

Date: April 13, 2010

Item No. 1

File No. _____

**SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA PACKET CONTENTS LIST***

- Draft Minutes: Complaint March 9, 2010**
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Completed by: Chris Rustom

Date: April 9, 2010

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



<http://www.sfgov.org/sunshine/>

**SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
DRAFT MINUTES**

Tuesday, March 9, 2010
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber
Call to Order: 3:30 p.m.
Roll Call: Present: Goldman, Johnson, Knoebber
Agenda Changes: None
Deputy City Attorney: Jerry Threet
Clerk: Chris Rustom

1. Approval of minutes of December 8, 2009

Motion to approve minutes of December 8, 2009 (Knoebber / Johnson)

Public Comment: None.

On the motion:

Ayes: Johnson, Knoebber, Goldman

2. 10005 Determination of jurisdiction on complaint filed by Emil Lawrence against the Municipal Transportation Agency for allegedly cancelling meetings improperly.

Complainant Emil Lawrence said he has been a regular public speaker at Taxi Commission meetings since 2005. During that time he said people would show up at meetings only to find out that it had been cancelled. The cancellation notices were not posted properly and the website also did not have updated information, he said. The number of cancelled meetings increased after the Taxi Commission was absorbed by the MTA in 2009. The MTA also does not provide information about the agenda items and it holds random meetings with no advanced notice, he said.

The department was not present. There was no one in the audience who spoke or presented facts on behalf of the department.

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion:

Ayes: Johnson, Knoebber, Goldman

3. 10006 Determination of jurisdiction on complaint filed by Paula Datesh against the Arts Commission for allegedly failing to notify her of the hearing date and its outcome.

The complainant was not present. There was no one in the audience who spoke or presented facts on behalf of the complainant.

Howard Lazar said the complaint was outside of the Task Force's jurisdiction because the Sunshine Ordinance does not mandate that an agency provide individual notice to any specific person besides what is provided to the general public. The complaint lacks merit because the Arts Commission complied with what was required by the Ordinance, he said.

Motion to find no jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion:

Ayes: Johnson, Knoebber, Goldman

4. 10007 Determination of jurisdiction on complaint filed by Supervisor Chris Daly against Michael Yarne and Joe Arellano of the Mayor's Office for allegedly failing to respond at the end of a 10-day extension period.

April Veneracion, an aide to Supervisor Chris Daly, said an information disclosure request was sent twice to Michael Yarne and that the documents were not provided within the 10 days allowed by the Ordinance.

Respondent Michael Yarne said the original information request was very broad and extensive and that the supervisor's office provided a second narrower request. Mr. Yarne said he immediately responded to the second request for documents.

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion:

Ayes: Johnson, Knoebber, Goldman

5. Administrator's Report.

Mr. Rustom made the report.

6. Public comment for items not listed on the agenda. None

7. Announcements, comments, questions, and future agenda items from Committee members. None

Adjournment

The meeting adjourned at 3:25 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force