



# SUNSHINE ORDINANCE TASK FORCE CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

September 4, 2013 – 4:00 PM

## Regular Meeting

### 1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee (Hold Over)	Seat 9	Chris Hyland
Seat 3	Kitt Grant – <b>Chair</b>	Seat 10	Louise Fischer – <b>Vice Chair</b>
Seat 4	(Vacant)	Seat 11	Bruce Oka (Hold Over)
Seat 5	Allyson Washburn (Hold Over)		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	(Vacant)

- Election of Chair and Vice Chair - Election of Officers; per Article II, Section 3 of the By-Laws:** “The Officers shall be elected at the first regular meeting of the Task Force held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting on or after July 1 of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs.” (*approximately 15 minutes*) (Discussion and Action)
- File No. 12056:** The Compliance and Amendments Committee has referred File No. 12056, Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance. (*approximately 30 minutes*) (*Discussion and Possible action*) (*attachment*)
- 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.**
- File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. (*approximately 30 minutes*) (*Discussion and Possible action*) (*attachment*)

6. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*
7. **File No. 13012:** Complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(attachment)*
  - (a) Determination of jurisdiction on complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 5 minutes) (Discussion and Action)*
  - (b) Hearing on complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 45 minutes) (Discussion and Action)*
8. **File No. 13017:** Complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011. *(attachment)*
  - (a) Determination of jurisdiction on complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*
  - (b) Hearing on complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011. *(approximately 45 minutes) (Discussion and Action)*
9. **File No. 13019:** Complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance section 67.29-6; failing to disclose statements regarding financial interest with the City from donors. *(attachment)*
  - (a) Determination of jurisdiction on complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance section 67.29-6; failing to disclose statements regarding financial interest with the City from donors. *(approximately 5 minutes) (Discussion and Action)*

- (b) Hearing on complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance §67.29-6; failing to disclose statements regarding financial interest with the City from donors. (*approximately 45 minutes*) (*Discussion and Action*)
10. **Approval of Minutes from the March 6, 2013 Regular Meeting.** (*approximately 5 minutes*) (*Action*) (*attachment*)
11. **Approval of Minutes from the April 3, 2013 Regular Meeting.** (*approximately 5 minutes*) (*Action*) (*attachment*)
12. **Approval of Minutes from the May 1, 2013 Regular Meeting.** (*approximately 5 minutes*) (*Action*) (*attachment*)
13. **Approval of Minutes from the June 5, 2013 Regular Meeting.** (*approximately 5 minutes*) (*Action*) (*attachment*)
14. **Approval of Minutes from the July 9, 2013 Special Meeting.** (*approximately 5 minutes*) (*Action*) (*attachment*)
15. **Approval of Minutes from the August 7, 2013 Regular Meeting.** (*approximately 5 minutes*) (*Action*) (*attachment*)
16. **Report: Compliance and Amendments Committee meeting of August 20, 2013.** (*approximately 5 minutes*) (*Discussion*) (*attachment*)
17. **Administrator's Report.** (*approximately 5 minutes*) (*Discussion*)
18. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes*) (*Discussion and Action*)
19. **ADJOURNMENT**

### Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at:  
<http://www.sfbos.org/index.aspx?page=9811>

For information concerning Sunshine Ordinance Task Force please contact by e-mail [sof@sfgov.org](mailto:sof@sfgov.org) or by calling (415) 554-7724.

### Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

### Hearing Procedures

- |    |  |                      |
|----|--|----------------------|
| 1. | Complainant presents his/her facts and evidence  | 5 minutes            |
|    | Other parties of Complainant present facts and evidence  | Up to 3 minutes each |
| 2. | City responds  | 5 minutes            |
|    | Other parties of City respond  | Up to 3 minutes each |
|    | <i>Above total speaking times for Complainant and City to be the same.</i>                                   |                      |
| 3. | Matter is with the Task Force for discussion and questions.  |                      |
| 4. | Respondent and Complainant presents clarification/rebuttal   | 3 minutes            |
| 5. | Matter is with the Task Force for motion and deliberation.   |                      |
| 6. | Public comment (Excluding Complainant & City response, witnesses)  | Up to 3 minutes each |
| 7. | Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.) |                      |

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

### **Disability Access**

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email [sotf@sfgov.org](mailto:sotf@sfgov.org).

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>.

### **Cell Phones, Pagers and Similar Sound-Producing Electronic Devices**

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)