

File No. N/A

SOTF Item No. 7

CAC Item No. _____

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: July 11, 2012

Compliance and Amendments Committee

Date: _____

CAC/SOTF

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Completed by: Andrea Ausberry Date July 3, 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
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES**

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

June 6, 2012 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair)
Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel,
David Sims, Todd David Chris Hyland, Jackson West

1. Call to Order, Roll Call, and Agenda Changes.

The meeting was called to order at 4:11 p.m. by the Sunshine Ordinance Task Force Administrator. Appointee David Sims and Member West were noted absent. There was a quorum.

Member Knee, seconded by Member Manneh, moved to EXCUSE Appointee Sims.

Speakers: Ray Hartz, Jr., Patrick Monette-Shaw, Michael Petrelis.

The motion PASSED without objection.

The Sunshine Administrator announced that File No. 12020 William Clark v. Arts Commission (Item No. 18) was withdrawn by the Complainant; File No. 12017 Ray Hartz, Jr. v Supervisor David Campos (Item No. 15) was requested by Supervisor Campos' Office (Respondent) to be heard earlier on the agenda due to the Respondents scheduling restraints.

Appointee Fischer, seconded by Member Grant, moved to hear File No. 12017 earlier on the agenda.

Speakers: William Clark, Michael Petrelis, Ray Hartz, Jr., Patrick Monette-Shaw, Mr. Kerr.

The motion FAILED by the following vote:

Ayes: 4 - Pilpel, Hyland, Fischer, Grant
Noes: 4 - Knee, Manneh, Washburn, David
Excused: 1 - Sims
Absent: 1 - West

Member Pipel, seconded by Member Knee, moved to change the order of the agenda. Hearing Item Nos. five (5) through nine (9) after Item No. 19.

Speakers: Patrick Monette-Shaw, Allen Grossman, Ray Hartz, Jr., spoke in favor of the motion, Peter Warfield spoke in support of hearing item no. 7 as ajenized, Male Speaker spoke against moving items.

The motion PASSED by the following vote:

Ayes: 8 - Knee, Manneh, Washburn, Pipel, David, Hyland, Fischer, Grant

Noes: 0 -

Excused: 1 - Sims

Absent: 1- West

Recess 6:47 P.M. - 7:00 P.M.

2. **Swearing in of appointees not previously sworn in.**

Madeleine Licavoli, Deputy Director, Office of the Clerk of the Board of Supervisors swore-in appointee David Pipel into the office of Member of the Sunshine Ordinance Task Force.

3. Annual Election of Officers (Bylaws Art. II).

Member Knee, seconded by Member Manneh, moved to have the newly elected Chair resume the June 6, 2012 Sunshine Ordinance Meeting.

Speakers: Ray Hartz, Jr., Bruce Wolfe, Patrick Monette-Shaw, Peter Warfield.

The motion PASSED by the following vote:

Ayes: 0 -

Noes: 0 -

Excused: 1 - Sims

Absent: 1- West

Member Fischer, seconded by Member Hyland, moved to continue the election Chair and Vice Chair to July meeting.

Speakers: Patrick Monette-Shaw, Ray Hartz, Jr., Paul Courier, Doug Comstock, Peter Warfield.

The motion FAILED by the following vote:

Ayes: 4 -

Noes: 4 -

Excused: 1 - Sims

Absent: 1 - West

Member Knee nominated Member Kitt Grant for Chair. Member Pipel was nominated for Chair.

Speakers: Patrick Monette-Shaw, Bruce Wolfe, Michael Petrelis, Peter Warfield, Pastor Gavin, Doug Comstock.

Member Pilpel withdrew his nomination.

The Member Grant was voted in as Chair by the following vote:

Member Grant: 8 - Knee, Manneh, Washburn, Pilpel, David, Hyland, Fischer, Grant
Excused: 1 - Sims
Absent: 1- West

Chair Grant presided over the remainder of the June 6, 2012, meeting.

Member Hyland, Fischer and Pilpel were nominated for Vice Chair.

Member Hyland withdrew his nomination.

Speakers: Peter Warfield, Bruce Wolfe, Ray Hartz, Jr., Michael Petrelis, Patrick Monette-Shaw, Pastor Gavin, Doug Comstock, Paul Couier.

The Member Fischer was voted in as Vice Chair by the following vote:

Fischer: 7 - Knee, Manneh, Washburn, Pilpel, David, Hyland, Fischer, Grant
Pilpel: 1 - Pilpel
Excused: 1 - Sims
Absent: 1- West

4. **Determine compliance with Sunshine Ordinance Section 67.30(a):** “At all times the task force shall include at least one member who shall be a member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government.”

Angela Cavillo, Clerk of the Board of Supervisor, presented the history of the item. Jerry Threet, District Attorney advised the Task Force on Section 67.30(a).

Member Pilpel called Former Member Vice Chair Bruce Wolfe to speak on which he held in addition to other seats on the Task Force which continuously held a member that fulfilled the ADA requirement (Seats 6 - 11).

Member Knee, seconded by Member Manneh, moved to convene the Task Force meeting of June 6, 2012, and not to convene thereafter until a member is appointed by the Board of Supervisors to fulfill Section 67.30(a).

Motion withdrawn by Member Knee.

SUBSTITUTE MOTION

Member Knee, seconded by Member Manneh, moved to convene the June 6, 2012 meeting.

Member Knee, seconded by Member David, moved to adjourn the June 6, 2012 meeting.

The motion FAILED by the following vote:

Ayes: 4 - Knee, Pilpel, Hyland, Fischer
Noes: 4 - Grant, Manneh, Washburn, David
Excused: 1 - Sims
Absent: 1 - West

Member Fischer retracted her original vote. A recall was taken.

The motion PASSED by the following vote:

Ayes: 4 - Manneh, Washburn, David, Fischer
Noes: 3 - Knee, Pilpel, Hyland
Excused: 1 - Sims
Absent: 1 - West

5. **Recognition of exiting members for past service:** Hope Johnson, Richard Knee, Sue Cauthen, Hanley Chan, Jay Costa, David Snyder, James Knoebber, Bruce Wolfe.

NO ACTION TAKEN.

6. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

NO ACTION TAKEN.

7. Taking action at a meeting. Quorum, required vote, Task Force's bylaws, and the City Charter Section 4.104.

NO ACTION TAKEN.

8. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing.

NO ACTION TAKEN.

9. July 11, 2012, Special Meeting due to Regular scheduled meeting convening on July 4, 2012, holiday.

NO ACTION TAKEN.

10. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission.

NO ACTION TAKEN.

11. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents.
- a) Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents.)
 - b) Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents.

NO ACTION TAKEN.

12. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.
- a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.
 - b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

NO ACTION TAKEN.

13. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.
- a) Determination of jurisdiction on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.
 - b) Hearing on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

NO ACTION TAKEN.

14. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.
- a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.
 - b) Hearing on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

NO ACTION TAKEN.

15. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.
- a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.
 - b) Hearing on complaint filed Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.)

NO ACTION TAKEN.

16. **File No. 12018:** Complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.
- a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.
 - b) Hearing on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.

NO ACTION TAKEN.

17. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural.
- a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural.
 - b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural.

NO ACTION TAKEN.

18. **File No. 12020:** Complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting.
- a) Determination of jurisdiction on complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting.
 - b) Hearing on complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting.

NO ACTION TAKEN.

19. **File No. 12021:** Complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.
- a) Determination of jurisdiction on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.
 - b) Hearing on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.

NO ACTION TAKEN.

20. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

21. **Report: Education Outreach and Training Committee meeting of May 10, 2012.**

NO ACTION TAKEN.

22. **Report: Compliance and Amendments Committee meeting of May 15, 2012.**

NO ACTION TAKEN.

23. **Administrator's Report.**

NO ACTION TAKEN.

24. **Announcements, Comments, Questions, and Future Agenda Items.**

NO ACTION TAKEN.

25. **ADJOURNMENT**

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

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

There being no further business, the Sunshine Ordinance Task Force adjourned at the hour of 8:37 p.m.