

Date: June 22, 2010

Item No. 11 & 12
File No. 10010

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Paula Datesh against the Arts Commission**
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Completed by: Chris Rustom

Date: June 17, 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.



DENNIS J. HERRERA
City Attorney

JERRY THREET
Deputy City Attorney

DIRECT DIAL: (415) 554-3914
E-MAIL: jerry.threet@sfgov.org

MEMORANDUM

May 19, 2010

PAULA DATESH VS. ARTS COMMISSION (10010)

COMPLAINT

THE COMPLAINANT ALLEGES THE FOLLOWING:

Complainant Paula Datesh alleges that Howard Lazar of the San Francisco Arts Commission (the "Commission") failed to notify her of multiple meetings of the Street Artists Committee, the latest of which was held on November 4, 2009. Datesh further alleges that Lazar is required to provide her that notice under Article 24 of the Police Code. Ms. Datesh further alleges that many other violations of her rights by the Arts Commission and its staff, but never identifies any provision of public meetings or public records laws that were violated.

COMPLAINANT FILES COMPLAINT:

On March 2, 2010, Ms. Datesh filed a complaint with the Task Force alleging a violation.

JURISDICTION

The Arts Commission clearly is a policy body under the Sunshine Ordinance. The Task Force therefore has jurisdiction to hear a public meetings complaint. Complainant, however, fails to identify any provision of the ordinance that has been violated and it is not plain from the factual allegations made whether there could be a violation, even if they were true. It therefore appears that the Task Force lacks subject matter jurisdiction over this complaint.

Moreover, this appears to be almost exactly the same complaint made by Ms. Datesh to the Task Force as Complaint #10006, which was dismissed by the Complaint Committee for lack of jurisdiction at its meeting of March 9, 2009. Given this previous decision, unless complainant can bring allege new facts to support jurisdiction by the Task Force, that previous decision should be given weight in deciding on this complaint.

APPLICABLE STATUTORY SECTION(S):

Unknown

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APPLICABLE CASE LAW:

None.

ISSUES TO BE DETERMINED

Uncontested Facts: Ms. Datesh alleges that the Commission failed to notify her of multiple meetings of the Street Artists Committee, the latest of which was held on November 4, 2009. The Commission does not context this allegation.

Contested Facts: Ms. Datesh further alleges that the Commission is required to provide her notice of the above meetings under Article 24 of the Police Code. The Commission responds that there is no requirement in the Sunshine Ordinance to provide individual notice of such meetings on these facts, and that there therefore is no violation of public meetings laws.

LEGAL ISSUES/LEGAL DETERMINATIONS:

- Did the Commission violate public meetings laws in failing to provide Ms. Datesh with individualized notice of the meetings she references?

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

THE TASK FORCE FINDS THE ALLEGED VIOLATIONS TO BE **TRUE OR NOT TRUE.**

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SAN FRANCISCO ADMINISTRATIVE CODE**SEC. 8.16. FILING OF ANNUAL REPORTS AND OFFICIAL DOCUMENTS WITH SAN FRANCISCO PUBLIC LIBRARY.**

[. . .]

Further, it shall be the duty of the secretary or other executive officer of each board, commission or committee thereof, to file with the Documents Department *two copies of the agenda of each regularly scheduled meeting of such board, commission or committee thereof, at least 72 hours prior to the time of such meeting.* For special meetings of boards, commissions or committees, the agenda shall be filed with the Documents Department not less than 24 hours prior to the meeting. In addition, such secretary shall file with the Documents Department two copies of the minutes of the action taken at any meeting of such board, commission or committee thereof within 10 days of the date of such meeting. Any corrections, additions or amendments to said minutes shall be filed with the Documents Department within five working days after the date of any such correction, addition or amendment. The Documents Department shall retain such copies of agendas and minutes for a minimum period of 90 days.

The City Librarian shall designate a place in the central public library, accessible to the public, for the posting of agenda filed with the City Library pursuant to this Section. The City Librarian shall cause such agenda to be posted immediately upon receipt. The reports or documents required to be filed pursuant to the provisions of this Section shall be made available by the Documents Department for reference thereto by the People of the City and County. Any violation of the provisions of this Section on the part of any elective officer or any member of any board or commission shall be deemed to be official misconduct and any violation of the provisions of this Section on the part of any employee shall be deemed to be inattention to duties and considered cause for suspension or dismissal from service. The provisions of this Section shall be deemed directory only. Failure to comply with the provisions of this Section shall not provide a basis for invalidating any action taken. (Amended by Ord. 51-87, App. 2/27/87; Ord. 14-03, File No. 021815, App. 1/31/2003)

C. SEC. 8.17. MAILING OF DOCUMENTS.

[. . .]

Further, it shall be the duty of the secretary or other executive officer of each board, commission or committee thereof, to update the mailing lists at least once annually for the meetings of their respective board, commission or committee in order to remove addresses of individuals or organizations who are no longer interested in receiving the materials or who are no longer residing or operating at the listed address. (Added by Ord. 61-05, File No. 050136, App. 4/1/2005)

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SEC. 67.7. AGENDA REQUIREMENTS; REGULAR MEETINGS.

(a) At least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting. Agendas shall specify for each item of business the proposed action or a statement the item is for discussion only. In addition, a policy body shall post a current agenda on its Internet site at least 72 hours before a regular meeting.

CALIFORNIA GOV'T CODE**§ 54954.1. MAILED NOTICE TO PERSONS WHO FILED WRITTEN REQUEST; TIME; DURATION AND RENEWAL OF REQUESTS; FEE**

Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

§ 54954.2. AGENDA; POSTING; ACTION ON OTHER MATTERS

(a) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions

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posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.



DENNIS J. HERRERA
City Attorney

JERRY THREET
Deputy City Attorney

DIRECT DIAL: (415) 554-3914
E-MAIL: jerry.threet@sfgov.org

May 10, 2010

Nick Goldman, Chair
Members of the Complaint Committee

Re: Paula Datesh v. Arts Commission (10010)

Dear Chair Goldman and Members of the Complaint Committee:

This letter addresses the issue of whether the Sunshine Ordinance Task Force ("Task Force") has jurisdiction over the complaint of Paula Datesh against the San Francisco Arts Commission.

BACKGROUND

Complainant Paula Datesh alleges that Howard Lazar of the San Francisco Arts Commission (the "Commission") failed to notify her of a meeting of the Street Artists Committee held on November 4, 2009, at which her application for a street artist certificate was to be considered. Datesh further alleges that Lazar is required to provide her that notice under Article 24 of the Police Code. Ms. Datesh further alleges that Lazar failed to notify her of the outcome of the hearing on her certificate application. Ms. Datesh's complaint fails to identify any provision of the Sunshine Ordinance that Lazar is alleged to have violated

COMPLAINT

On March 2, 2010, Ms. Datesh filed a complaint with the Task Force alleging a violation.

SHORT ANSWER

Based on Complainant's allegation, the Sunshine Ordinance Task Force *does not* have subject matter jurisdiction over the allegations, which if true, could constitute a violation of state or local public meetings laws.

DISCUSSION AND ANALYSIS

The Arts Commission clearly is a policy body and legislative body under the Sunshine Ordinance. The Task Force therefore has jurisdiction to hear a public meetings complaint. It appears, however, that the allegations of the complaint, even if true, would not violate public meeting laws under the jurisdiction of the Task Force.



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 SAN FRANCISCO ARTS

Name of individual contacted at Department or Commission COMMISSION
HOWARD HAZEL

Alleged violation public records access
 Alleged violation of public meeting. Date of meeting 11/4/09 8/22/07
4/9/03

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.

SEE ATTACHED

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 PAUL DATESH Address 2590 DURENT AVE CA 94704 BERKELEY,

Telephone No. 415 350 1559 E-Mail Address [REDACTED]@aol.com

Date 3/2/10

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).

March 2, 1010

Honorable Members , Sunshine Task Force
Cris Rustom, Administrator
Office of the Clerk, Board of Supervisors
Dr. Carlton B. Goodlett Place
City Hall Room 244
San Francisco, CA 94102

Members of the Sunshine Task Force:

I have been selling on the streets of San Francisco for over 30 years and an artist all of my life. There are several Street Artist Meetings that I was not noticed of and will start from the most recent and go backwards.

I was not notified of a Street Artist Meeting in which I was on the agenda of **November 4, 2009**. It was only through routine monitoring of the SFAC web site: www.sanfranciscoartscommisson.org, that I noticed my name 2 days before the scheduled Meeting. No charges were listed. See attached.

My sister, M. Grundman-had been emailing Howard Lazar asking if some issues were pending. She did not get an answer to her question. When she called 415-252-2583, no one picked up the phone. When she called 415-252-2581, some woman answered and sang gospel songs to her. See attached.

Several months before, I called Sharon Page Ritchie to ask if there was some pending matter. I made several calls and got the wrong information. See attached.

Two days before the hearing, I called Catharine Barnes of the City Attorney's Office and was told to ask a doctor to fax directly a letter to the SFAC. Victor Pacheco of the Board of Permits and Appeals said to email my response. See attached.

I constantly maintained the same address and was consistently represented by counsel. Nick Gregaratos did not receive a letter from Lazar relative to this meeting. Article 24 of the San Francisco Police Code requires Lazar to notice the respondent in a timely manner. He did not.

I was not noticed of the outcome of the November 4, 2009 meeting by mail or email. Two weeks later, Catharine Barnes told me the matter had been tabled indefinitely. I did not receive a letter from Lazar with the outcome. Weeks later, Sharon Page Ritchie said she would. "talk to Howard". I still did not receive any correspondence.

August 22, 2007 failure of the SFAC and Howard Lazar to notice me of a Street Artist hearing in timely manner. I was on the Street Artist agenda which posted to their web

site for this date. Two days before the meeting, I noticed my name removed from their agenda. I was told by Victor Pacheco to send an email requesting that it be put back on calendar and to go to the reception area of the City Attorney's Office to hand deliver a letter to Adine Varah-requesting that it be put back on calendar. It was not and I did not receive any correspondence from either the SFAC or Varah. See attached.

I was told by Howard Lazar in the weeks before to call him on a daily basis to see if there was a quorum. I did call each weekday. When I called 415-252-2583 (Lazar's phone) some woman picked up the phone. I did not speak but she said, "Paula, you are going back to jail." I sent several follow up emails asking who that woman was and what was going on. I did not get a response. See attached.

On February 4, 2009 I got an email notice to appear in *San Francisco Criminal Court*. Evelyn Russell, a woman who I do not know alleged that I violated a no contact order by, "grunting" twice over the phone. She is in fear for her life/I know where she lives/ the make and model of her car/ wears a leg brace and can not run. I was commuting from New York to make Court dates until January 12, 2010 when the case was dismissed. Russell did not show. When I called Lazar to ask if there was a quorum for the above Street Artist Meeting-he never answered the question. Rather he screamed, "where are you?" He wanted to know how to access the *San Francisco Superior Court* e-filing system via Internet. He wanted dirt on Addario.

Note Franz Feutsch never turned over the file which contained a letter on SFAC letterhead and signed by Lazar stating the phone were rolling over and had been for 30 years. It is a matter of Public Informaiton.

This is negligence on the part of Lazar. I was noticed of the phones rolling over by email on February 9, 2009 after the charges were filed. I spent 55 days in jail. Upon my release, I called Lazar to ask a specific question. Typically, he used it as a segway to question me about Russell. I told him to speak to his secretary. I have never known Lazar to answer a simple question. Rather he gossips to me about people I do not know, tries to involve me in matters that do not concern me and is always off-topic. Lazar is negligent in noticing me of the August 22, 2007 hearing and should be held accountable.

April 9, 2003 failure of the SFAC and Howard Lazar to notice me of a Street Artist Meeting where I was on the agenda. I was in custody at the San Francisco County Jail Fighting an extradition matter for 8 months. The meeting was postponed for several months prior due to a lack of a quorum. I knew something was pending but did not know when there would be a quorum. The Northern California Service League called Lazar to tell him where I was. Nick Gregaratos called Lazar and I wrote a letter. No one received a return call from Lazar. When I beat the case, I immediately went to the City Attorney's Office and was given a copy of the minutes. I asked how I could get that permit back and was not given a response. The SFAC and Howard Lazar failed to notice me of a public

hearing and should be held accountable.

Years later, I found that out-of-print Rulebook (*Bluebook-Street Artist Program*) in the Archives of the San Francisco Public Library. It clearly states that after 1 year, the respondent may reapply. Lazar (the author) clearly knew that but choose not to impart that information. It was easier to hang up the phone and claim that I was stalking him.

There were several secret meetings of the Street Artist Program in the summer of 2009. I was working in the Embarcadero one Saturday and Mat Pocaro-an inspector said, "we had a meeting about you" and left. It left me with an odd feeling. I know no more than that.

In summary, the San Francisco Arts Commission and Howard Lazar never noticed me of the April 9, 2003 hearing. I was denied due process under the United States Constitution; the California State Constitution and the San Francisco Police Code-Article 24. I was never given the chance to explain the events of December 24, 2002. Susan Peet, who ran the lottery that morning made a mistake and assigned 2 people to the same space: Z-54. I was the first to get there. Typically, Lazar was not available by phone and at least 10 Street Artists and PO Carl Payne came. I showed Payne my lottery ticket. He called Lazar-who did not pick up the phone. I left. The following week, I was served with 5 T/R/O's. I was ganged up on, the allegations were false and I still have the lottery ticket.

These same individuals who I do not know, still slander me. See attached.

Members of the Sunshine Task Force, I think it is about time for this witch hunt to end. I plead guilty to crimes I did not commit; paid extensive amounts in legal fees over what is a First Amendment Right (sell Artwork in the street) and have no violations. There are many in your local government who have done far worse: Michael Marcum, Ida McCray and Nick Gregaratos-to name a few. What has taken place with me is nothing short of a witch hunt: amateur detectives, Street Artist Meetings that are badly run and allow one person (Mike Addario) to monopolize the discussion, lack of investigation, rush to judgment, bad judgment and gossip.

Seven years of suffering is long enough. Howard Lazar and the San Francisco Arts Commission should be found in violation of Chapter 67 of the Sunshine Ordinance for repeated failure to notice me of multiple public hearings.

In a City as progressive as San Francisco, this should not have happened.

A handwritten signature in black ink, appearing to read "Linda D'Arco", with a long horizontal flourish extending to the right.

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org; luis.cancel@sfgov.org
Subject: immediate disclosure request
Date: Wed, Feb 10, 2010 10:03 am

Dear Mr. Lazar:

I request the following information under Article 67 of the Sunshine Ordinance:

Any internal emails/ letters between the San Francisco Arts Commission and the City Attorney's Office relating to Evelyn Russell. From 2004-2010.

Copies of police reports filed by Evelyn Russell against Paula Datesh. From 2004-2010.
Copies of victim impact statements and internal emails between SFAC and CA's Office relative to this.

Copies of emails/letters from the SFAC to the SF District Attorney's Office relative to the criminal complaint filed by Russell against Paula Datesh.

Copies of a letter from Howard Lazar to Nick Gregaratos-date Feb. 2008 relative to the phones rolling over. Email/ letter correspondence from SFAC to SF District Attorney's Office relative to that complaint. Copies of emails/letters to the SF City Attorney's Office relative to that complaint.

Copies of emails/letters relative to Ravit Maman-between the SFAC and SF City Attorney's Office.
Copies of emails/letters relative to Ravit Maman-between Cryis Camperlino and the SFAC.
Copies of emails/letters relative to Ravit Maman-between you and the SFAC.

Copy of current street artists list- as of Feb. 10, 2010.

Copy of a letter denying renewal of a street artist permit sent to Paula Datesh c/o Nick Gregaratos-2009.

I may be contacted at the above email and trust that you will contact me when this documents are ready to be mailed with the cost, including mailing.

Paula Datesh

From: [REDACTED]@aol.com

To: Howard.lazar@sfgov.org; luis.cancel@sfgov.org; Nick.Gregoratos@sfgov.org; victor.pacheo@sfgov.org;
henry.doering@sfgov.org; catharine.barnes@sfgov.org; Adine.varah@sfgov.org; thomas.boyd@sfgov.org

Date: Thu, Oct 29, 2009 9:00 pm

Paula Datesh
c/o Nick Gregoratos
555th Street SFSD
San Francisco, CA 94103

Dear Mr. Lazar:

I noticed in your public meeting page that you have included my name on your November 4, 2009 Street Artist agenda. I request a six month postponement as I am in another state receiving medical treatment and am not able to return to California for at least six months. You may notice me in writing at the above address if this postponement is granted.

In the event this meeting goes forward on November 4, 2009-I believe I deserve a renewal of this street artist permit for the following reasons:

1. At the Appeals level-I stated that I knew the rules and would abide by them. I did not have any violations and did not receive notice of any violations. I consistently noticed you of the above address.
2. I made all of the artwork I sold, worked in legal spaces and attended the lottery when I was able.
3. I paid the fees in a timely manner.

You have not published a list of the violations I am charged with-I submit a general denial of any allegations as I do not know what they are.

=

From: [REDACTED]@aol.com <[REDACTED]@aol.com>
To: DA James Josefa <josefa.james@acgov.org>
Subject: Fwd: Michael Addario sent you a message on Facebook...
Date: Tue, Jan 12, 2010 6:16 pm

Begin forwarded message:

From: "[REDACTED]@aol.com" <[REDACTED]@aol.com>
Date: January 12, 2010 3:12:52 PM PST
To: luis.cancel@sfgov.org
Subject: Fwd: Michael Addario sent you a message on Facebook...

Begin forwarded message:

From: addariomikie@aol.com
Date: January 7, 2010 5:14:40 AM PST
To: [REDACTED]@aol.com
Subject: Fwd: Michael Addario sent you a message on Facebook...

Begin forwarded message:

From: Facebook <notification+kr4mm5m4ssxn@facebookmail.com>
Date: January 6, 2010 3:28:05 PM EST
To: Mike Addario <addariomikie@aol.com>
Subject: Michael Addario sent you a message on Facebook...
Reply-To: noreply@facebookmail.com

Michael sent you a message.

Subject: Congratulations Paula Datesh, you are a Winner!

Congratulations Paula Datesh, you are a Winner!

The City of San Francisco after much deliberation has chosen you to be a winner of an all-expense-paid and long overdue retreat. Your deeds have not gone unnoticed, and the beneficiaries of your actions think it about time you receive your just compensation. All you need to do is show up at 850 Bryant St. in San Francisco and check in with one of the attendants. Upon arrival, you will be given a light body massage, a physical and check for/of cavities. Then you will be given a new, highly attractive, designer jumpsuit with your name embodied on the exterior!

But that not all Paula Datesh! You will also get a new set of jewelry. Two interlocking chrome bracelets will be yours to keep and wear permanently. Matching anklets are also available if your new found

friends feel that when you make your first impression, that you are worthy of special attention.

And if that not enough - free of charge - they have agreed to send you for an indefinite stay at Casa San Quentin by the bay. Special arrangements have been made for your stay in this gated community with many, very interesting men who are anxiously awaiting your arrival. Indeed, they have graciously agreed to attend to your every need. In addition to, and incredibly, no expense has been spared, with three meals per day and 24/7 entertainment proved free of charge. Also, many well-known celebrities and peers of your community are presently spending their free time there; such as Richard Allen Davis, and Scott Peterson.

So Don't Delay, Call 911 Today!

Just tell the operator your actual name and location, and a car with two attendants will be sent to escort you immediately to your new destination, and for your

Long Term, Assisted-Living Retirement!

Looking forward to seeing you enjoying your new home!

Please disregard this notice if not received by the intended recipient. If you know where Paula Datesh is, you too can join in the fun by calling 911 and alerting the Prize Patrol of their newest winner whereabouts. Join in the festivities and watch the shock and surprise on Paula's face when she is finally awarded what is deservedly hers. To read more information on Paula Datesh' incredible adventures go to: <http://www.facebook.com//6adec:www.nytimes.com/2003/08/05/nyregion/the-informer-talked-endlessly-on-trail-of-fake-rolaxes-lawyers-feel-harassed.html?pagewanted=1>

Michael has shared a link to a news story with you. To view the news story or to reply to the message, follow this link: <http://www.facebook.com/n/?inbox%2Freadmessage.php&t=1311429749906&mid=1aeef82G5af32ae4c14eG1845c5G0>

Find people from your AOL address book on Facebook! Go to: <http://www.facebook.com/find-friends/?ref=email>

This message was intended for addariomikie@aol.com. Want to control which emails you receive from Facebook? Go to: <http://www.facebook.com/editaccount.php?notifications=1&md=bXNnO2Zyb209MTAwMDAwNjY4ODgyNjI2O3Q9MTMxMTQyOTc0OTkv> Facebook's offices are located at 1601 S. California Ave., Palo Alto, CA 94304.

From: addariomikie@aol.com
To: [REDACTED]@aol.com
Subject: Fwd: Good News
Date: Thu, Feb 4, 2010 9:08 am

-----Original Message-----

From: addariophotography <addariophotography@myastound.net>
To: addariomikie@aol.com
Sent: Wed, Feb 3, 2010 9:03 pm
Subject: Good News

To Whom it my Concern,

You will be happy to know that all of your counterfeit emails addresses, copies of the bogus emails and of the facebook pages where you are impersonating me and others are being forwarded to Mr. Michael Tartt, Deputy probation officer of the San Francisco Adult Probation Department, so that he may take the appropriate action.

Have a nice day,

Michael Addario
(The real one)

From: howardlazar@yahoo.com <howardlazar@yahoo.com>
To: [REDACTED]@aol.com <pdatesh@aol.com>
Subject: Fwd: Mike Addario commented on your wall post...
Date: Tue, Jan 19, 2010 7:42 pm

Begin forwarded message:

From: Facebook <notification+kr4masr5kxyn@facebookmail.com>
Date: January 16, 2010 4:52:37 PM PST
To: Howard Lazar <howardlazar@yahoo.com>
Subject: Mike Addario commented on your wall post...
Reply-To: Reply to Comment
<c+243v08y000zg3npnca62s0000301xa11u00000097j77u000zg3npnca61er1i@reply.facebook.com>

Mike Addario commented on your wall post:

"what? Howard Lazar doesn't like me. I will waste more of the programs funds by making another proposal under the Sunshine Ordinance for Howard Lazar to abdicate. I want both his job and the janitorial job he has in the morning!"

New Feature: Reply to this email to comment on this post.

To see the comment thread, follow the link below:

http://www.facebook.com/nl/?%2Fprofile.php&v=feed&story_fbid=235208853714&id=556848714&mid=1bc5c83G5af3367a42eeG403d3G3

Thanks,
The Facebook Team

Find people from your Yahoo address book on Facebook! Go to: <http://www.facebook.com/find-friends/?ref=email>

This message was intended for howardlazar@yahoo.com. Want to control which emails you receive from Facebook? Go to:

[http://www.facebook.com/editaccount.php?](http://www.facebook.com/editaccount.php?notifications=1&md=ZmVIZF9jb21tZW50O2Zyb209MTAwMDAwNDQzMTg3NTM0O3VpZD0xMDAwMDA2)

[notifications=1&md=ZmVIZF9jb21tZW50O2Zyb209MTAwMDAwNDQzMTg3NTM0O3VpZD0xMDAwMDA2](http://www.facebook.com/editaccount.php?notifications=1&md=ZmVIZF9jb21tZW50O2Zyb209MTAwMDAwNDQzMTg3NTM0O3VpZD0xMDAwMDA2)
Facebook's offices are located at 1601 S. California Ave., Palo Alto, CA 94304.

From: [REDACTED]@aol.com

To: Howard.lazar@sfgov.org; Adine.varah@sfgov.org; victor.pacheco@sfgov.org; james.quannico@sfgov.org; solf@sfgov.org; Nick.Gregaratos@sfgov.org; thomas.boyd@sfgov.org; henry.doering@sfgov.org; catharine.barnes@sfgov.org

Subject: Addario v San Francisco Arts Commission #09085

Date: Sun, Jan 31, 2010 11:01 pm

Howard Lazar
25 Van Ness Ave.
San Francisco, Ca 94102

Dear Mr. Lazar:

This email will serve to notice you that I have received 5 emails forwarded to the above account from Mike Addario (or someone porporting to be this person) over the past 4 weeks. I have not responded to them, do not have a facebook account and would like for them to stop.

I do not know Addario, have never spoken to him and the one day I was in San Francisco- last month I got several emails from him demanding to know where I was and that, "he was looking for me". I find this disturbing. He got my email from his numerous requests though the Sunshine Task Force. You have given him confidential information.

I do not know an Evelyn Russell and never contacted this person. In the recently dismissed criminal charge against me-Russell contends that I hang around in front of 25 Van Ness Ave. I live in New York. I lurk in the hallways of the building and she is not able to run the 25 yards to her car due to a leg brace, health problems and stress. She expresses fear of 2 grunting phone calls. She filed 2 criminal complaints in which she insists I am the "grunter/gruntee".

I find it equally bizarre that you, "were in the dark about this" as you contend. Russell is your secretary and police came to your office. If you wanted to know the outcome of the case- query your secretary and not me. I was the defendant. Your comment of, "I didn't do it" begs the question of what is really going on in that office. Her on-going complaints of sexual harassment (against you); allegations of stolen funds (police called); complaints racest remarks (Clark Brothers) call her credibility into question.

Mr. Lazar, as you know I have been represented by counsel for the entire term of that street artist permit. As such, you were supposed to communicate though the assigned City Attorney. You never complied. You never understood that a simple 50 yard stay-away was from a person (Russell) and not a location (25 Van Ness). As it was impossible to renew that street artist permit- Nick Gregaratos intervned several times. You said you would mail it and at least 6 times, I waited 2 weeks after the expiration date to get the permit. Since you never responded to Gregaratos and the fee was sent by registered mail- I lost 2 weeks every 3 months of work. Additionally, Gregaratos ran the program 2 December's ago when you did not pick up the phone and police were called to Stockton St. You did not even mail the receipt and left on vacation. Gregaratos, works for the SF Sheriffs Dept and not the SFAC.

Some 1 1/2 year ago, I got an email from you demanding that I communicate though email. Each day, I documented the on-going problems with a Ravit Maman. I was forced to go to court to get a R/O against someone I do not know and never spoke to. You never responded. Once you called me a "moron" and insisted that you have a R/O against me. Adine Varah disproved that.

Mr. Lazar, I find it shocking that you have asked me to write a letter to the Sunshine Task Force about Mike Addario. Once again you have put me in the middle of an on-going dispute that does not concern me. I called to ask a specific question which was not answered and was drawn into yet another situation.

I can not be a party to any of this. For onward of 10 years, I have defended myself against allegations that have no merit, evidence and are based on either gossip of people I do not know or your own loose lips.

I am 3,000 miles away and 1 year out of that program. I will not be a part of Mike Addario's amateur investigation or your incorrect version of events. I should have sued Addario 2 years ago but as an artist I did not believe his pockets were deep enough. Suing the SFAC or Evelyn Russell will only raise the fees for fellow artists. I will not do that as I know most are struggling.

Not only do you need to limit Addario's comments at meetings to 3 minutes so that others may speak- you need to prevent him from further request for information under the Sunshine Task Force.

You are not a victim here, Mr. Lazar. You should have cut him down years ago.

From: [REDACTED]@aol.com
To: hector.ballesteros@sfgov.org
Subject: Fwd: Howard Lazar
Date: Mon, Mar 30, 2009 1:33 pm

-----Original Message-----

From: [REDACTED]@aol.com
To: mmgrundman@aol.com
Sent: Sat, 9 Feb 2008 10:23 am
Subject: Fwd: Howard Lazar

-----Original Message-----

From: [REDACTED]@aol.com
To: adine.varah@sfgov.org
Sent: Wed, 30 Jan 2008 12:17 pm
Subject: Howard Lazar

I have two issues:

Firstly, why does this Evelyn Russell continue to pick up Lazar's phone?

This morning, I called 415-252-2583 to ask a question. Lazar hung up in mid-sentence. I called back the same number and a female voice said, "Paula, you are going back to jail." This has been going on for several months. I do not get an answer to the question. Lazar doesn't pick up the phone for the rest of the day and this female says this.

You need to advise them about R/O and devise some method for Lazar to answer questions without this continually taking place. He does not return calls or emails.

Secondly, it is a conflict of interest for Lazar to chair the street artist meetings and transcribe the minutes. I went to the last meeting to speak under, "public comment". I took a tape recorder and taped the entire meeting. I was clear in what I said and spoke directly into the tape recorder that was on the table.

Lazar, did not transcribe what I said and altered and deleted most of the content.

This is not the first time he has done this and it is a conflict of interest.

More new features than ever. Check out the new [AOL Mail!](#)

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From: [REDACTED]@aol.com
To: hector.ballesteros@sfgov.org
Subject: Fwd: New directions for you
Date: Mon, Mar 30, 2009 1:22 pm

-----Original Message-----

From: Howard Lazar <Howard.Lazar@sfgov.org>
To: [REDACTED]@aol.com
Sent: Thu, 7 Feb 2008 11:09 am
Subject: New directions for you

c:\documents and settings\hlazar\desktop\datesh.doc

Ms. Paula Datesh

P. O. Box [REDACTED]

Berkeley, CA 94702

Dear Ms. Datesh:

I write for several purposes:

First, in recent weeks, you have attempted to reach me by phone on numerous occasions when I was not at my desk. In such cases, my phone is programmed to "roll over" to the Street Artists Program Associate, Ms. Evelyn Russell. As you are well aware, there are civil and criminal restraining orders in effect which forbid you from having any contact with Ms. Russell. Accordingly, from this point forward, I must request that all your contact with the Street Artists Program be made only to me and only in writing. You can reach me via email at howard.lazar@sfgov.org, or by letter sent to Howard Lazar, Arts Commission, Street Artists Program, 25 Van Ness Avenue, Suite 240, San Francisco, CA 94102. Now that you are aware that phoning me could result in contact with Ms. Russell, we will report any such contact with Ms. Russell as a violation of the restraining order.

Second, Ms. Russell has reported to me and the City Attorney's Office that you have recently contacted her directly by phone (as opposed to the rollover phone calls) on two separate occasions. As well, Ms. Russell was cc'd on emails sent from "edoust@yahoo.com" which appear to be from you. In any event, you should be aware that Ms. Russell was directed by the City Attorney's Office to file a police report, and that your violations of the restraining order were reported to the District Attorney's Office and your probation officer, Michael Percy. The Street Artists Program will not tolerate violations of the

restraining order against Ms. Russell.

To that end, we have been advised by the City Attorney's Office that your restraining orders do not allow you to attend Street Artists Committee meetings, since the restraining orders forbid you from entering the Arts Commission offices. Until now, the Program has accommodated your desire to attend recent Committee meetings to discuss your permit or make public comment. Your attendance at the meetings, however, creates a significant strain on the Street Artists Program, since it requires the Program to make arrangements for Ms. Russell to be out of the office while you attend the meeting. The Street Artists Program relies on Ms. Russell to assist other applicants and street artists, as well as the Committee. Accordingly, from this point forward you shall be prohibited from attending Committee meetings unless the validity of your Street Artists permit is specifically listed as an agenda item on the calendar,

and further provided that you provide 48 hours advance written notice of your intention to attend such meeting. If you appear at a Committee meeting without complying with these requirements, you will be in violation of the restraining orders and the Arts Commission shall report your actions to the Police Department.

Finally, the City Attorney's Office forwarded to me an envelope addressed to Deputy City Attorney Catharine Barnes, which contained both copies of your Certificate to sell Art In Public Places. The envelope does not indicate the name of the sender, but appears to be from you, since it has the same handwriting as on your Street Artists Program application. In the event that someone other than you returned your Certificates, please let me know if you would like them returned and where they should be sent. Otherwise, we will assume that you have voluntarily surrendered your Certificates.

Sincerely,

Howard Lazar
Street Artists Program

Director c:\documents and settings\hlazar\desktop\datesh.doc

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From: [REDACTED]@aol.com
To: Adine.varah@sfgov.org
Date: Tue, Mar 3, 2009 1:46 pm

Dear Ms. Varah:

This email will serve to document the most recent activities of Howard Lazar:

A few weeks ago, I was prevented from entering 25 Van Ness Ave. by the security guard in the lobby. I stopped there and said I had business at the rent board on the 3rd floor. As my DMV photo was in his drawer-he said I could not enter the building. I said nothing and left. I was able to get the information I needed through the tax accessor by phone.

I request you review the language of the R/O which states a 50 yard stay away from an individual there-not the location.

Furthermore, I was contacted by phone- by Lazar a few weeks ago. He asked how to access the San Francisco Superior Court Civil e-filing system. He wanted dirt on Mike Addario. He then said he had a R/O against me. I said nothing and changed my phone number.

I have contacted you at least 5 times in the past year reminding you that Lazar is to contact me in writing through Nick Gregaratos. The last time was within minutes after an investigator was at Justin Herman Plaza asking questions. Lazar suddenly wanted me to file a complaint against Mike Addario for an event that transpired months before. I called you and asked again that he not contact me. It seemed that I was to file some=2 Ovague complaint naming a witness- a colleague who is not listed on the list of current permit holders.

There is no doubt the Lazar does and says whatever he wants without the benefit of counsel.

Someone from your office needs to review the language of the current R/O with Lazar. It would also be helpful to explain confidentiality issues as it is clear they are not in place at the SFAC.

Paula Datesh

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

Fwd:

Page 1 of 1

From: [REDACTED]@aol.com
To: sharon.paige_ritchie@sfgov.org
Subject: Fwd:
Date: Mon, Mar 30, 2009 6:51 pm

-----Original Message-----

From: [REDACTED]@aol.com
To: sharon.paige-richie@sfgov.org; luis.cance@sfgov.org; howard.lazar@sfgov.org
Sent: Mon, 30 Mar 2009 3:49 pm

My permit is up for renewal and my sister sent the money by registered mail. She called 415 252 2583 many times during the past 3 weeks. There has never been a response. She doesn't want to leave a phone number because Mike Addario left 3 messages on her answering machine. She doesn't know him. There is some issue with signing something.

I do not want to leave my number because the last time Lazar called it was to solicit information about Addario. I don't know him. he doesn't seem to understand that the agreement set up by the Board of Permits and Appeals was to do this by mail. He refuses and seems to want me to stand in front of 25 Van Ness Ave. to wait for him to come out. In a conference call (Nick Gregaratos, myself and Lazar) we explained that the current R/O is a 50 yard stay away against an individual and not a location. Franz Fuetsch has also explained this to him.

I am asking for your help in this matter. Nick Gregaratos is busy with more important SFSD issues and we find it difficult to renew this permit as Lazar doesn't seem to comply.

Regards,

Paula Datesh

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A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org
Subject: Fwd:
Date: Mon, Mar 30, 2009 2:17 pm

-----Original Message-----

From: [REDACTED]@aol.com
To: howard.lazar@sfgov.org
Sent: Mon, 30 Mar 2009 10:09 am

I understand my sister has been trying to call you and you do not pick up the phone. She does not want to leave her phone number as she received 3 phone messages from Mike Addario asking her to call him. She changed her number and wants only to communicate with you through a lawyer or email.

I am not giving you my phone number. You are to communicate with me in writing as is the directive of the City Attorneys Office. You may do though Nick Gregaratos or Rommell Bondoc. You have been told repeatedly not to contact me directly-you have never complied.

The three month renewal fee was sent by registered mail. There now seems an issue of signing something. You may contact me on this email with a copy to Nick.gregaratos@sfgov.org. I am not clear what the issue is. It would be helpful if you could explain it.

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: mmgrundman@aol.com
To: howard.lazar@sfgov.org
Date: Fri, Mar 27, 2009 5:13 pm

What is going on with this permit renewal? I have called this afternoon a few times and you do not pick up the phone.

Check all of your email inboxes from anywhere on the web. [Try the new Email Toolbar now!](#)

From: mmgrundman@aol.com
To: howard.lazar@sfgov.org
Date: Fri, Jun 5, 2009 11:11 am

I called you yesterday and you did not pick up the phone. Is this meeting still on for November?

Wanna slim down for summer? Go to [America Takes it Off](#) to learn how.

Fwd:

Page 1 of 1

From: mmgrundman@aol.com
To: howard.lazar@sfgov.org
Subject: Fwd:
Date: Wed, Jun 17, 2009 9:08 am

-----Original Message-----

From: mmgrundman@aol.com
To: howard.lazar@sfgov.org
Sent: Tue, Jun 16, 2009 10:49 am

I called your number last week and didn't get anyone. Is my sister, Paula on your calendar for sometime in November?

Make your summer sizzle with [fast and easy recipes](#) for the grill.

Make your summer sizzle with [fast and easy recipes](#) for the grill.

Fwd:

Page 1 of 1

From: mmgrundman@aol.com
To: howard.lazar@sfgov.org
Subject: Fwd:
Date: Thu, Jun 18, 2009 4:25 pm

-----Original Message-----

From: mmgrundman@aol.com
To: Howard.Lazar@sfgov.org
Sent: Wed, Jun 17, 2009 8:34 pm
Subject: Re:

Yes, your secretary sings to people over the phone? Yes, this Mike Addario works for you? Yes, you caused my sister stress by your choice to ignore her?

-----Original Message-----

From: Howard Lazar <Howard.Lazar@sfgov.org>
To: mmgrundman@aol.com
Sent: Wed, Jun 17, 2009 11:29 am
Subject: Re: Fwd:

Yes .

Make your summer sizzle with [fast and easy recipes](#) for the grill.

Make your summer sizzle with [fast and easy recipes](#) for the grill.

From: mmgrundman@aol.com
To: howard.lazar@sfgov.org
Subject: 3rd attempt
Date: Mon, Jul 6, 2009 4:34 pm

-----Original Message-----

From: mmgrundman@aol.com
To: Howard.Lazar@sfgov.org
Sent: Sun, Jun 21, 2009 10:05 pm
Subject: Re:

When will you be available by phone?

-----Original Message-----

From: Howard Lazar <Howard.Lazar@sfgov.org>
To: mmgrundman@aol.com
Sent: Wed, Jun 17, 2009 11:29 am
Subject: Re: Fwd:

Yes .

Make your summer sizzle with fast and easy recipes for the grill.

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: [REDACTED]@aol.com
To: soft@sfgov.org
Subject: Fwd: Immediate disclosure request
Date: Tue, Mar 2, 2010 6:42 pm

-----Original Message-----

From: [REDACTED]@aol.com
To: soft@sfgov.org
Sent: Tue, Mar 2, 2010 6:33 pm
Subject: Immediate disclosure request

March 2, 2010

Honorable Members, Sunshine Ordinance Task Force
Cris Rustom, Administrator
Office of the Clerk, Board of Supervisors
Dr. Carlton B. Goodlett Place
City Hall Room 244
San Francisco, Ca 94102-4689

Members of the Sunshine Task Force:

I have been selling in the streets of San Francisco for over 30 years and an artist all of my life. There are several Street Artist Meetings that I was not noticed of and will start from the most recent and go backwards:

I was not notified of a Street Artist Meeting in which I was on the the agenda of **November 4, 2009**. It was only through routine monitoring of the San Francisco Arts Commission web site, www.sanfranciscoartscommission.org, that I noticed my name 2 days before the scheduled meeting. No charges were listed. See attached.

My sister, Melissa Grundman had been emailing Howard Lazar for months before asking if I was going to be on an agenda, date and time. She did not get a response. When she called 415-252-2583, no one picked up the phone. When she called 415-252-2581, some woman answered and sang gospel songs to her. See attached.

Several months before, I called Sharon Paige Ritchie to ask if I was going to be on the agenda. See attached emails.

Two days before the hearing, I called Catharine Barnes of the City Attorney's Office and was told to ask a doctor to fax a letter directly to the SFAC. Victor Pacheco of the Board of Permits and Appeals said to email my response. See attached.

I constantly maintained the same address and was constantly represented by counsel. Nick Gregaratos did not receive any correspondence from Lazar relative to this meeting. Article 24 of the SF Police Code requires Lazar to notice the respondent. He did not.

I was not noticed of the outcome of the November 4, 2009 meeting by mail or email. Two weeks later, I called

Catharine

Barnes who told me the matter had been tabled indefinitely. I did not receive a letter from Lazar with the outcome. Weeks later, Sharon Paige Richie said she would, "talk to Howard". I still did not receive any correspondence.

August 22, 2007 failure of the SFAC-Howard Lazar to notice me of a Street Artist hearing in a timely manner. I was on the Street Artist agenda for this date and 2 days before and noticed my name removed from their agenda on the web site www.sanfranciscoartscommission.org. I was told by Victor Pacheco of the Appeals Board to send an email requesting it be put back on calendar and to go to the reception area of the City Attorney's Office to write a letter to Adine Varah. See attached.

I was told by Howard Lazar in the weeks before to call him on a daily basis to see if there was a quorum. I did call 415-252-2583 each weekday. When Lazar wasn't there, some woman picked up the phone. I did not speak but she said, "Paula, you are going back to jail". I sent several follow up emails asking what was going on but did not get a response. See attached.

On February 4, 2009 I got an email notice to appear in San Francisco Criminal Court. Evelyn Russell, a woman who I do not know said I violated a no contact order by, "grunting" twice over the phone. I went to from that date until January 12, 1010 when the case was dismissed. Russell did not appear in court. This is negligence on the part of Lazar who only noticed me by email on February 9, 2009 that the phones were rolling over. I spent in total 55 days in jail. Upon my release, I called Lazar to ask a specific question. Typically, Lazar did not answer the question but used it as a segway to question me about Russell. I told him to speak to his secretary on that. I have never known Lazar to answer a simple question. Rather he gossips, tries to involve me in matters that do not concern me and is always off-topic. Lazar was negligent and should be held accountable.

April 14, 2004 Attorney Ananda Norris and I sat in the back of that Street Artist Meeting for 3 hours. I paid so that Ms. Norris could have 3 minutes at the end to request my matter be calendared. We were told it would be but never was.

Neither Norris or myself heard from the SFAC. When Norris called Lazar, he hung up on her. When Inspectors Leon and Parisi called they were also hung up on. Attorney Ian Kelly sent a certified letter which went unanswered. I sent a petition with 1,000 signatures which was not even acknowledged by Lazar.

April 9, 2003 Failure of the SFAC -Howard Lazar to notice me of a Street Artist hearing. I was in custody for 8 months at the SF County Jail. The Northern California Service League called Lazar twice to tell him where I was. Nick Gregaratos called Lazar. I wrote to Lazar. When I beat the extradition case, I immediately went to the City Attorney's Office. I was given the minutes of the hearing. When I asked how I could get it back, I was not given a response.

Years later, I found the out-of-print Rulebook (Bluebook) in the Archives of the San Francisco Public Library. I states that after 1 year the respondent may reapply. Lazar (the author) clearly knew that but choose not to impart that information. It was easier to hang up the phone and claim that I was stalking him.

In summary, the San Francisco Arts Commission and Howard Lazar never noticed me of the April 9, 2003

hearing. I was denied due process and never given the opportunity to present witnesses, evidence, cross examine and listen to testimony. My rights were violated under the United States Constitution; the California State Constitution and the San Francisco Police Code-Article 24. I was never given a chance to explain the events of December 24, 2002. Susan Peet, who ran the lottery that day- made a mistake and assigned 2 people to the same space Z-54. I was the first to get there. At least 10 other Street Artists came with police. I showed PO Carl Payne my lottery ticket. Typically, Lazar was unavailable by phone. I left. the following week, I was served with 5 T/R/O's. The allegations were false and I still have the lottery ticket.

These same individuals who I still do not know-still slander me. See attached.

Members of the Sunshine Task Force, I think it about time for this witch hunt to end. I plead guilty to crimes I did not commit; paid extensive amounts in legal fees over the right to sell legally in the streets of San Francisco and have no violations. You have many in your local government who have done far worse than me-Michael Marcum, Ida McCreay and Nick Gregaratos to name a few. What has taken place with me is nothing short of a witch hunt; amateur detectives; rush to judgement; bad judgement and gossip.

Seven years of suffering is long enough. Howard Lazar and the San Francisco Arts Commission should be found in violation of Chapter 67 of the Sunshine Ordinance for repeated failure to notice me in multiple public hearings. In a City as progressive as San Francisco-this should not be happening.

Paula Datesh

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org; luis.cancel@sfgov.org
Subject: immediate disclosure request.
Date: Wed, Feb 10, 2010 10:03 am

Dear Mr. Lazar:

I request the following information under Article 67 of the Sunshine Ordinance:

Any internal emails/ letters between the San Francisco Arts Commission and the City Attorney's Office relating to Evelyn Russell. From 2004-2010.

Copies of police reports filed by Evelyn Russell against Paula Datesh. From 2004-2010.
Copies of victim impact statements and internal emails between SFAC and CA's Office relative to this.

Copies of emails/letters from the SFAC to the SF District Attorney's Office relative to the criminal complaint filed by Russell against Paula Datesh.

Copies of a letter from Howard Lazar to Nick Gregaratos-date Feb. 2008 relative to the phones rolling over. Email/ letter correspondence from SFAC to SF District Attorney's Office relative to that complaint. Copies of emails/letters to the SF City Attorney's Office relative to that complaint.

Copies of emails/letters relative to Ravit Maman-between the SFAC and SF City Attorney's Office.
Copies of emails/letters relative to Ravit Maman-between Cryis Camperlino and the SFAC.
Copies of emails/letters relative to Ravit Maman-between you and the SFAC.

Copy of current street artists list- as of Feb. 10, 2010.

Copy of a letter denying renewal of a street artist permit sent to Paula Datesh c/o Nick Gregaratos-2009.

I may be contacted at the above email and trust that you will contact me when this documents are ready to be mailed with the cost, including mailing.

Paula Datesh

December 29, 2009
Page 11



(3-55) September 15, 2008 e-mail letter from Lazar to street artists Chrys Camperlino and Alex George re: staff hours spent *"on furnishing documents and preparing responses to Michael Addario's ongoing complaints"* and on responding to street artist Paula Datesh; attached September 14, 2008 e-mail letter by Camperlino to Lazar.

(3-56) August 27, 2008 e-mail from Program Assistant Evelyn Russell to Lazar re: "MICHAEL ADDARIO'S INQUISITION CONCERNING LUNCH HOUR".

(3-57) August 28, 2009 e-mail from Lazar to Commissioners of Street Artists Committee forwarding (attached) August 20, 2008 *Letter Dated December 14, 2008 from the Division to artists*

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org; soft@sfgov.org
Subject: Immediate Disclosure Request
Date: Fri, Mar 12, 2010 11:25 am

Howard Lazar
San Francisco Arts Commissio
25 Van Ness Ave.
San Francisco, CA 94102

Dear Mr. Lazar:

Pursuant to Chapter 67-access to public records I am requesting the following:

Audio tape of the March 10, 2010 Street Artist Hearing.
California Resale Certificate number of Mike Addario.
Copies of ALL audio tapes of Street Artist Meetings from 2007
until 2010 in which I was mentioned:

July 11, 2007
August 22, 2007
September 12, 2007
October 1, 2007
November 4, 2009

Let me know via email ONLY the cost including mailing of this informaiton.

Paula Datesh

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org; soft@sfgov.org
Subject: Immediate disclosure request
Date: Tue, Mar 9, 2010 8:58 pm

Howard Lazar
San Francisco Arts Commission
25 Van Ness Ave.
San Francisco, CA 94102
Dear Mr. Lazar:

You noted in your reply that you do not have an email response to Cryis Camperlino regarding Ravit Maman. I suggest you do, as you included it in the Immediate Disclosure Request of Mike Addario. Camperlino, emailed you about the cost of Addario's request and attached my email. I request you response to Camperlino. You never replied to my many emails regarding Maman and misrepresented to the Sunshine Task force that your time was spent responding to my emails.

I request a response as to that you intend on doing about Ravit Maman? I have asked the question for over 2 years and have not received a response. You are in a salaried position and not dependant upon the income of handmade artwork to support yourself and family. Furthermore, her repeated 911 calls are disruptive to many people's business and she never receives violations for that. Your contention that I am the only person who has complained is a misrepresentation. I have copies of over 50 letters and emails that were received by your office. Your contention that you did not receive them is a lie.

I would like a written explanation as to why you never responded to the emails I wrote over the past 2 years and why you hung up the phone.

I would like to know if my DMV photo was removed from the security desk at 25 Van Ness Ave. I do not know why it was there but sent you an email last month with this question. I did not receive a response.

I would like to know if you are going to run Street Artist Meetings in an orderly fashion. Not allowing one person to take up large amounts of time. I am not the only person who has questioned you on this. to date, I have not received a response.

I would like to know why you, "lost" certified/registered mail. Every three months , several days before my Street Artist permit was due to expire-I sent the fee via certified/registered mail. I sent a follow up email. From the onset of the application fee, to the final permit renewal-these fees were, "lost". I would like an explanation.

I would like to know when you plan on retiring.

Paula Datesh

From: [REDACTED]@aol.com

To: Howard.lazar@sfgov.org; luis.cancel@sfgov.org

Subject: Ravit Mamon

Date: Tue, Feb 17, 2009 11:19 am

Dear Mr. Lazar:

To me, Ravit Mamon was by far the most annoying person in the street artist program. Since I never spoke to her and never understood why she calls 911 on a regular basis-I sent emails to you. My business was **constantly** interrupted by the police calls (once they were there for 2 hours) and her screaming. I went out of my way to hire someone to photograph her stand on at least 3 occasions. I never heard directly from you but from another street artist that she was given several warnings of not making what she sold. **I never heard that she received a notice for interrupting my business** and/or thrightning me. I documented each incident by email and never got a response from you.

Typical to you, Mr. Lazar-the one response I received from you was a forwarded email in which you slandered me to a colleague of yours. It is clear that not only do you not run the street artist program in a impartial manner-you ask people to call you (a set up) in order to solicit information from them about another street artist. When people come into to renew, you gossip to them about other people and this adds to the confusion.

I recall you saying last summer that you would be down to the Embarcadero that afternoon. I waited for hours. You did not show up and the following Monday said, "it was not your job to go out into the street". This is typical of you. YOU just wanted informaiton on an unrelated matter.

It is clear that nothing has changed with Ms. Mamon. She still calls police for no reason, still does not make what she sells (the entire stand is imports) and you still ignore her. Cryis Campolino who put pressure on you in the past- has thrown up his hands. He does not want to be involved.

Nor do I.

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org; Adine.varah@sfgov.org; luis.cancel@sfgov.org
Subject: Raivt Mamon
Date: Fri, Feb 20, 2009 9:35 pm

This email will serve to document the events of today Feb. 20, 2009. I went to Justin Herman Plaza at 7am. since all of the spaces at the plaza were signed for-I signed n for 32 at the top of the Embarcadero BART. I was set up and working and at about 11Am-Ravit Mamon came. She slammed her table within inches from mine and began ranting that, "this was her space and she came everyday". I said nothing. She was visibly angry. I waited for a cop to pass or to be on the off-duty post close by. After about 1 hour, i didn't see one and called the non-emergency phone number. At about 1:30pm 2 cops came on foot. I showed the the R/O and said that not only did I not know this person and have never spoken to her-she in in violation of a R/O. they verified that it is an active R/O and asked her to move. She did not want to and was highly agitated. I said nothing and was asked if I wanted to arrest her. I said no but since this has gone on since last summer and she does not seem to understand what a R/O is- please explain it to her again. I tired to do business while this was going on but people do not buy when police are around. They spent about 45 minutes with her. Around 3pm, she moved. the police asked me why the SFAC is not policing their own people. I said it was common not to get them on the phone or to come out to the street.

I mentioned in a phone message that not only is this stressful and annoying-I do not understand it. I have never spoken to this person. She does not make any of what she sells and that has been going on for over 2 years..there are bags and bags of imported merchandise, which she does not make an effort to hide.

At about 4pm., Oscar Balaqua (?) came up to speak to her. He came to me and said to just stay way from her. he said he would speak to you, Howard.

To me this is annoying.

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: [REDACTED]@aol.com
To: Adine.varah@sfgov.org
Date: Tue, Mar 3, 2009 1:46 pm

Dear Ms. Varah:

This email will serve to document the most recent activities of Howard Lazar:

A few weeks ago, I was prevented from entering 25 Van Ness Ave. by the security guard in the lobby. I stopped there and said I had business at the rent board on the 3rd floor. As my DMV photo was in his drawer-he said I could not enter the building. I said nothing and left. I was able to get the information I needed through the tax assessor by phone.

I request you review the language of the R/O which states a 50 yard stay away from an individual there-not the location.

Furthermore, I was contacted by phone- by Lazar a few weeks ago. He asked how to access the San Francisco Superior Court Civil e-filing system. He wanted dirt on Mike Addario. He then said he had a R/O against me. I said nothing and changed my phone number.

I have contacted you at least 5 times in the past year reminding you that Lazar is to contact me in writing through Nick Gregaratos. The last time was within minutes after an investigator was at Justin Herman Plaza asking questions. Lazar suddenly wanted me to file a complaint against Mike Addario for an event that transpired months before. I called you and asked again that he not contact me. It seemed that I was to file some=2 0vague complaint naming a witness- a colleague who is not listed on the list of current permit holders.

There is no doubt the Lazar does and says whatever he wants without the benefit of counsel.

Someone from your office needs to review the language of the current R/O with Lazar. It would also be helpful to explain confidentiality issues as it is clear they are not in place at the SFAC.

Paula Datesh

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: [REDACTED]@aol.com
To: Nick.Gregoratos@sfgov.org; catharine.barnes@afgov.org
Subject: Fwd:
Date: Sun, Apr 26, 2009 8:08 pm

—Original Message—

From: [REDACTED]@aol.com
To: Howard.lazar@sfgov.org
Sent: Sun, 26 Apr 2009 8:08 pm

Paula Datesh
c/o Nick Gregaratos
555 7th Street
San Francisco, CA 94103

Dear Mr. Lazar;

I am trying to be patient but it does not seem as if you wish to communicate with either me or Nick Gregaratos who has called on my behalf. His phone is 415 -575-4365 and his email is nick.gregaratos@sfgov.org. You said weeks ago, that you would have an answer as to what is going on with the permit renewal #7757 by the end of the week. That was weeks ago and you have not responded to either me, my sister or Nick.

I remind you that this is how I make a living and that I did not have any violations. I did, as I said I would-conform to the code. I went to the lottery at 6am every weekend and sold within the limits of the law. I made every piece of what I sold and signed in for spaces, as I was required to do. When I had problems (people calling police for no reason/ large amounts of merchandise stolen) I did not bother you with the issues but only asked if certain persons had active permits. I did not receive responses even then. I consistently sent emails documenting the events of the day (people not confirming to the code or behaving badly). I never received a response from you. The few times I was able to get you on the phone, you hung up on me.

I thought I had alot of patience in dealing with troublesome street artists and handling the issues in a rational and calm manner. I ignored issues that did not concern me and did not engage in gossip.

I am not angry or upset that it has been over one month without a response from you. I am trying to be patient. I just do not feel that I deserve to be ignored by you.

I would appreciate it if you you could either give me or Nick Gregaratos an update as to the current status of this permit renewal.

You may contact me on this email.

Regards,

Green cleaning products -- do they work as well? [Find out now!](#)

Green cleaning products -- do they work as well? [Find out now!](#)

Paula Datesh
[REDACTED]
[REDACTED]
[REDACTED]@aol.com

March 14, 2010

Dear Mr. Herrera:

I am writing asking you that **James Chaffee** be permanently banned from all Public Libraries in San Francisco for the following reasons:

Some 6 years ago, I was in the Law Library in the War Memorial Building on Van Ness Avenue. I am not from California and was trying to find the *Blue Book*- a rulebook which concerns the Street Artists of the San Francisco Arts Commission.

James Chaffee, was in the back. He was meeting with clients and told me he was a lawyer. He had a table to himself, went there bi-weekly and met with clients. He gave me a business card which said he was a lawyer located at 100 California Street. I explained a Street Artist permit was revoked and I wanted a hearing on the matter. At the first meeting, I paid him \$500 cash. This was done in the library.

The following week, I got a call asking to meet him again at the same location. I did. Chaffee wanted an additional \$500 for expenses. I paid him in cash. He returned some 45 minutes later with a Street Artist application. He said he, "knew Jewelle Gomez of The SFAC and that this application was a piece of cake". I filled out the application and waited while Chaffee took it to 25 Van Ness Ave. When he returned, he said, "they wouldn't accept it and that he would send it via registered mail".

The following week, Chaffee asked that I meet him again at the library. In the interim. I got a hurried call from a Stanley Hilton. I was told to meet him on a Sunday at 100 California St. Hilton came late and I saw him for about 20 minutes. He seemed strange, disoriented and contradictory. He said he, "knew people in City Hall and it was easy to get that permit". I was told to give him \$4,000 cash. I was only able to get \$300 from a cash machine. Hilton gave me 3 torn business cards with Post Office Box addresses and different emails. I never saw Hilton again but dropped of an additional \$1,000 with the receptionist at 100 California Street.

Hilton never did any work on my case and I filed several complaints against him. I went to 5 hearings at the State Bar of California, 1 with the San Mateo Bar and after 6 years recovered the money I paid Hilton. Hilton filed a criminal complaint against me in Redwood City which was dismissed. James Chaffee lied on the proof of service, ran when the DA's investigator tried to question him and claimed he did not know Hilton. The allegation was that I was stalking Hilton at a date and time when I was

in New York. Chafee has a history of bouncing checks for filings for Hilton in San Mateo and Alameda Counties. Hilton was on active probation at the time in San Mateo Counties.

Some 6 years ago, I did return to the Law Library to speak with the Head Librarian about Chaffee. I did not and still do not believe this would have happened if Chaffee hadn't been allowed to use the Reading Room as his private office. I was not able to speak with the right person.

Over the past 6 years, I have come across others who have been scammed by James Chaffee. Most of the initial meetings were in the Public Libraries of San Francisco; Hastings Law Library and Golden Gate Library. While Chaffee is a graduate of Boalt Hall-he is banned from that location.

As an artist, it was an extremely damaging situation and easily preventable. On behalf of the many others, who do not have the voice I do (illegal aliens/ undocumented workers/ SFPD cops who do not wish to come foreword) I appeal to you, as Chief Librarian to take a stand and prevent others from being harmed by James Chaffee.

Sincerely,



THE STATE BAR
OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

Russell G. Weiner, Interim Chief Trial Counsel

TELEPHONE: (415) 538-2000

FAX: (415) 538-2220

<http://www.calbar.ca.gov>

DIRECT DIAL: (415) 538-2297

February 1, 2010

Paula Datesh
PO Box [REDACTED]
Berkeley CA 94702

Re: *In the Matter of Stanley Hilton*, State Bar Court case number 05-O-4119, et seq.

Dear Ms. Datesh:

The State Bar Court has admitted Stanley Hilton into its Alternative Discipline Program ("ADP"), which is a program established by the California Legislature to assist attorneys who have substance abuse and/or mental health issues. This is a confidential program in which Mr. Hilton will probably be required to participate for at least 18 months. However, it is public information that on August 10, 2009, Mr. Hilton was been placed on inactive status – meaning that he cannot practice law.

Deputy Trial Counsel Erica Dennings will be monitoring Mr. Hilton's progress in ADP. However, as I stated above, ADP is a confidential program and Ms. Dennings will not be able to give you any further information on Mr. Hilton unless he is terminated from ADP. However, even if he is terminated from ADP, we should not need your testimony.

Thank you for your cooperation.

Very truly yours,

Sherrie B. McLetchie

Sherrie B. McLetchie
Deputy Trial Counsel

SBM/sbm



THE STATE BAR OF CALIFORNIA

Sunday, March 14, 2010

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ATTORNEY SEARCH

James Harvey Chaffee - #40719

Current Status: Inactive

This member is inactive, but is eligible to become active.

See below for more details.

Profile Information

Bar Number	40719	Phone Number	(530) 756-2609
Address	P O Box 68 Davis, CA 95617-0068	Fax Number	Not Available
		e-mail	Not Available
District	District 2	Undergraduate School	Ohio Univ; Athens OH
County	Yolo	Law School	UC Berkeley SOL Boalt Hall; Berkeley CA
Sections	None		

Status History

Effective Date	Status Change
<i>Present</i>	Inactive
2/15/1992	Inactive
12/21/1967	Admitted to The State Bar of California

Explanation of member status

Actions Affecting Eligibility to Practice Law

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

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Re: Sunshine Complaint Received : #10010_Paula Datesh v. Arts Commission

Howard Lazar to: SOTF

04/15/2010 02:43 PM

Cc: Luis Cancel, Jill Manton, Sharon Page_Ritchie, Sherene Melania,
newjazzflute, amychuang09, Astridharyati, pj

Bcc: Adine Varah, Kan Htun

Mr. Chris Rustom
Sunshine Ordinance Task Force

Dear Mr. Rustom:

Please find the attached Arts Commission response to Complaint #10010, Paula Datesh v. Arts Commission, scheduled for review by the Complaint Committee in order to determine whether the SOTF has jurisdiction over the matter:



TaskForceLetter041410.doc

The above attached Arts Commission's response makes reference to a March 9, 2010 Complaint Committee hearing on a previous complaint by Paula Datesh against the Arts Commission which was found to be outside of the Task Force's jurisdiction and is evidenced in the attached minutes of the March 9th Complaint Committee:



Complaint Minutes_03-09-10.pdf

Also please find the attached letter informing the Sunshine Task Force that I will not be available to attend a Complaint Committee hearing or a Sunshine Task Force hearing during the week of April 26 through 30 and the day of May 3, 2010:



TaskForce Letter041510.doc

Sincerely,

Howard Lazar
Street Artists Program Director
Arts Commission

SOTF

This e-mail is to confirm that the attached compl

04/08/2010 12:03:22 PM

From: SOTF/SOTF/SFGOV
To: Howard Lazar/ARTSCOM/SFGOV@SFGOV
Date: 04/08/2010 12:03 PM
Subject: Sunshine Complaint Received: #10010_Paula Datesh v. Arts Commission

This e-mail is to confirm that the attached complaint and support documents have been

received. Please refer to complaint number #10010 when submitting any new information and/or supporting documents pertaining to this complaint.

If the Department contests jurisdiction or if the parties request a prehearing conference a hearing will be scheduled with the Complaint Committee of the Sunshine Ordinance Task Force who will determine whether the Task Force has jurisdiction over this matter, and/or to focus the complaint or to otherwise assist the parties to the complaint.

Date: Tuesday, April 13, 2010
Location: City Hall, Room 406
Time: 3:30 P.M.

If the Department does not contest jurisdiction or if the parties don't request a prehearing conference a hearing will be scheduled with the full Sunshine Ordinance Task Force who will hear the merits of the complaint and issue a determination.

Date: Tuesday, April 27, 2010
Location: City Hall, Room 408
Time: 4:00 P.M.

Complainants: Your attendance is required at this hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, attendance by the custodian of records or a representative of your department, who can speak to the matter, is required at the hearing.

Any support documents to be considered by committee members, prior to the meeting, must be submitted by 4:00 P.M. Tuesday, April 20, 2010.

Also, attached is the Sunshine Ordinance Task Force's complaint procedures.



10010_Complaint.pdf 10010_Support.pdf 1_Complaint Procedures_4-28-09_Final.pdf

Chris Rustom
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
OFC: (415) 554-7724
FAX: (415) 554-7854
SOTF@sfgov.org



SAN FRANCISCO ARTS COMMISSION

GAVIN NEWSOM
MAYOR

LUIS R. CANCEL
DIRECTOR OF
CULTURAL AFFAIRS

April 14, 2010

The Honorable Richard Knee, Chairman
Honorable Members, Sunshine Ordinance Task Force
Compliance and Amendments Committee
c/o Chris Rustom, Deputy Administrator
Office of the Clerk, Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

PROGRAMS

CIVIC ART COLLECTION
CIVIC DESIGN REVIEW
COMMUNITY ARTS
& EDUCATION
CULTURAL EQUITY GRANTS
PERFORMING ARTS
PUBLIC ART
STREET ARTISTS LICENSES

ARTS COMMISSION GALLERY
401 VAN NESS AVENUE
415.554.6080

RE: Sunshine Ordinance Task Force - #10010 Paula Datesh v. Arts
Commission

WWW.SFARTSCOMMISSION.ORG

ARTSCOMMISSION@SFGOV.ORG

Dear Committee Members:

The San Francisco Arts Commission (the "Commission") is submitting this response to Complaint #10010, Paula Datesh v. Arts Commission, which was received by the Commission on April 8, 2010. For the reasons discussed below, the Arts Commission contends that the complaint is outside of the jurisdiction of the Sunshine Ordinance Task Force and is without merit.

Furthermore, the complaint alleges that the Arts Commission failed to individually notify Ms. Datesh of a November 4, 2009 meeting and to individually notice her of the outcome of the meeting; *these are the same charges made by Ms. Datesh in a March 2, 2009 complaint to the Sunshine Task Force (Complaint #10006) and dismissed by the Sunshine Task Force Complaint Committee on March 9, 2009 as falling outside of the jurisdiction of the Sunshine Ordinance Task Force (see attached minutes).*

The current complaint charges the Arts Commission with violating the Sunshine Ordinance in the following three ways:

(1) Failing to individually notify Ms. Datesh of a November 4, 2009 meeting of the Arts Commission's Street Artists Committee (identical charge dismissed by the Complaint Committee on March 9, 2009);



CITY AND COUNTY OF
SAN FRANCISCO

(2) Failing to individually notify Ms. Datesh of the outcome of the November 4, 2009 meeting (identical charge dismissed by the Complaint Committee on March 9, 2009)

(3) Failing to individually notify Ms. Datesh of the Arts Commission's Street Artists Committee meeting of August 22, 2007;

(4) Failing to individually notify Ms. Datesh of the Arts Commission's Street Artists Committee meeting of April 9, 2003.

I. The Sunshine Task Force Lacks Jurisdiction To Hear This Complaint.

Contrary to Ms. Datesh's assertions, no provision in the Sunshine Ordinance requires a Commission to provide any individualized notice to any specific member of the public. The Ordinance does not mandate that any individual must receive any special notice beyond that which is already provided to the public. Instead, the Sunshine Ordinance requires an agency to provide public notice and agenda item description for the action item at issue, and to do so at least 72 hours in advance of the meeting. The Ordinance does not impose distinct or additional notice requirements for any individual member of the public, not even for any individual who is the subject of an agenda item. Instead, all members of the public, including any member who is the subject of an agenda item, receive notice in accordance with the same standards set forth in the Sunshine Ordinance.

Accordingly, Ms. Datesh's complaint that she was not individually notified *separately and in addition to* the general public notice and posting of the agenda and minutes, is outside of the jurisdiction of the Sunshine Task Force.

II. All Four Items of Ms. Datesh's Complaint Lack Merit Because the Arts Commission Complied With the Applicable Requirements of the Sunshine Ordinance.

All four components of Ms. Datesh's complaint lack merit because the Arts Commission complied with the applicable requirements of the Sunshine Ordinance. As noted above, under the Sunshine Ordinance the Arts Commission does not have the responsibility or the obligation to personally write to or notify individual members of the public regarding the Commission's meetings.

With respect to all of the meetings cited in Ms. Datesh's complaint,

the Arts Commission complied with all Sunshine requirements both in advance of each meeting through a properly noticed agenda and after the meeting, through publicly posted minutes. Specifically, the Arts Commission properly noticed the Committee's agendas by duly posting them more than 72 hours in advance of the meeting. Furthermore, the November 4, 2009 agenda clearly described Ms. Datesh's item: "**Action: Hearing and Possible Motion to approve or deny issuance of certificate for Paula Datesh.**" Similarly, the April 9, 2003 agenda also clearly described Ms. Datesh's item: "**Hearing and Possible Motion to Approve Issuance of Certificate or Renewal of Certificate – Paula Grundman**" [Datesh] . (Ms. Datesh was not an item of the August 22, 2007 agenda.) In so doing, the Commission offered both adequate prior notice and opportunity for the public to attend and comment on the item. Similarly, the Commission duly posted the minutes of each meeting and thus provided all members of the public with a summary of the outcome of the meeting. Both the agendas and the minutes are available at:

November 4, 2009 agenda (Street Artists Committee)
http://www.sfgov.org/site/sfac_page.asp?id=112900

November 4, 2009 minutes (Street Artists Committee)
http://www.sfgov.org/site/sfac_page.asp?id=114121

August 22, 2007 agenda (Street Artists Committee)
http://www.sfgov.org/site/sfac_page.asp?id=66009

August 22, 2007 minutes (Street Artists Committee)
http://www.sfgov.org/site/sfac_page.asp?id=67662

April 9, 2003 agenda (Street Artists Committee)
(agenda not available on Arts Commission website;
hardcopy hereby attached)

April 9, 2003 minutes (Street Artists Committee)
(minutes not available on Arts Commission website;
hardcopy hereby attached)

(Copies attached)

Because the Commission complied with the public meeting and agenda requirements of the Sunshine Ordinance with respect to the issue

of Ms. Datesh's request for a street artist certificate, all four items of Ms. Datesh's complaint are without merit.

We reiterate: No provision in the Sunshine Ordinance requires a Commission to provide any supplemental notice to any individual or member of the public. The Ordinance does not mandate that any individual must receive any special notice beyond that which is already provided to the public. On the contrary, and as noted above, the Sunshine Ordinance provides a standard set of notice/agenda and minutes requirements that are designed to give notice to all members of the public, not just to particular individuals. (S. F. Administrative Code Sections 67.6 – 67.7; 67.16 and 67.29-2.) Because the Sunshine Ordinance does not impose distinct or additional notice requirements for an individual regarding agenda items, the Task Force lacks jurisdiction to adjudicate the allegations of Ms. Datesh's complaint.

In summary, Ms. Datesh's complaint is outside of the jurisdiction of the Sunshine Task Force. Moreover, the Arts Commission fully complied with the public meeting and agenda requirements, and thus Ms. Datesh's complaint is without merit. We, therefore, respectfully request that the complaint be dismissed.

Sincerely,

Howard Lazar
Street Artists Program Director

Cc: The Honorable P. J. Johnston, President, Arts Commission
The Honorable Sherene Melania, Chairman, and Commissioners
John Calloway, Amy Chuang, Astrid Haryati - Street Artists
Committee
Mr. Luis R. Cancel, Director of Cultural Affairs
Ms. Jill Manton, Director of Programs

Sunshine Ordinance Task Force



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

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

**SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
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



STREET ARTISTS COMMITTEE

Wednesday, April 9, 2003

3:00 p.m.

25 Van Ness Avenue, Suite 70, San Francisco, California

Notices

Explanatory documents are available for public inspection and copying at the Arts Commission office, 25 Van Ness Ave, Suite 60, San Francisco, CA 94102 during regular business hours. Tel: 415-252-2581.

Minutes

Commissioners Present: Dugald Stermer, Rod Freebairn-Smith, Denise Roth

Commissioners Absent: Kirk Anderson

Staff Present: Richard Newirth, Director of Cultural Affairs; Howard Lazar, Street Artists Program Director; Antoinette Worthy, Certification Clerk

In attendance were Leigh Ann Baughman, Executive Director of Union Square Business Improvement District, Mathew Porkola, Chairman of Advisory Committee of Street Artists and Craftsmen Examiners, and street artists Oscar Bevilacqua, Linda Hagen, Kathleen Hallinan, Steve Kogan, Barbara Michalak, Susan Peté, Albina Pietrzak, Pamela Quattrochi, John Thomey, Sean Yore.

Commissioner Stermer, Chair, called the meeting to order at 3:30 p.m.

I. HEARING AND POSSIBLE MOTION TO APPROVE PROPOSAL BY PROGRAM DIRECTOR FOR STREET ARTIST SELLING SPACES ON JEFFERSON STREET, BETWEEN MASON STREET AND THE EMBARCADERO

In accord with the Arts Commission's September 9, 2002 vote to authorize the Program Director to draw a map of proposed street artist spaces on Jefferson Street, Program Director Howard Lazar submitted his drawings of 31 proposed spaces on Jefferson Street, north side, Mason to Powell Streets. He stated that the spaces would meet the public safety requirements of the street artists ordinance. He thanked street artists Kathleen Hallinan,

Oscar Bevilacqua, and Robert Siu for their assistance in surveying the proposed area and for their suggestion to place most of the spaces in front of the adjacent parking lot, rather than at curbside. Mr. Lazar further reported on a meeting he attended with Port Commission property managers of the Fisherman's Wharf area.

The Commissioners commented that the area of Jefferson Street in question was the site of public safety obstructions and other hazards created by unlicensed vendors, card-game hustlers, panhandlers, inebriates, and the homeless. The Commissioners observed that the proposal, if approved by the Board of Supervisors and the Port Commission, could replace these problems with a well-monitored and regulated program of licensed street artists selling in specific legal spaces. After discussion, Chairman Stermer directed Mr. Lazar to request the Port to place the proposal on the May 20th agenda of the Port's Fisherman's Wharf Waterfront Advisory Group and to present the proposal at the meeting.

II. HEARING AND POSSIBLE MOTION TO APPROVE ISSUANCE OF CERTIFICATE OR RENEWAL OF CERTIFICATE

Paula Grundman - Certificate # 5795 (expired December 27, 2002). Alleged violations: (1) Selling within five feet of a fire hydrant; (2) Selling in a location not designated by the Board of Supervisors, **2nd offense**; (3) Selling items not certified by the Arts Commission, **2nd offense**; (4) Conducting business in a disorderly, improper, hazardous manner by (a) threatening in writing a street artist and (b) threatening verbally, and disrupting the businesses of, street artists.

Ms. Grundman was not present. She had been notified that failure to appear could result in a Street Artist Committee recommendation of the penalty for the violations of which she had been charged.

Mr. Lazar clarified that, under the authority of the Arts Commission's Section 5 procedures, the Director of Cultural Affairs had withheld the issuance or renewal of Ms. Grundman's certificate because of the charges of selling items not certified by the Commission and of conducting business in a disorderly, improper, hazardous manner/threatening and disrupting the businesses of street artists. Such charges, according to the language of the procedures, belong to the category of "*serious violations*" which are considered by the Commission to include "*violations of a violent or threatening nature and violations that significantly threaten the integrity of the Street Artists Program.*"

Relative to these charges, the Program Director introduced as evidence the following documentary material and testimony of witnesses who responded to questions by the Commissioners:

Leigh Ann Baughman, Executive Director of Union Square Business Improvement District, testified to having observed Ms. Grundman on November 12, 2002, selling next to a fire hydrant on the southeast corner of Geary Street, at Stockton Street. Ms. Baughman further testified to having seen Ms. Grundman selling in other locations not designated by the Board of Supervisors. Mr. Lazar presented photographs of Ms. Grundman allegedly selling within five feet of the same fire hydrant on December 8, 2002.

The Program Director presented photographs of Ms. Grundman allegedly selling on November 10, 2002 in a location not designated by the Board of Supervisors: former temporary winter holiday space "Z-54" on Stockton Street, east side, at Geary Street. He

stated that he had previously received reports from other artists who said that Ms. Grundman had been selling in the space many times. Mr. Lazar had verbally warned her against continuing to do so. As Ms. Grundman last year had been found in violation and had been suspended for selling in an illegal location, the present incident constituted a second offense.

Mathew Porkola, Chairman of the Arts Commission's Advisory Committee of Street Artists and Craftsmen Examiners, testified to the written report, presented as evidence, that his committee had observed Ms. Grundman selling on November 16, 2002, items not certified by the Commission. The report said they were *"numerous mother of pearl and abalone non-artist made pendants suspended on non-adorned cords"* which Ms. Grundman *"declined to remove ..."* Mr. Porkola further stated that this was one of numerous instances in which his committee had observed Ms. Grundman selling items that were not certified and not of her own creation. Mr. Lazar pointed out that, as Ms. Grundman last year had been found in violation and had been suspended for selling uncertified items, the present incident constituted a second offense.

Mr. Lazar submitted a November 1, 2002 letter written by Ms. Grundman which stated: *"One day I will loose my cool and smack Ms. Thing"* (street artist Susan Pete). Former street artist Pamela Quattrochi testified to being in the space next to Albina Pietrzak on December 1, 2002 and witnessing Ms. Grundman harass and verbally threaten Ms. Pietrzak with the repeated words "You're going down." Street artist Barbara Michalak testified that Ms. Pietrzak, her 77-year-old mother, has a heart condition and, at the time of the incident, was recovering from heart surgery. Ms. Michalak also testified to having her own business disrupted many times during the course of the day of November 30, 2002, by Ms. Grundman. Street artist John Thomey testified to Ms. Grundman threatening him on October 19, 2002 with the statement "I am coming after you next" and disrupting a potential sale. Ms. Susan Pete corroborated Mr. Thomey's testimony and also described how she herself had been harassed on the same day by Ms. Grundman.

The Commissioners heard testimony regarding other incidents of alleged violation by Ms. Grundman:

Street artists Linda Hagen and Sean Yore testified to being harassed and threatened by Ms. Grundman on November 23, 2002 for a continuous five hours which resulted in their loss of business. They submitted photos of the incident that also depicted Ms. Grundman's table in an illegal location: the center of the sidewalk of Geary Street facing the Neiman-Marcus store.

Street Artist Steve Kogan testified to a December 22, 2002 incident in which the police had to be called to remove Ms. Grundman from the selling space ("Z-54") which belonged by lottery to Mr. Kogan and his unit member Ching Sun. After the police removed her, Mr. Kogan stated, Ms. Grundman thereafter "threatened" for the duration of the winter holiday season "that she was going to get us."

The Commissioners ascertained that no one was present to speak in Ms. Grundman's defense.

Commissioner Roth moved that Paula Grundman be found in repeated violations of the street artists ordinance by (1) selling within five feet of a fire hydrant; (2) selling in a location not designated by the Board of Supervisors, 2nd offense; (3) selling items not

certified by the Arts Commission, 2nd offense; and (4) conducting business in a disorderly, improper, hazardous manner by (a) threatening in writing a street artist and (b) threatening verbally, and disrupting the businesses of, street artists. The motion was seconded by Commissioner Freebairn-Smith and unanimously approved.

Commissioner Roth moved that issuance of a certificate to Ms. Grundman be denied; the motion was seconded by Commissioner Freebairn-Smith and unanimously approved.

HEARING AND POSSIBLE MOTION TO APPROVE ISSUANCE OF CERTIFICATE OR RENEWAL OF CERTIFICATE

Benjamin Delgado - Certificate # 5670. Alleged violation: Selling items not of the artist's own creation.

Mr. Delgado was not present. Program Director Lazar submitted a March 21, 2003 letter by Mr. Delgado which stated that he would not appear and that he wanted to accept the penalty for his violation and to have it commence as soon as possible.

Mr. Lazar presented a November 30, 2002 written report by the Advisory Committee of Street Artists and Craftsmen Examiners with accompanying photographs of Mr. Delgado allegedly selling items not of his own creation: leather and cowrie shell bracelets, metal and metallic cord necklaces, and commercially manufactured pendants on cords. Mr. Lazar also presented a June 29, 2002 report by the Advisory Committee which stated that Mr. Delgado had been warned against continuing to sell commercially manufactured pendants; photos of his display of these items had accompanied the report. At the invitation of the Program staff, Mr. Delgado, on February 27, 2003, had submitted wares to the Advisory Committee for the purpose of verifying whether he had created the items observed by the Committee. Based on the samples he presented, the Advisory Committee could not verify that the items in question were of his own creation.

Commissioner Roth moved that Benjamin Delgado be found in violation of the street artists ordinance by selling items not of his own creation; the motion was seconded by Commissioner Freebairn-Smith and unanimously approved.

Commissioner Freebairn-Smith moved that the certificate of Mr. Delgado be suspended for a period of two months; the motion was seconded by Commissioner Roth and unanimously approved.

III. HEARING AND POSSIBLE MOTION TO APPROVE RESCISSION OF AMENDMENT TO LOTTERY RULE V WHICH PROHIBITS ANY LOTTERY COMMITTEE MEMBER WHO HAS SERVED TWELVE (12) MONTHS CONSECUTIVELY FROM BEING CONSIDERED AT THE NEXT TIME OF THE COMMITTEE'S SELECTION OF MEMBERS

Lottery Committee members Kathleen Hallinan and Susan Pete expressed their support of rescinding the amendment. They explained that it was difficult to find street artists willing to serve on the Lottery Committee during slow season months, and that the present amendment to Lottery Rule V precluded any willing member who served for twelve consecutive months from continuing to serve. Ms. Hallinan explained the duties of the Lottery Committee members and the hours of service they entail.

Commissioner Freebairn-Smith moved to approve rescission of the amendment to Lottery Rule V for the duration of one year subject to the rescission's continuation unless a complaint warrants a new hearing on the issue. The motion was seconded by Commissioner Roth and unanimously approved.

There being no report by the Program Director and no new business to consider, Commissioner Stermer adjourned the meeting at 4:20 p.m.

Respectfully submitted:



Howard Lazar
Street Artists Program Director

April 11, 2003

[[ACCESSIBILITY INFORMATION](#) | [Street Artists Committee](#) | [Meetings Index](#)]

April 11, 2003



SAN FRANCISCO ARTS COMMISSION

GAVIN NEWSOM
MAYOR

LUIS R. CANCEL
DIRECTOR OF
CULTURAL AFFAIRS

April 15, 2010

The Honorable Richard Knee, Chairman
Honorable Members, Sunshine Ordinance Task Force
Compliance and Amendments Committee
c/o Chris Rustom, Deputy Administrator
Office of the Clerk, Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

PROGRAMS

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CIVIC DESIGN REVIEW
COMMUNITY ARTS
& EDUCATION
CULTURAL EQUITY GRANTS
PERFORMING ARTS
PUBLIC ART
STREET ARTISTS LICENSES

ARTS COMMISSION GALLERY
401 VAN NESS AVENUE
415.554.6080

WWW.SFARTSCOMMISSION.ORG

ARTSCOMMISSION@SFGOV.ORG

RE: Sunshine Ordinance Task Force - #10010 Paula Datesh v. Arts
Commission

Dear Committee Members:

With respect to Complaint #10010, Paula Datesh v. Arts
Commission, I, as custodian of the Arts Commission's Street Artists
Program records, will not be available to attend any hearing on the
complaint during the week of April 26 through 30 and the day of May 3,
2010. Therefore, I respectfully request a continuance of the matter.

Sincerely,

Howard Lazar
Street Artists Program Director



CITY AND COUNTY OF
SAN FRANCISCO

Cc: Mr. Luis R. Cancel, Director of Cultural Affairs
Ms. Jill Manton, Director of Programs