by: Andrea Ausberry Date April 11, 2012

Completed by: _____ Date _____

*An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.



SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

February 21, 2012 – 4:00 PM

Special Meeting

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe,
Hope Johnson

1. Call to Order, Roll Call, and Agenda Changes. (00:05 - 11:11)

The meeting was called to order at 4:03 p.m. Members Snyder and Wolfe were noted absent. There was a quorum.

Member Knee, seconded by Member Johnson, moved to EXCUSE Members Snyder and Wolfe.

Speakers: Jason Grant Garza expressed concern regarding withholding of his medical records and the persistent delay in obtaining testimony from a Health Insurance Portability and Accountability Act (HIPAA) subject matter expert on disclosure laws. Susannah Greason Robbins, Film Commission Executive Director, expressed concern regarding the multiple continuances of the hearing on Complaint No.11058 and said the Film Commission provided the documents requested by complainant.

The motion PASSED without objection.

2. Adoption of January 10, 2012, Regular Meeting Minutes. (11:12 - 17:20)

Member Knee, seconded by Member Johnson, moved to AMEND the January 10, 2012 Minutes.

Speakers: David Pilpel expressed concerns regarding having a copy of the packet for the public and said the Administrator should be provided a copy of amendments to the minutes. Allen Grossman suggested the Administrator document the time parties in-interest to hearings leave and include that information in the minutes.

The motion PASSED by the following vote.

Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

3. Discussion on changing the time the Compliance and Amendment Committee meets from 4:00p.m. to 5:30 p.m. (17:21 - 28:33)

Member Knee suggested postponing a decision on changing the time the Committee meets until Members Snyder and Wolfe can provide their thoughts and said changing the time to 5:30 p.m. may give the public the opportunity to attend both the Board of Supervisors and Compliance and Amendment Committee meetings.

Member Johnson expressed concern that changing the Committee time to meet later in the day may compromise the ability of the Administrator to clerk the meetings.

Member Knee, seconded by Member Johnson, moved to CONTINUE discussion to allow time to check availability of Hearing Rooms 406 and 408 for the third Tuesday of the month.

Speakers: David Pilpel expressed support of the Committee convening at 4:00 p.m. Jason Grant Garza expressed support of the time change.

The motion PASSED by the following vote.

Ayes: 3 – Knee, Johnson, Washburn

Excused: 2 – Snyder, Wolfe.

Absent: 0

4. File No. 11081: Continued hearing on the status of the November 29, 2011, Order of Determination regarding Jason Grant Garza v Department of Public Health. (28:34. - 34:50)

Chair Washburn provided an overview of the proposed continuance of File No. 11081 to have a HIPAA expert present before the Committee for clarification of the item. Members commented on the matter.

Member Johnson, seconded by Member Knee, moved to CONTINUE TO THE CALL OF THE CHAIR until a HIPAA expert is scheduled.

Speakers: Jason Grant Garza expressed concern regarding the absence of a HIPAA expert for his complaint hearing.

The motion PASSED by the following vote.

Ayes: 3 – Knee, Johnson, Washburn

Excused: 2 – Snyder, Wolfe

Absent: 0

5. Next steps on Ethics Commission proposed policy for handling Sunshine related complaints (34:51 - 1:15)

Chair Washburn provided an overview of the proposed policy for handling Sunshine related complaints.

The Ethics Commission is available to meet for a joint meeting with Compliance and Amendments Committee on March 23, 2012, and Allen Grossman has provided a revised response draft. Member Johnson indicated that due to budget constraints, the Deputy City Attorney assigned to the Sunshine Ordinance Task Force's will not be available. Member Knee said that he would research the availability of non-City attorneys with sunshine law expertise.

Speakers: Allen Grossman suggested attorneys with expertise in sunshine law; David Pilpel suggested the Committee ask the City Attorney for representation from other municipal law offices and responded to Members questions.

Chair Washburn recommended checking hearing room availability for a special meeting on March 12, 2012, prior to the anticipated joint meeting on March 23, 2012, with the Ethics Commission.

6. Continued discussion on proposed amendments to the Sunshine Ordinance. (1:15 - 1:33)

Member Knee recalled that the Task Force had considered finding four supervisors to sign off on amendments and gave a summary of how the amendment process went forward in 1999. Member Knee volunteered to query Supervisors Avalos and Campos about support of the proposed amendments. Member Johnson suggested this matter be **CONTINUED to March 20, 2012.**

The Administrator will research proposed amendments to the Sunshine Ordinance.

There were no speakers.

The motion PASSED without objection.

7. Public Comment (1:34)

There were no speakers.

8. Administrator's Report (1:35 - 1:38)

Members reviewed the report and commented on the matter. A question and answer period followed.

There were no speakers.

9. Announcements, Comments, Questions, and Future Agenda Items. (1:38 - 1:40)

Member Knee announced that the Society of Professional Journalists, Northern California chapter, will hold its annual James Madison Awards Dinner on March 15, 2012, at the City Club of San Francisco.

10. Adjournment

Member Knee, seconded by Member Johnson, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendment Committee adjourned at the hour of 5:43 p.m.

