

Date: Feb. 10, 2009

Item No. 1

File No. \_\_\_\_\_

## SUNSHINE ORDINANCE TASK FORCE

Compliance and Amendments Committee

AGENDA PACKET CONTENTS LIST\*

- Draft Minutes: Compliance and Amendments Jan. 21, 2009
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Completed by: Chris Rustom

Date: Feb. 5, 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.





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

**SUNSHINE ORDINANCE TASK FORCE  
COMPLIANCE AND AMENDMENTS COMMITTEE  
DRAFT RESCHEDULED MEETING  
MINUTES**

Tuesday, January 21, 2009  
Rescheduled from January 13, 2009  
4:00 p.m., City Hall, Room 406

- Committee Members:** Richard Knee (Chair), Erica Craven
- Call to Order:** 4:04 p.m.
- Roll Call:** Present: Knee, Craven  
Task Force Chair Kristin Chu in attendance
- Deputy City Attorney:** Rosa Sanchez
- Clerk:** Chris Rustom
- Agenda Changes:** Items 5 heard before Item 4

Chair Knee announced that President Obama has rescinded a memorandum that then-United States Attorney General John Ashcroft had issued in October, 2001, that urged federal agencies and departments resist to the legal limit all Freedom of Information requests.

- 1. Approval of minutes of December 9, 2008, meeting.  
  
Motion to approve minutes of December 9, 2009, meeting (Chu /Craven )  
  
Public Comment: None  
  
On the motion:  
Ayes: Craven, Chu, Knee

- 2. Continued discussion of Ethics Commission responses to Sunshine Ordinance violation referrals (discussion and possible action) (no attachment)

The committee continued discussing the referrals. Members also discussed the merits and demerits of sending a letter to the Ethics Commission regarding the referrals.

Member Chu said she preferred to hold off on sending the letter and to discuss the issue at the SOTF-Ethics joint meeting.

Chair Knee said he will send members a memo after he reviewed the audiotapes that cover the Nov.27, 2007, Task Force meeting and the Dec.12, 2007, CAC meeting.

Public Comment: Ray Hartz said one of the things that the Task Force needs to address is the Ethics Commission's reliance on the City Attorney's Office, which tends to prevent the release of public documents. He also questioned DCA Llorente's commitment to the Task Force because 80 percent of his time is spent for the City Attorney's Office.

No official action taken.

3. Continued discussion on the status of proposed Sunshine Ordinance amendments and next steps the Task Force will take regarding submitting amendments to the voters. (discussion and possible action) (no attachment)

Member Craven said the item was not clear and should have read as "Consideration of annotations to Articles I and II of the Amendments (discussion and possible adoption) "

However, she said, it would not be a violation.

Chair Knee asked for the November, 2009, and June, 2010, election deadlines.

Member Craven said a special meeting needed to be scheduled to discuss the suggested additional changes to Articles I, II, III & IV.

Discussed items included:

- The sequence on Page 7 lines 15 and 17
- The missing sentence or paragraph linked to footnote 7 on Page 8
- The word "for" in Line 15 of Page 13
- The difference between section a and b on Page 18
- The capitalization on Page 29, line 8
- Setting the three minute minimum in line 13 of Page 30
- Para 3 (A) on Page 31 needs to be broken down
- Para (f) on Page 32 is new
- Para ( c ) on Page 33 includes old and new and is double-underlined
- Use of "constitutional" in line 3 on Page 34

Corrections were made to

- The comma on Page 8 line 9
- The extra period in line 20 of Page 28
- 

Chair Knee commented:

- Bodyis in line 17, Page 18 needs spacing
- Footnote 27 needs to be moved to Sec. 67.13 (paragraph not visible)

Member Craven said a protocol is needed to keep changes in the document consistent.

DCA Sanchez suggested Member Craven send her the document and she would use a comparison program to highlight the changes.

Public Comment: Ray Hartz said Sec 67.9 should include a sentence that says items not available 48 hours prior to a meeting shall be moved to the next meeting because he would need that time to research and analyze the item.

Member Craven suggested that the item for the next meeting read: "Continued discussion on the proposed amendments and annotations to Articles I & II of the Sunshine Ordinance." She also suggested adopting the proposed annotations and any other amendments to Articles I & II.

Members then discussed outreach issues.

4. Administrator's Report. (discussion only) (attachment)

Mr. Rustom made the report.

Public Comment: Ray Hartz said some of the complaints because of scheduling and other issues get dragged out for several months. That action, he said, discourages the public and should not happen. A schedule, he added, would be beneficial if placed on the web.

5. Public Comment on items not listed on the agenda to be taken at 5:00 p.m. or as soon thereafter as possible. (no action) (no attachment)

Public Comment: None

6. Announcements, questions, and future agenda items from Committee members. (discussion only) (no attachment)

Next meeting scheduled Tuesday, February 9, 2009, at 5 p.m.

**Adjournment**

**The meeting adjourned at 5:25 p.m.**

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

