

Date: May 12, 2009

Item No. 2
File No. 09020

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA PACKET CONTENTS LIST*

- Anonymous v MTA
- _____
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- _____
- _____
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- _____
- _____
- _____
- _____

Completed by: Chris Rustom

Date: May 8, 2009

***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.



04-07-09P03:12 RCVD

SUNSHINE ORDINANCE TASK FORCE
1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
Tel. (415) 554-7724; Fax (415) 554-7854
http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission Municipal Transportation Agency

Name of individual contacted at Department or Commission Roberta Boomer

- Alleged violation public records access
- Alleged violation of public meeting. Date of meeting _____

Sunshine Ordinance Section _____
(If known, please cite specific provision(s) being violated)

Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.

Access to public documents (reports, memos, etc.) pertaining to the MTA Board of Directors meetings has been made difficult as a result of 7th floor receptionists reluctance to readily hand over these public records, lack of public binders at the meetings and a Web site that requires a certain level of expertise to maneuver through the various links and knowledge of how to use the search options.

Do you want a public hearing before the Sunshine Ordinance Task Force? yes no
Do you also want a pre-hearing conference before the Complaint Committee? yes no

(Optional)¹
Name _____ Address _____ San Rafael
94903-257

Telephone No. (415) _____ E-Mail Address _____

Date April 7, 2009 _____
Signature _____

I request confidentiality of my personal information. yes no

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).

Gravin Newsom | Mayor
Rev. Dr. James McCray Jr. | Chairman
Tom Nolan | Vice-Chairman
Cameron Beach | Director
Shirley Breyer Black | Director
Malcolm Heintzke | Director
Jerry Lee | Director
Bruce Oka | Director
Nathaniel P. Ford, Sr. | Executive Director/CEO

April 15, 2009

Kristen Chu
Chairman, Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Complaint against the Municipal Transportation Agency
Complaint No. 09020

Dear Ms. Chu:

I am writing in response to complaint #09020. The allegation states that access to public documents is difficult due to reluctance of staff to hand over public records, lack of public binders and a web site that requires knowledge of how to search for the requested documents.

The complaint alleges three violations:

1. Access to public documents by the OSVN 7th Floor receptionists.
2. Lack of public binders at the meeting
3. The SFMTA website requires a level of expertise and knowledge about search options.

Members of the public can read every item provided to the SFMTA Board of Directors except confidential materials on-line. The SFMTA is proud to have been one of the first city departments to post the board packet on-line and we have been doing so since 1999. In addition, these documents are available at One South Van Ness Ave. at the 7th floor Reception desk. Because documents are available at our offices and on-line, the board packet is not brought to the meeting.

The SFMTA website is designed to be customer-friendly. On the home page, there are three ways to get to the Board agenda. People can use the "A-Z Topic List" and click on "Agendas, SFMTA Board". People can also click on "About Us" (and then click on "meetings" and "SFMTA Board") or use the search function. Regular visitors to the Board's webpage can always choose to "bookmark" that page.

With regard to the first item, attached please find a statement by Ms. Robertta Anoai- Morales regarding the interaction that she had with the complainant. I am also providing a statement by Jamie Poblitz, scheduling coordinator for Executive Director Ford who overheard the interaction and who tried to provide assistance.

Please know that the office of the SFMTA Board of Directors is very mindful of the importance of excellent customer service and we always try to serve each customers as quickly as possible and to the best of our ability.

Sincerely,

A handwritten signature in black ink that reads "R. Boomer". The signature is written in a cursive style with a large, prominent "R" and "B".

Roberta Boomer

Secretary, SFMTA Board of Directors

cc: SFMTA Board of Directors
Nathaniel Ford
Debra Johnson
Barry Taranto

April 15, 2009

Subject: Incident w/ Barry Taranto

I received a phone call from our receptionist Robertta Anoa'i Morales at my desk on March 18th, 2009. She was inquiring about providing a constituent with a SFMTA Budget Report and that she was unable to locate Caroline Celaya to verify what to provide to the customer. While I was on the phone with her, I could hear a man's voice screaming in the background, interrupting our phone conversation. The man was yelling that she wasn't trying to give him the report and Roberta replied "sir if you just give me a second, I need to verify that I'm giving you the correct information, it will be one moment". He continued to raise his voice at her and at that moment I felt that Robertta needed me to help her. I told her I would be out to assist her right away and I would try to find Caroline.

After locating Caroline a couple minutes later we both walked through the reception doors to hear Barry Taranto still screaming at Robertta. I approached Mr. Taranto in a non-threatening manner and said that he needed to calm down and that we will be getting him the information he needed shortly. I explained that our receptionist was only trying to help and his behavior was inappropriate. He didn't want to listen to me and still wanted to argue. Our Executive Director Nathaniel Ford came walking through the reception area and heard all the commotion. He pulled me out and inquired if we needed help and I told him that we were taking care of Mr. Taranto's request but he was not listening to anything that was being explained to him. Our Chief of Staff/Director of Administration decided to step in speak with Barry so I went back to my desk.



Jaime Poblitz
Scheduling Coordinator

Gavin Newsom | Mayor

Rev. Dr. James McCray Jr. | Chairman

Michael Kasolas | Vice Chairman

Shirley Breyer Black | Director

Will Din | Director

Peter Mezey | Director

Tom Nolan | Director

Leah Shahum | Director

Nathaniel P. Ford, Sr. | Executive Director/CEO

Robertta Anoa'i-Morales
1426 – Senior Clerk Typist / Receptionist
San Francisco Municipal Transportation Agency

On March 18, 2009, at approximately 4:15pm, Mr. Barry Taranto came to the 7th floor requesting to see Debra A. Johnson, Chief of Staff / Director of Administration. He stated that he was aware that he had no appointment but asked if I could see if she had a few minutes. I called Debra Johnson's assistant, to see if she was available and was informed that she was walking into a meeting. I relayed this information to Mr. Taranto, he then asked for the "Budget Report". At that time, he did not say that this report was part of the Board Packet.

I informed Mr. Taranto that my co-worker who usually handles such requests was not here and that I wanted to make sure that I did not give him the wrong report. I asked Mr. Taranto if he could give me a moment so I could check with my supervisor, Caroline Celaya. I called Caroline who wasn't in her office at the moment and then I called Mr. Ford's assistant, Jaime Poblitz. At that point I asked Mr. Taranto to please be patient with me as I wanted to provide him with the correct information. While on the phone with Ms. Poblitz, Mr. Taranto told me that it was the law that he had the right to anything from the public file. In addition, he asked for information about Transit Fare Inspectors and if he could see Sonali Bose, Chief Financial Officer. As soon as I got off the phone with Ms. Poblitz, she and Ms. Celaya came to the reception desk and provided him with the Budget Report.

The phone lines were ringing all at once and in the time it took me to make the two phone calls to Ms. Celaya and to Ms. Poblitz, Mr. Taranto became increasingly demanding and impatient. He asked for so many things in a short time but didn't pause to give me time to provide him with the documents he requested first. It is my job to answer the SFMTA main phone line and assist other walk-in customers. I tried to help Mr. Taranto to the best of my ability. Ms. Celaya, Ms. Poblitz and Debra Johnson, Chief of Staff / Director of Administration tried to assist him as well.

I am fully aware of the law with regard to providing the public with board materials, but Mr. Taranto was unclear in his original request. I asked him courteously several times to give me a moment and his reply was that he did not have a moment and that I should give him this information immediately.

