

Date: Oct. 26, 2010

Item No. 19

File No. _____

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Report: CAC meeting of October 12, 2010**
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Completed by: Chris Rustom

Date: Oct. 21, 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.

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**SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
DRAFT MEETING MINUTES
Tuesday, October 12, 2010
4:00 p.m., City Hall, Room 406**

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. and starting at 4:05 p.m.

Roll Call: Present: Washburn, Snyder, Knee, Wolfe (in at 5:15), Johnson

Deputy City Attorney: Jerry Threet (not present)

Clerk: Chris Rustom

Agenda Changes: None

1. Approval of March 9, 2010, meeting minutes.

Chair Washburn said the March 9, 2010, meeting minutes was approved during the September meeting.

2. Approval of August 10, 2010, meeting minutes.

Motion to approve August 10, 2010, regular meeting minutes (Knee / Snyder)

Public Comment: None

On the motion:

Ayes: Knee, Snyder, Johnson, Washburn

Motion passes.

3. Approval of September 14, 2010, meeting minutes.

Motion to approve August 10, 2010, regular meeting minutes (Knee / Snyder)

Public Comment: None

On the motion:

Ayes: Knee, Snyder, Johnson, Washburn

Motion passes.

4. Ethics Commission proposed policy for handling Sunshine-related complaints.

Chair Washburn invited open government advocate Allen Grossman to participate as a non-voting member of the committee.

The committee discussed the proposed policy and decided to make the following changes to "Attachment A: Ethics Commission regulations for complaints alleging violations of the Sunshine Ordinance."

I. PREAMBLE

Pursuant to San Francisco Charter section 15.102, the San Francisco Ethics Commission promulgates these Regulations in order to ensure compliance with the San Francisco Sunshine Ordinance, S.F. Admin. Code §§ 67.1, et seq. These Regulations shall apply only to complaints alleging willful violations of the Sunshine Ordinance and referrals from the Sunshine Ordinance Task Force. All matters involving alleged violations of conflict of interest, campaign finance, lobbyist, campaign consultant or other ethics laws shall be handled under the Ethics Commission's Regulations for Investigations and Enforcement Proceedings.

II. DEFINITIONS

D. "Complaint" means a printed or electronic written document alleging a violation of the Sunshine Ordinance filed with the Commission or the Sunshine Ordinance Task Force.

K. "Order of Determination" means a finding by the Task Force of a violation of the Sunshine Ordinance and instructions to the respondent for corrective action~~final recommendation issued by the Task Force concerning a violation of the Sunshine Ordinance.~~

L. "Referral" means a referral reference for enforcement and/or penalties from the Task Force to the Commission for non compliance with an Order of Determination,~~after the Task Force has issued an Order of Determination finding a violation of the Sunshine Ordinance.~~

M. "Respondent" means a person who is alleged or identified in a complaint to have violated~~committed a violation of~~ the Sunshine Ordinance.

III. COMPLAINTS ALLEGING VIOLATIONS OF THE SUNSHINE ORDINANCE.

A. Any person, including Commission staff, may file a complaint with the Commission or the Task Force alleging a violation of the Sunshine Ordinance. When the Executive Director and Commission receives a complaint the Ethics Commission shall forward it to the Task Force~~that the Task Force has not yet considered or that is still pending at the Task Force~~, the Executive Director may handle the complaint pursuant to Section IV of these Regulations or may, in his or her discretion, take no action until after the Task Force has issued an Order of

~~Determination or a final recommendation regarding the complaint.~~

B. ~~Upon receiving~~When the Executive Director receives a referral from the Task Force, the Executive Director shall schedule a hearing at the next regular meeting of the Commission and ~~shall, provided that: 1) the Executive Director~~ issue a written notice to each Respondent and the original Complainant (real party in interest) of the date, time and location of the hearing, at least 15 days in advance of the hearing date. The Executive Director shall also provide a courtesy notice to the Task Force. Such hearings shall otherwise be governed by the provisions of Section V of these Regulations.

C. If the Task Force or a Complainant notifies the District Attorney or California Attorney General of a violation or alleged violation of the Sunshine Ordinance, the Executive Director shall not take action on the referral or complaint regarding that violation or alleged violation until at least 40 days after the complaint is filed with the Task Force~~notification date~~.

IV. INVESTIGATIONS; REPORT AND RECOMMENDATION

Chair Washburn requested Mr. Grossman to provide suggested language for this section.

V. HEARING

Chair Washburn requested Mr. Grossman to consult with Member Snyder and ask him to provide suggested language for this section.

5. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None.

6. Public Comment on items not listed on the agenda: None.

7. Announcements, questions, and future agenda items from Committee members.

None

Adjournment

The meeting adjourned at 7:58 p.m.

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