

Date: Jan. 27, 2009

Item No. 1

File No. _____

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Draft Minutes: Task Force Dec. 2, 2008, and Jan. 6, 2009**
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Completed by: Chris Rustom

Date: Jan. 23, 2009

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

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

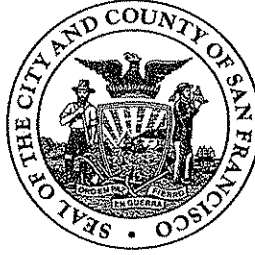
** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

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Sunshine Ordinance Task Force



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**SUNSHINE ORDINANCE TASK FORCE
DRAFT SPECIAL MEETING MINUTES**

Tuesday, December 2, 2008
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Erica Craven (Vice Chair)	Seat 8	Kristin Chu (Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Nick Goldman
Seat 4	Vacant	Seat 11	Marjorie Ann Williams
Seat 5	Allyson Washburn		
Seat 6	James Knoebber	Ex-officio	Angela Calvillo
Seat 7	Doyle Johnson	Ex-officio	Richard Sklar

Call to Order The meeting was called to order at: 4:00 P.M.

Roll Call **Present:** Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman, Williams
Excused: Craven, Williams

Agenda Changes: Item 7 heard before Item 5.

Deputy City Attorney: Ernie Llorente
Administrator: Chris Rustom

1. Approval of minutes of October 28, 2008, meeting.

Public Comment: None

Motion to approve the minutes of October 28, 2008 (Knee / Goldman)

Ayes: Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman
Excused: Craven, Williams

2. Special recognition to David Pilpel for his community service as a contributing member of the Sunshine Ordinance Task Force.

Chair Chu presented David Pilpel with a certificate of recognition and a desk memento. Mr. Pilpel said even though his approach to issues discussed at the Task Force hearings had been at odds with other members, his goal had always been to promote public access to meetings and records. He said every

member was different in many ways and that person's unique quality should be respected and recognized. He also said he would be monitoring the Task Force and was willing to assist if requested. Members later praised him for his knowledge of issues and devotion to details. They all wished him well.

Public Comment: None

- 3 08045 Determination of jurisdiction on complaint filed by Barry Taranto against the Municipal Transportation Agency for failure to provide an equal amount of speaking time during a public comment session.

Motion to accept jurisdiction (Goldman / Cauthen)

Ayes: Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman
Excused: Craven, Williams

- a Public hearing on complaint filed by Barry Taranto against the Municipal Transportation Agency for failure to provide an equal amount of speaking time during a public comment session.

Barry Taranto said although the MTA had recognized its mistake, Irwin Lum, president of the Muni Drivers Union, was allowed to speak beyond the two-minute timeframe announced at the beginning of the public comment session. If the MTA needed a report or statement from Mr. Lum, he said it should have come under the executive director's report because the agency has a division that handles union issues. He requested that the Task Force send the MTA a letter requesting that the public be properly identified and allowed equal time and to have reports presented under another category.

The agency was not represented. It was noted that they had made their presentation at the first hearing and was also present at the second hearing.

Member Knee said it was a straightforward case in which Mr. Taranto made his complaint and the agency admitted its mistake and did not contest jurisdiction. Therefore, no action or motion was needed, he said.

Member Cauthen disagreed and recalled an experience she had with the MTA over two public comment session disagreements. She wanted a violation found and then to commend the agency for following the law. She also wanted the letter to mention that the public should be provided adequate speaking time at public comment sessions.

DCA Llorente, based on Member Cauthen's statement, questioned her ability to be impartial in deciding Mr. Taranto's complaint. Member Cauthen responded that she was imparting to the Task Force and the public her knowledge of the MTA and its practices.

Motion to find violation of 67.15 (Chan / Cauthen)

Public Comment: Ray Hartz said most people are reluctant to step up and

speak before boards and commissions. But when they do, he said, they need to be given the respect and dignity they deserve. He also said that he was going to tell the Board of Supervisors that the only way the public is going to believe that the supervisors want their comment is for them to listen to what the public is saying.

DCA Llorente suggested that the Order of Determination should also say that the Task Force acknowledges that the MTA realized it mistake early in the process and commend them for their effort to change the procedures to ensure that the problem does not occur in the future.

Members Chan and Cauthen accepted the amended motion.

On the motion:

Ayes: Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman
Excused: Craven, Williams

- 4 08050 Determination of jurisdiction on complaint filed by Charles Pitts against the Mayor's Office of Criminal Justice for failure to provide speaking time during a recent public meeting. (action item) (attachment)

Motion to find jurisdiction (Goldman / Cauthen)

On the motion:

Ayes: Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman
Excused: Craven, Williams

- a Public hearing on complaint filed by Charles Pitts against the Mayor's Office of Criminal Justice for failure to provide speaking time during a recent public meeting. (attachment)

Complainant Charles Pitts said the meeting held by the San Francisco Streets and Neighborhoods Workgroup under the Mayor's Office of Criminal Justice was about what to do with a certain class of people. The players, he said, were well-informed and presented a number of solutions. He also said he was prevented from entering the room until a representative of the Coalition on Homelessness intervened on his behalf. The group, he said, was using Section 67.4 as a cover and that they were not talking about the drunks exiting the bars in North Beach but fixated on removing a certain group of people from city sidewalks. Thomas Picarello said he was at the meeting where Mr. Pitts was denied public comment. The issue, he said, is when is a meeting passive and when is it not passive because substantive issues were addressed at the meeting. A mayor's representative should be asked to appear before the Task Force and explain their position, he added.

Member Cauthen wanted the case to be continued to allow the mayor's office to present their opinion. Finding the mayor's office in violation of 67.21 (failure to appear) does not solve the issue, she said.

Member Knee said the body is a passive meeting body as defined by the

Ordinance and therefore is not required to allow for public comment sessions.

Member Knoebber said he could not decide the status of the body because the mayor's office has not responded to the complaint.

Member Johnson said the public should be allowed to speak in the spirit of Sunshine, But continuing the case would be fruitless if the Ordinance did not warrant it.

Motion to find no violation (Knee / Goldman)

Public Comment: Ray Hartz said city representatives have come before the Task Force many times and present facts that have nothing to do with the complaint. And when they do not send representatives to the hearings they send a clear picture of what they think of the Task Force and its authority. The Ordinance permits him to visit any city department and ask for any document, he said. The question, he said, is it a public record and could he get a copy. And if not, why not? The Task Force, he added, should focus on holding city representatives accountable for showing up at meetings and for them to deal with issues and not personalities.

Member Cauthen urged Mr. Pitts to file a Sunshine record request with the MOCJ to get to know more about the body.

On the motion:

Ayes: Knee, Washburn, Knoebber, Johnson, Chu, Goldman

Noes: Cauthen, Chan

Excused: Craven, Williams

- 5 Report: Compliance and Amendments Committee meeting of November 12, 2008. (Richard Knee) (discussion and possible action) (5 min) (attachment)

Committee Chair Richard Knee made the report.

Public Comment: None

6. Administrator's Report. (discussion) (5 min) (attachment)

Mr. Rustom made the report

Public Comment: None

- 7 Public comment for items not listed on the agenda.

Mr. Thomas Picarello said the Task Force could compel the respondent's presence by having an ordinance that says the complaint is true unless proven otherwise. He also said he did not know how Member Knee reached the conclusion that the meeting was a passive body meeting without sitting through the two-hour MOCJ discussion. What needs to be done, he said, is to ask the mayor's office to explain to the Task Force what was discussed and

who attended the meeting before an opinion is reached. Chair Chu then cautioned Mr. Picarello that commenting on an item that was on the agenda was not allowed.

Mr. Ray Hartz said Chair Chu's admonishment was a perfect example of the public being told what it can and cannot say at a public comment session because it was more important to follow the rules than it was to reach a substantive outcome. What he intends to do next, he said, is to collect data on how much money was being spent on the Task Force and then suggest to the Board of Supervisors that the Task Force be shutdown and the monies used on something productive.

8. Announcements, questions, and future agenda items from the Task Force. (no action item) (5 min) (no attachment)

December 23, 2008, meeting cancelled and rescheduled for January 6, 2009.

- 7 Report: Compliance and Amendments Committee meeting of October 8, 2008.

Compliance and Amendments Committee Chair Richard Knee gave the report.

Chair Chu said the Electronic Records Ad Hoc Committee is being folded into the Compliance and Amendments Committee because the Clerk of the Board was not providing support. Member Cauthen said ad hoc committees could survive without the COB's support. For example, she said, the Library Citizens Advisory Committee uses a Board of Supervisors copier to do all their photocopying.

Public Comment: Ray Hartz said he has attended many public meetings where everybody is politic and nothing gets accomplished. Style is nice, he said, but substance was better. How long, he asked, would the Task Force continue going around and asking what it could be doing with its decisions without ruffling anybody's feathers? He said DCA Llorente should recuse himself from anything to do with the Task Force because he works for the City and knows which side his bread is buttered on. And, he added, Mr. Llorente was not going to do anything to make the Sunshine Ordinance effective. Someone else has to take the initiative, he said.

Adjournment

The meeting was adjourned at 5:33 p.m.

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



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

**SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING
DRAFT MINUTES**

Tuesday, January 6, 2009
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Erica Craven (Vice Chair)	Seat 8	Kristin Chu (Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Nick Goldman
Seat 4	(Vacant)	Seat 11	Marjorie Ann Williams
Seat 5	Allyson Washburn		
Seat 6	James Knoebber	Ex-officio	Angela Calvillo
Seat 7	Doyle Johnson	Ex-officio	Richard Sklar

Call to Order The meeting was called to order at: 4:00 P.M.

Roll Call **Present:** Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan (in at 4:09), Goldman
Excused: Williams

Agenda Changes: None

Deputy City Attorney: Ernie Llorente
Administrator: Chris Rustom

1. 08051 Determination of jurisdiction on complaint filed by Paul Horcher against the Planning Department for being denied access to files.

 Motion to find jurisdiction (Goldman / Cauthen)

 Public Comment: None

 On the motion:
 Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Goldman, Chu
 Excused: Williams
 Absent: Chan

2. 08051 Public hearing on complaint filed by Paul Horcher against the Planning Department for being denied access to files.

Complainant Paul Horcher said his clients include businesses that have run

afoul of the Planning Department and that he has been before the Board of Appeals many times. He said he approached the Planning Department around July 24, 2008, and asked to see a client's file because the appeals board takes the issue of recent complaints against an appellant very seriously. He was given a file so thin that given his legal experience he believed that it had been sanitized. At the Oct 15, 2008, appeals hearing, he said Ms. Tina Tam of the Planning Department stated that there had been recent complaints against his client whereas they both knew that not a single complaint had been filed against his client since January 2005. He said she also stated at the hearing that there were two files - a planning file and an enforcement file. He did not recall which file he was given during the July 24, 2008, visit. After filing his complaint with the Task Force he again asked to see the file and did not see any evidence that there had been any recent complaints against his client. That, he said, means Ms. Tam's testimony given on Oct 15, 2008, was incorrect. He also presented to the Task Force copies of two Planning Department documents. The first one was dated July 23, 2008, and the second was dated Nov. 6, 2008. He said the difference between the two was that the July document had been edited and altered.

Respondent Rachna Rachna, who was the enforcement planner in Mr. Horcher's case, said the complainant reviewed the files on July 23 and was given the enforcement file as it existed then. A computer printout omitted several lines of information concerning neighborhood complaints but that the corrected and updated document was in the file when Mr. Horcher came on November 10, she said. The appeal file did not exist in July and was only created at a later date and made available on November 10. The file originally was very thin but became thicker when more documents were added as the months passed. She said Mr. Horcher requested an appeals board rehearing based on the fact that the Planning Department had presented new information that was not available to Mr. Horcher in July. However, the board denied the request in December and announced that there was no new or relevant information to rehear the case and that the missing information on the complaints did not prejudice his case. In summary, she said, Mr. Horcher was given the files as they existed when he came in July and in November. She said concerned parties always contact the Planning Department before their hearing date. Unfortunately Mr. Horcher did not contact the Planning Department between July and the hearing date and therefore missed the opportunity to get the updated information.

Member Craven noted that some entries in the November document were dated well before the July document creation date. Ms Rachna said that was correct and it was entered as the discrepancies surfaced.

Member Craven wanted to know what the department would do to avoid a similar situation from reoccurring. Ms. Rachna said there were technical issues but would work toward avoiding similar issue in the future.

Member Craven also said that it was incumbent on the department to use available resources and provide the requestor with whatever new information related to the original request became available. She also added that whether

testimony given at another body was truthful or inaccurate was not within the jurisdiction of the Task Force.

Motion to find violation of Sec. 67.21 (a) & (c). (Craven / Goldman)

Public comment: Kimo Crossman said the Planning Department was also in violation of Sec. 67.29-7 because it was not keeping documents and correspondence in a professional and businesslike manner. He compared this case to that of an investigation into former Attorney General Alberto Gonzales for not taking notes contemporaneously. Ray Hartz said that when something is added to a file after a copy of it had been provided to the requester it was always possible to question if it was done to change the outcome. To provide incomplete information because of an unreliable system is a dangerous precedent to set, he added.

On the motion:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman

Excused: Williams

No further action taken. Referred to Education, Outreach and Training Committee and placed at the chair's discretion.

3. 08052 Determination of jurisdiction on complaint filed by Alvin Xex against the Arts Commission for not releasing information on the number of Black males and females employed by the Arts Commission and its arts groups

Motion to find jurisdiction (Goldman / Cauthen)

Public Comment: None

On the motion:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman

Excused: Williams

4. 08052 Public hearing on complaint filed by Alvin Xex against the Arts Commission for not releasing information on the number of Black males and females employed by the Arts Commission and its arts groups

Complainant Alvin Xex said the request was to get specific breakdowns of tax monies to arts groups such as symphonies and orchestras. He wanted to know, for example, the formula used in allocating the monies and how its viability was determined. The underlying issue was the absolute lack of black males, he said, because it was rare to speak to a black male whenever he contacted an arts group. Many times, he said, they would say that they had never hired a black male, just others and black females. He said he had also contacted the Controller's office but was not given the data because it was difficult to retrieve. The Arts Commission also told him that they did not have the information. The offices do not dispute his contention which, he said, is

based on queries made to several arts groups.

Respondent Nancy Gonchar, deputy director of the Arts Commission, said the commission had responded to both of Mr. Xex's requests and that copies were provided to the Task Force. On the first request, she said, the commission does not have a breakdown of its grantees by race. Mr. Xex was also provided with additional data such as pamphlets and brochures relative to his request. The second request was also responded to and the response was a list of the names of people employed by the commission over the past five years but under legal guidance did not list the race of those employees. She did however say that the Arts Commission has employed a number of African Americans over the years.

Mr. Xex, in rebuttal, said he had previously asked for information under the others category and was sure the commission has the data he wanted.

Motion to forward complaint to Compliance and Amendments Committee to see if how Mr. Xex can receive the information he wants. (Craven / Johnson)

Public comment: Kimo Crossman said there was a violation because the complainant did not get the information he wanted and it was up to the Task Force to see that he got what he wanted.

Motion to find violation (Washburn / Johnson)

To clarify an earlier statement, Ms Gonchar said there was an optional section in the city and county's application for employment that dealt with race and ethnicity but that information was not collected. She also said the applications of successful applicants were also not routinely saved.

On the motion to find violation:

Ayes: Knee, Washburn, Johnson, Chan

Noes: Craven, Cauthen, Knoebber, Chu, Goldman

Excused: Williams

Motion fails

On the motion: to forward complaint to the Compliance and Amendments Committee:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman

Excused: Williams

5. 08055 Determination of jurisdiction on complaint filed by Kimo Crossman against DTIS and SFGTV for not providing a spreadsheet in Excel format, and the Supervisor of Records for not acting on the appeal in a timely manner.

Motion to find jurisdiction (Goldman / Cauthen)

Public Comment: None.

DCA Paula Jesson, the Supervisor of Records, noted that this was the first time the Supervisor of Records had been called to appear before the Task Force.

Complainant Kimo Crossman wanted to split the file.

On the motion:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman

Excused: Williams

6. 08055 Public hearing on complaint filed by Kimo Crossman against DTIS and SFGTV for not providing a spreadsheet in Excel format, and the Supervisor of Records for not acting on the appeal in a timely manner

Complainant Kimo Crossman said he had requested information on staff from SFGTV in relation to the digital recording requirement. He said he received a pdf copy and a tab delimited copy of a xls document, which he needed to see how SFGTV reached its conclusion. The documents provided did not contain formatting, hidden cells and macros, he said. For further assistance, he turned to the Supervisor of Records of Records, whom he claimed delayed her response by going on vacation for extended periods of time and referring the matter to another city employee who was on vacation. He also said the unsigned 2006 memo by DCA Paul Zarefsky was not the opinion of the City Attorney and it did not apply to his case.

Respondent Barry Fraizer, an analyst with the Department of Technology, also represented SFGTV. He said his office had also provided the complainant with a description of a formula used in the spreadsheet and did rely on the City Attorney's opinion to withhold the document. The opinion, which addresses the Word issue, should also apply to other electronic documents, he said, because all the issues associated with Word can also be found in Excel. There were concerns in maintaining the integrity of the document because a numerical zero could alter the final outcome and that kind of change, if occurred, was difficult to locate, he said. The cells in Excel could also include privileged and private information as well as attorney-client information. But most worrisome is that the metadata includes information that allows an unauthorized person to breach security. Also, software that strips an electronic document of data could change the numbers in the document, he said. DCA Paula Jesson said the City Attorney's Office had two issues, one was that the process departments would have to go through to review documents to see if there was privileged information in the metadata before their release was a burden and the second was the integrity of the document. She also said the complainant refuses to recognize that the document posted on the website is an opinion piece even though it does contain have the City Attorney's signature. On timing, she said Mr. Crossman has known for the last three years that the City Attorney's office also has to allocate time for its residents and other city departments.

Kimo Crossman said there are stringent rules on opinions and the unsigned document on the web is a memo. This is not the first time, he said, that he has

had trouble getting a reasonable response from the Supervisor of Records who has always missed deadlines on appeals. On the spreadsheet, he said the Department of Technology representative did not mention that the document contained metadata that could compromise the city's network. He said there was free software available to remove metadata from documents. CPRA, he said, talks about modification to the original document and not the copy that he was requesting. Printed documents, he said, sometimes contains the file paths and if that information posed a danger to a network, system administrators would have banned the practice years ago. He also claimed that the Supervisor of Records does not do an independent review because she did not respond to his pointed arguments.

Member Knee said he found the arguments by Mr. Fraizer and Ms Jesson rather specious. He said the Task Force had found in previous cases that the 2006 memo violated the CPRA and Sunshine Ordinance. Also, he said, the requester and not the City agency decides on the format of the document. Letting the City decide on the format is an affront to the law and to the Task Force, he said. Mr. Fraizer, he said, had not shown to the Task Force that the requested document contained information that is prohibited from disclosure. If there was such information, it should be redacted and the document released, he said.

Member Craven said the issue with the Supervisor of Records was that of timing and because Ms Jesson has a reasonable excuse and a situation that needed extra time a violation did not occur. On the production of electronic records, she said there was no distinction between a Word document and an Excel spreadsheet. Departments have to provide it and if they want to change the law they need to seek a change in the CPRA and Sunshine Ordinance rather than choosing to ignore the requirement, she added.

In rebuttal, Mr. Fraizer said it would be a dilemma for the department if the Task Force found that it was in violation because to scrub out the information would likely change the numbers and so the department is forced to provide the documents with the links or provide a document that has been altered.

Kimo Crossman in rebuttal reiterated that there was free software to erase metadata in spreadsheets. He also questioned whether Mr. Fraizer was a technical analyst or a policy analyst. There is no danger in giving out spreadsheets because many governments and states including California follow the practice, he said, and that it would only be dangerous if the spreadsheet contained embarrassing information. He also said a Word document could also contain tables just as a spreadsheet would and that only Excel documents were exposed to manipulation was not true.

Motion finding that the Supervisor of Records of Records was not in violation (Craven / Cauthen)

Motion to find DTIS and SFGTV in violation of Sec. 67.21 for withholding information was made by Member Goldman and seconded by Member Johnson. However, Member Craven made a friendly amendment to which

Member Goldman and Member Johnson agreed.

Motion to find DTIS and SFGTV in violation of Sec. 67.21 (l) and CPRA Sec. 6253.9 for withholding information. (Goldman / Johnson)

Public Comment: Anonymous Tenants said a crook is a crook and if someone wants to tamper with a document they won't hesitate. He also said that the US Treasury is very concerned about counterfeiters but still issued \$100 bills.

On the motion to find no violation against the Supervisor of Records:

Ayes: Craven, Cauthen, Washburn, Chu, Goldman

Noes: Knee, Knoebber, Johnson, Chan

Excused: Williams

The motion fails. No further action.

On the motion to find DTIS and SFGTV in violation of Sec. 67.21 (l) and CPRA 6253.9 for withholding information:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman

Excused: Williams

Matter to be forwarded to CAC.

7. 08056 Determination of jurisdiction on complaint filed by Anonymous against the Police Department for not complying with Sec. 67.29 (Index to Records)

Member Chan requested that he be recused because of his association and financial connections with the Police Department.

On the motion:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Chan, Goldman

Excused: Williams

Motion to find jurisdiction (Goldman / Knee)

Public Comment: Sylvia Johnson made her comment.

On the motion:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Goldman

Recused: Chan

Excused: Williams

8. 08056 Public hearing on complaint filed by. Anonymous against the Police Department for not complying with Sec. 67.29 (Index to Records)

Complainant Ray Hartz said the only reason he wanted to be anonymous was because he did not want his address and phone number posted on the Internet. He said he filed the complaint because the Police Department has failed to maintain an index of records and was in violation of Sec. 67.29. He

said he had contacted the person responsible for maintaining the records and was told that nothing had been received from the department to comply with the law. He said he communicated with the department through the Internet but was not able to find out who really was responsible to uphold the provision. The index in the hearing packet, he said, raised two questions. The first was that the Police Commission was also in violation because it did not maintain an index and the second was that the information provided in the document did not meet the requirements of Sec. 67.29. The reason he wants an Order of Determination was because the department had failed to comply ever since the section became law and if the current situation continues he could come back a few months and say the department has yet to comply.

Respondent Sgt. Jack Hart of the Police Department said he did not think there was a violation because the City Administrator's Office had been provided with a copy of the department's document retention and destruction policy that was created in 1993. He also said he was contacted in 2004 to update the list and that effort fell on DCA David Creo, who has since left the department. Currently DCA Molly Stump was continuing that effort. He said Maureen Conefrey created the record that was in the packet but that it was rejected by the City Administrator's Office because of formatting and other issues. However, he said, the department was actively working on it.

Member Cauthen wanted to know who the custodian of records was and Sgt. Hart said there was no single person because every employee is a custodian and that the document request could start by contacting Lt. Dan Mahoney, Ms. Conefrey or himself at Police Legal.

Member Knee wanted to know when the document would be ready and Sgt. Hart said he could not say when but was willing to appear before the Task Force and provide updates because several divisions and departments were involved. He also cautioned the department that it was illegal under the Sunshine Ordinance and the CPRA to ask why a person wanted a public document.

In rebuttal, Mr. Hartz said he wanted to make it clear that his complaint was not because he did not get a document but because of the lack of an index of records.

Motion to find a violation of Sec. 67.29 (Knee / Goldman)

Public Comment: Kimo Crossman provided his understanding and views on Sec. 67.29. Sylvia Johnson made her comment.

On the motion:

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Johnson, Chu, Goldman

Recused: Chan

Excused: Williams

Referred to Education, Outreach and Training Committee and placed at the chair's discretion.

Adjournment:

The meeting was adjourned at 6:19 p.m.

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