

Date: November 30, 2010

Item No. 20
File No. _____

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Complaint Committee Report**
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Completed by: Chris Rustom

Date: Nov. 23, 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.



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

**SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
DRAFT MINUTES**

Tuesday, November 9, 2010
3:30 p.m., City Hall, Room 406

Committee Members: James Knoebber (Chair), Richard Knee, Allyson Washburn
Call to Order: 3:30 p.m.
Roll Call: Present: Knoebber, Knee, Washburn
Agenda Changes: None
Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

1. Approval of October 12, 2010, regular meeting minutes.

Motion to approve October 12, 2010, regular meeting minutes (Knee / Washburn)

Public Comment: None

On the motion:

Ayes: Knee, Washburn, Knoebber

Motion passes.

2. 10052 Determination of jurisdiction on complaint filed by Kai Wilson against the private non-profit North of Market/Tenderloin Community Benefit District for allegedly not responding to an Immediate Disclosure Request seeking the release of certain correspondence between staff and current as well as past members of the Board of Directors.

Complainant Kai Wilson said the CBD should be transparent so that the public will know what it is doing. She said there is jurisdiction because the Ordinance states in Section 67.5 that all meetings of a policy body are to be open and public, and Section 67.3(d)(3) says a policy body shall mean any board, commission, committee, or other body created by ordinance or resolution of the Board of Supervisors. She also said she read the management plan while serving as a member of the Community Benefit District Board. The document,

she said, mentions that CBDs are approved by resolution of the Board of Supervisors. Thomas Picarello, a Tenderloin resident and an occasional participant in the North of Market/Tenderloin Community Benefit District, said the 13 CBDs in San Francisco are the creations of the Board of Supervisors by way of legislation. He asked for citizens to be able to participate in the process.

Respondent Elaine Zamora, District Manager for the North of Market/Tenderloin Community Benefit Corporation, said she agreed with the deputy city attorney's assessment that the Sunshine Ordinance Task Force did not have jurisdiction on the matter.

Member Knee said there is jurisdiction because the CBD was created by the Board of Supervisors by resolution as in Section 67.3(d)(3) and therefore is a policy body.

Member Washburn agreed.

Motion to find jurisdiction: (Knee / Washburn)

Public Comment: None

On the motion:
Ayes Knee, Washburn
Noes: Knoebber

Motion passes.

3. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None

4. Public comment for items not listed on the agenda: None.

5. Announcements, comments, questions, and future agenda items from Committee members: None.

Adjournment

The meeting adjourned at 3:48 p.m.

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

