

Date: Nov. 18, 2010

Item No. 1

File No. _____

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Draft Minutes: Task Force June 22, 2010, regular meeting**
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Completed by: Chris Rustom

Date: Nov. 12, 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.

Sunshine Ordinance Task Force



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

Tuesday, June 22, 2010
4:00 p.m., City Hall, Room 408

Task Force Members

- | | | | |
|--------|----------------------|------------|--------------------------|
| Seat 1 | David Snyder | Seat 8 | Bruce Wolfe (Vice chair) |
| Seat 2 | Richard Knee (Chair) | Seat 9 | Hanley Chan |
| Seat 3 | Sue Cauthen | Seat 10 | Hope Johnson |
| Seat 4 | Suzanne Manneh | Seat 11 | Marjorie Ann Williams |
| Seat 5 | Allyson Washburn | | |
| Seat 6 | James Knoebber | Ex-officio | LaTonia Stokes |
| Seat 7 | Nick Goldman | Ex-officio | (Vacant) |

Call to Order 4:18 p.m.

Roll Call Present: Snyder, Knee, Cauthen, Washburn, Knoebber, Goldman, Wolfe (in at 4:23), Chan, Johnson, Williams
Excused: Manneh

Agenda Changes: Item 25 heard first. Item 15 and 16 heard before Item 6. Item 29 heard before Item 8.

Deputy City Attorney: Jerry Threet
Clerk: Chris Rustom

Motion to bring forward Item 27 (Sunshine Awards) (Cauthen / Chan)

Education, Outreach and Training Committee Chair Hanley Chan said the matter needs to be brought forward and heard while a majority of the members was present.

Public Comment: Peter Warfield said it should not be moved because it did not have supporting documents. Kimo Crossman was against the motion because there were a number of people in the audience who were waiting to have their matters heard.

On the motion:
Ayes: Cauthen, Chan, Williams
Noes: Washburn, Knoebber, Goldman, Johnson, Knee
Abstain: Snyder

Motion fails

1. Approval of March 23, 2010, regular-meeting minutes.

Chair Knee made a motion to continue the March 23, 2010, regular-meeting minutes. Without objection.

2. Approval of May 4, 2010, special-meeting minutes.

Motion to approve May 4, 2010, special-meeting minutes (Knoebber / Goldman)

Public Comment: None

On the motion

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

3. Approval of May 11, 2010, special-meeting minutes.

Motion to approve of May 11, 2010, special-meeting minutes (Goldman / Knoebber)

Chair Knee made a motion to continue the May 11, 2010, special-meeting minutes. Without objection.

4. Approval of May 25, 2010, regular-meeting minutes.

Chair Knee made a motion to continue the May 25, 2010, regular-meeting minutes. Without objection.

5. Approval of June 1, 2010, special-meeting minutes.

Chair Knee made a motion to continue the June 1, 2010, special-meeting minutes. Without objection.

6. Special recognition to Erica Craven-Green and Doyle Johnson for their community service as members of the Sunshine Ordinance Task Force.

Chair Knee thanked former member Erica Craven-Green and former member Doyle Johnson for their contributions to the Task Force and Sunshine in general. He then presented each of them with a certificate of honor.

Ms. Craven-Green said volunteering on the Task Force was always a challenge, but at the same time it was rewarding to be serving the residents of the City and County of San Francisco.

Mr. Johnson said he takes away an experience that will always make him a Sunshine advocate.

Members of the Task Force then had words of praise for the two ex-members. Public Comment: Kimo Crossman said the Task Force has suffered a loss with the departure of Ms. Craven-Green and Mr. Johnson. Peter Warfield praised their conscientious effort and said it was commendable.

7. 10012 Hearing on the status of the April 27, 2010, Order of Determination of Ellen Tsang against the Planning Department.

Complainant Ellen Tsang said her complaint centers around a document that caused the Planning Department to complain to the Building Department that a shed at 769 North Point Street was not within specifications. She said she wanted to know where the complaint was generated and the exact description of the complaint. Planner Jonas Ionin, she said, has said he made the complaint while doing a site visit to 2642/2644 Hyde Street two years ago. Mr. Ionin, she said, has not told her who he made the complaint to, the description of the complaint as well as the time and date of the site visit. Who ever makes a complaint has to fill out a form similar to the one she passed out a few minutes ago, she said. The record exists and is being withheld from her, she said. By their actions, the Planning Department is willfully violating the Task Force's Order of Determination, she said. She asked that the department be found in willful failure and official misconduct. Anonymous Tenants said this is a continuing saga between them and the department, which continues to withhold information. Ray Hartz said he overheard Ms. Tsang asking Mr. Ionin for the document and that the planner replied in the negative. He said it is time for the department to give Ms. Tsang and Anonymous Tenants the documents they want and move on.

Brian Smith, Director of Information Technology and acting Custodian of Records for the Planning Department, said on March 24 Ms. Tsang had emailed Agnes Lau, who was out of the office from March 17 to April 16. Ms. Lau on her return to work forwarded her email to him and Mr. Ionin, who responded on April 23 by saying that responsive documents had been attached. He said Ms. Tsang responded by asking for subsequent documents.

Motion to forward the Order of Determination to the Board of Supervisors for their consideration when discussing the Planning Department's budget. (Wolfe / Goldman)

Public Comment: Kimo Crossman said he wants to know what records mentioned in the original request has she not received. He suggested finding the department head guilty of official misconduct and send it to the Ethics Commission rather than the Board of Supervisors. Peter Warfield said he was not clear on the details of the case and questioned Mr. Smith's presence when the request for information was sent to Ms. Lau. He asked the Task Force to inquire as to what was requested and what was provided. Ray Hartz said he has been copied on many of the email exchanges Ms. Tsang has had with the Building Department and noticed that they were giving her the run around. He said he does not have a lot of faith in what Mr. Smith says because of a previous encounter.

On the motion:

Ayes: Snyder, Washburn, Wolfe, Chan, Williams

Noes: Cauthen, Knoebber, Goldman, Johnson, Knee

Matter fails. Matter concluded.

8. 10009 Hearing on the status of the May 25, 2010, Order of Determination of Majeid Crawford against the City Attorney's Office.

Complainant Majeid Crawford said he has not received any responses to the questions he had asked the City Attorney's Office. However, he said, the office had provided him with a document that explains the office's billing protocols. The document, he said, answered two of the questions and nothing else. He claimed that the office has the information he sought.

Respondent Matt Dorsey, Communications Director with the Office of the City Attorney, said his job is to work with members of the public to provide public information. The office, he said, does not have a database that identifies all the RFPs and the RFQs. He said he is willing to work with Mr. Crawford until they reach a mutually agreeable position because it was more cost-effective to having the question answered rather than taking up the Task Force's time to hold hearings. He also said that he could do a query into the CAO's files but the results will not be a true picture. He also said the office charges departments about \$200 an hour. He said no deputy city attorney time has been billed to the Fillmore Muni substation as yet.

In closing, Mr. Dorsey said the issuance of the Order of Determination should not be seen by Mr. Crawford as shutting him out. He said he will be giving him his card and continue trying to help him regardless of the outcome of today's hearing.

To Chair Knee, respondent agreed original CAO respondent Jack Song had reasonable time to respond to the Order of Determination prior to going on vacation but had not contacted the complainant.

Mr. Crawford said there are so many reports produced by the CAO that he is willing to do the research himself.

Motion to refer matter to the Ethics Commission for willful violation. (Knee / Washburn)

Public Comment: Ray Hartz said the CAO is waiting for the very last minute to avoid being taken to task. That gives them an incentive to do it in the future, he said. Peter Warfield said the department did not follow the Order of Determination and did not assist the complainant as required by law.

On the motion:

Ayes: Snyder, Knee, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

Motion to find violation of Sec. 67.21(e) for not sending a knowledgeable representative. (Cauthen / Goldman)

Public Comment: None

On the motion:

Ayes: Washburn, Wolfe, Chan, Johnson, Williams, Knee

Noes: Snyder, Cauthen, Knoebber, Goldman

Motion passes.

9. 10015 Hearing on the status of the May 25, 2010, Order of Determination of Ellen Tsang against the Planning Department.

Complainant Ellen Tsang said the Planning Department has partially complied with the Order of Determination. She said the department has told her that they do not have any plans in hand because it has all been submitted to the Department of Building Inspection. The photos, she said, she will get from the department because Planner Jonas Ionin has informed her of its existence. He has also provided a copy of the legal description. Mr. Jonas has not produced sketches of her Plot Plan and Second Floor Plan, she said. Anonymous Tenants said Mr. Ionin is on record as saying that he has all the documents that Ms. Tsang wants. He also said Ms. Tsang asked Mr. Ionin after the last hearing whether he will provide the documents. Mr. Ionin, he said, told Ms. Tsang that he would not.

Brian Smith of the Planning Department said Ms. Tsang asked for five documents on May 24 and was told three days later by Mr. Ionin that the first document could be reviewed at the Department of Building Inspection, the second document can be reviewed at the Planning Department, copies of the third, fourth and fifth documents were available at the department. Mr. Ionin also attached three of the documents that were in electronic format. He said the department is trying to help the complainant every step of the way.

In closing, Mr. Smith said the department is not trying to deny Ms. Tsang any document. The department, he said, is providing what it has in a timely and efficient manner.

Ms. Tsang said the department can come to her and show her the five documents and that at the time of her request document one was still in the department's possession.

Motion to refer matter to the Ethics Commission for willful violation. (Wolfe / Williams)

Public Comment: Kimo Crossman said when a department does not want to provide a certain record they never provide the correct document. He said the documents could have been emailed to the complainant than having her go

and look at it. Ray Hartz said he overheard the conversation Ms. Tsang had with Mr. Ionin. He also said the department forces complainants to have to speak with several people and when they go to the office that employee is not there. Mr. Ionin, he said, should be found in willful violation.

On the motion:

Ayes: Washburn, Wolfe Chan, Johnson, Williams, Knee

Noes: Snyder, Cauthen, Washburn, Knoebber

Motion passes.

10. 10016 Hearing on the status of the May 25, 2010, Order of Determination of Ray Hartz against the Rent Board.

Complainant Ray Hartz said he has received the information he wanted and was satisfied.

Respondent Tim Lee said he's happy to hear Mr. Hartz confirm that the Order of Determination had been met.

In closing, Mr. Hartz said he did what he had to do because he wanted to make sure that City employees know they have the responsibility to respond to Sunshine requests.

Public Comment: Kimo Crossman said he has informed the Rent Board that meeting recordings can be made with a laptop, a cell phone and a commercial recorder for \$25.00.

Matter concluded.

11. 10010 Determination of jurisdiction on complaint filed by Paula Datesh against the Arts Commission for allegedly not notifying her of an agenda item.

Continued to July 27, 2010, meeting.

12. 10010 Hearing on complaint filed by Paula Datesh against the Arts Commission for allegedly not notifying her of an agenda item.

Continued to July 27, 2010, meeting.

13. 10018 Determination of jurisdiction on complaint filed by Svetlana Ptashnaya against the Department of Aging and Adult Services for allegedly refusing to furnish the results of an investigation filed against Adult Protective Services employee Ethelbert Ogbuehi.

Motion to find jurisdiction (Goldman / Cauthen)

Public Comment: None.

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe Chan, Johnson, Williams, Knee

Motion passes.

14. 10018 Hearing on complaint filed by Svetlana Ptashnaya against the Department of Aging and Adult Services for allegedly refusing to furnish the results of an investigation of a complaint filed against Adult Protective Services employee Ethelbert Ogbuehi.

Complainant Svetlana Ptashnaya said she complained to Department of Aging and Adult Services' Adult Protective Services Program Manager Julie Peck on February 10, 2010, about a certain encounter she had with APS employee Ethelbert Ogbuehi the previous day and requested that his actions toward her be investigated and the findings be released to her. She said on March 5, 2010, APS Program Supervisor Cindy E. Rasmussen responded by saying that an investigation was done but because all APS investigations were considered confidential the results could not be released. She promised Ms. Ptashnaya that the matter had been fully investigated and that appropriate steps had been taken. Ms. Ptashnaya also said she contacted Department of Human Services Director Trent Rhorer and his executive director E. Anne Hinton responded by stating that all APS investigations were not disclosable under state law.

The responding department was not represented. There was also no one in the audience to speak or present facts and evidence on behalf of the respondent.

It was noted that the Department of Human Services had informed the Task Force that it did not have jurisdiction over the matter and that the requested information was protected under the State of California's Welfare and Institutions Code, Sections 15630 and 10850.

In closing, Ms. Ptashnaya said if the department released the findings it would prove that her complaint against Mr. Ogbuehi was justified.

Members agreed with the department that state law covered information related to the department and its clients, but Ms. Ptashnaya's request was on a distinctly separate issue. Her request, they agreed, was for information related to an employee's disciplinary hearing and documents related to it should have been released. Members said the department could have redacted parts of the document it believed that the release of such information compromised any welfare case. They were also disappointed that the department, as required by law, did not send a representative to state and defend their case.

Motion to find violation of Sections 67.21(c) for not assisting the requestor, 67.21(e) for not sending a knowledgeable representative to the hearing, 67.24(c)(7) for not releasing documents related to employee misconduct and 67.27 for not providing justification for withholding information. (Wolfe / Goldman)

Public Comment: Kimo Crossman said the case reminded him of the District Attorney's Office claim that all criminal and administrative investigations were not disclosable under the law.

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

Matter forwarded to July 13, 2010, Compliance and Amendments Committee meeting.

15. 10019 Determination of jurisdiction on complaint filed by Alvin Xex against the Children and Families Commission for allegedly violating Sunshine Ordinance Sections 67.27, 67.31 & 67.35.

Motion to find jurisdiction (Goldman / Knoebber)

Public Comment: None

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

16. 10019 Hearing on complaint filed by Alvin Xex against the Children and Families Commission for allegedly violating Ordinance Sections 67.27, 67.31 & 67.35.

The complainant was not present. There was no one in the audience to present facts and evidence on behalf of the complainant.

The respondent was not present. There was no one in the audience to present facts and evidence on behalf of the respondent.

Chair Knee moved to table the item. Without objection.

17. 10022 Determination of jurisdiction on complaint filed by Suzanne Dumont against the Recreation and Park Department for allegedly refusing to adhere to a Public Records Request.

Motion to find jurisdiction (Goldman / Knoebber)

Public Comment: None.

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Johnson, Williams, Knee

Motion passes.

18. 10022 Hearing on complaint filed by Suzanne Dumont against the Recreation and Park Department for allegedly refusing to adhere to a Public Records Request.

Complainant Suzanne Dumont said she twice sought the names of panelists considering the Stow Lake Boathouse Concession RFQ and in both cases was turned down. She said the first request was made to Nick Kinsey, Property Manager for the Recreation and Park Department. A second request was made to Olive Gong, the department's Custodian of Records. Both of them, she said, responded by saying that at the advice of the City Attorney's Office the names would be released at the end of the selection process. Ms. Dumont pointed out that Section 67.24(e) refers only to RFPs and not RFQs. She also said the department has made the names of other panelists known to the public and was at a loss to understand the need for secrecy in this instance.

Mr. Kinsey said the City Attorney's Office has advised the department that Section 67.24(e)(1) prohibits it from releasing the names until after the selection process ends. That message, he said, was conveyed to Ms. Dumont. He said he received the same advice when he received the second request from Ms. Dumont. The City needs to protect the integrity of the process, he said.

Chair Knee said the question is do RFQs fall under "all other records of communications between the department and persons or firms seeking contracts" as mentioned in Section 67.24(e)(1).

Member Snyder said the second part of Section 67.24(e)(1) does not prohibit the release of information. In plain English, he said, it would mean to say that a department can release the information at any stage of the process but must release it at the end of the selection process.

DCA Threet agreed with Member Snyder but cautioned that the Administrative Code could have certain rules and regulation concerning contracts and awards.

Member Snyder added that it was the duty of the department to cite the authority if other laws were applicable in this case. That, he said, violated Section 67.27.

Member Cauthen said the complainant has included numerous examples of panelist names being made known to the public and the Stow Lake Boathouse Concession RFQ should not be an exception.

Member Johnson suggested the intent of Section 67.24(e)(1) appeared to be protecting the bidding parties not the reviewers.

Member Wolfe said the process was put in place so that competitors did not get to see each other's RFPs and not about the people making decisions.

In closing, Mr. Kinsey said he believed the department made the correct determination based on advice from the CAO.

Ms. Dumont said the department has on numerous times claimed that it was withholding the information because of the need to protect the integrity of the process. She said she is not a competitor and was not asking for fiduciary information. Her main interest, she said, she wanted to know who is on the panel because panelists are paid very well by taxpayers. Another reason was because her group has been excluded in the process and wanted to participate.

Motion to find violation of Section 67.27 for failure to cite the specific statutory authority for withholding the information. (Snyder / Goldman)

Public Comment: Kimo Crossman said he thinks the names should be redacted but not the qualifications because the public needs to know the caliber of the panelists. He said he has also suggested in the amendments that the scoring sessions be recorded so that the public gets to know the fairness of the process. Bill Aldred said the process needs to be rewritten to address the issue of the panelists. He favored the release of the names before the end of the process.

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe Chan, Johnson, Williams, Knee

Motion passes.

Matter forwarded to July 13, 2010, Compliance and Amendments Committee meeting.

19. 10024 Determination of jurisdiction on complaint filed by Ray Hartz against the Police Department for alleged failure to comply with requirements of Section 67.29.

Motion to find jurisdiction (Goldman / Knoebber)

Public Comment: None.

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

Member Chan disclosed that his financial relationship with the Police Department has ended.

20. 10024 Hearing on complaint filed by Ray Hartz against the Police Department for alleged failure to comply with requirements of Section 67.29.

Complainant Ray Hartz said this was not a repeat of a prior case. He said the department's response to his complaint said that the alleged violation was not their responsibility. That was not the issue, he said. The issue was what was on the website. He said the Ordinance says that the index shall be for the use of City officials, staff and the general public, and shall be organized to permit a general understanding of the types of information maintained, by which officials and departments, for which purposes and for what periods of retention, and under what manner of organization for accessing, e.g. by reference to a name, a date, a proceeding or project, or some other referencing system. What the department has done is produce a set of links that end with the retention schedule, he said. There is no explanation what the documents are, where they are kept and how they are organized. It's akin to having a library that does not have a catalogue, he said.

The responding department was not represented. There was also no one in the audience to speak or present facts and evidence on behalf of the respondent.

Member Wolfe wanted to know why Mr. Hartz did not include the Office of the City Administrator in the complaint because the office is mentioned several times in Section 67.29. The Ordinance, he said, also mentions that the City Administrator report to the Sunshine Ordinance Task Force. He asked the clerk if the City Administrator had provided progress report or had he seen any related documents. The clerk replied in the negative to both questions.

Member Washburn said the Police Department had said during their previous appearances before the Task Force that they would have meaningful information on the website and not their retention policy.

Members Cauthen and Knee wanted to continue the item.

Member Wolfe said he would move to find violation of Section 67.29 and have the Police Department appear before the Compliance and Amendments Committee and make a presentation.

Member Cauthen wanted to add Sec. 67.21(e) because the department did not send a representative.

In closing, Mr. Hartz said the Index is very important for a citizen who is researching an issue and helps that person in making a specific request. The intention of the Section 67.29 was to have an index of records and what the department has done does not meet the spirit and letter of the law, he said.

Motion to continue matter to the July 27, 2010, meeting. (Wolfe / Cauthen)

Motion to find violation of Sec 67.21(e) for not sending a representative (Cauthen / Goldman)

Public Comment: None

On the motion to find violation:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

Chair Knee asked that Jill Lerner of the City Administrator's Office be requested to attend the July 27, 2010, meeting.

Member Wolfe said he would draft a letter to the Department of Technology about the Index because the department is about to move over to the Microsoft enterprise platform.

Chair Knee agreed to add his signature. Without objection.

On the motion to continue:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

Chair Knee also asked the clerk to ask the Department of Technology to send a person who knows about the Index of Records to attend the next meeting.

21. 10025 Determination of jurisdiction on complaint filed by Ray Hartz against the Police Commission for alleged failure to comply with requirements of Section 67.29.

Chair Knee suggested having this item as same house same call as #10024.

The complainant disagreed.

Motion to find jurisdiction (Goldman / Cauthen)

Public Comment: None.

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

22. 10025 Hearing on complaint filed by Ray Hartz against the Police Commission for alleged failure to comply with requirements of Section 67.29.

Complainant Ray Hartz said when a person is in charge of something that person has the responsibility of carrying out the task properly. The same applies when the task is delegated to someone else. If that happens, that person needs to follow up and see if the task is being undertaken properly. The Police Commission, he said, has delegated the Police Department to take

care of their index issue and they have been let down miserably. All the department has done for the commission is to put up a list that is not meaningful, he said. The commission is responsible for insuring that the department follows the law and it needs to let the department know that it has to do what it is supposed to do, he said. He also said the commission has added responsibility because it has civilian oversight over the department.

The responding department was not represented. There was also no one in the audience to speak to or present facts and evidence on behalf of the respondent.

Member Wolfe noted that the department in its correspondence to the Task Force acknowledges responsibility for noticing the index and not for its disappearance. He also added that Mr. Hartz is suggesting that the content and required detail were not in compliance as in the previous case.

In closing, Mr. Hartz said his claim was simply that the commission violated Sec 67.29 by not doing what they were supposed to do. He said he did not feel that he had to provide a detailed complaint and that the department assumed what the complaint was about. The commission he said did not show good faith in trying to resolve the issue but instead penned a letter that said the matter was taken care of and decided not to show up.

Motion to find violation of Sec. 67.29 for not having a complete Index of Records and Sec. 67.21(e) for not sending a knowledgeable representative (Wolfe / Goldman)

Public Comment: None

On the motion:

Ayes: Snyder, Cauthen, Washburn, Knoebber, Goldman, Wolfe, Chan, Johnson, Williams, Knee

Motion passes.

Matter forwarded to July 13, 2010, Compliance and Amendments Committee meeting.

23. Report: Complaint Committee: meeting of June 8, 2010.

Complaint Committee: Chair Nick Goldman made the report.

24. Report: Education, Outreach and Training Committee meeting of June 10, 2010. (Hanley Chan)

Education, Outreach and Training Committee Chair Hanley Chan made the report.

25. Election of Officers: Chair and Vice-Chair to serve from July 1, 2010, to June 30, 2011.

Motion to nominate Member Knee as chair (Goldman / Knoebber)

Motion to nominate Member Wolfe as chair (Williams / Cauthen)

Member Cauthen said she was concerned by the direction the Task Force was taking and one of the reasons was because of the amount of time being spent on the proposed Sunshine Ordinance amendments. She said the Task Force failed to take it to the ballot in 2008 and again this year. She said internal deadlines were needed to get the document to the Supervisors on time. She noted that the Task Force met six times in six weeks but was only able to move from Sections 67.23 to 67.24 and then back again to 67.23. She wanted to know what the nominee would do to accelerate that process.

Member Knee said there was a plan but a number of events slowed down the process. One of the issues was that not enough members were present to hold a meeting and at some meetings quorum was lost after a brief period. He pointed out that the record would show that Member Cauthen was one of the members who had to leave early frequently because of other obligations. He emphasized that his attention to her attendance was not to disparage her. He said the process was also lengthened by the informative and constructive suggestions made by members of the public. He said the Compliance and Amendments Committee provided the Task Force with its recommendations, but the Task Force was not able to complete its work in time for the November ballot. He said it was not the fault of any particular member. Going forward, he said, special meetings would be called with the aim of putting the amendments on the November 2011 ballot.

Member Cauthen also wanted to know the status of the annual report.

Member Knee said the Task Force will get the draft report before the July 27 meeting and it would be forwarded to the Supervisors after it was finalized.

Public Comment: Kimo Crossman said he supported Member Knee. Ray Hartz also was in support of Member Knee. Ellen Tsang spoke in favor of Member Knee. Peter Warfield spoke in favor of Member Knee. Anonymous Tenants also spoke in favor of Member Knee.

Members voting for Member Knee as chair were Members Snyder, Washburn, Knoebber, Goldman, Johnson and Knee

Members voting for Member Wolfe as chair were Members Cauthen, Chan, Williams, and Wolfe

Member Knee wins vote.

Motion to nominate Member Washburn as vice chair (Goldman / Knee)

Motion to nominate Member Wolfe as vice chair (Chan / Cauthen)

Public Comment: Peter Warfield any one of the two nominees is qualified for the position. Kimo Crossman, Ellen Tsang and Anonymous Tenants shared Mr. Warfield's sentiments.

Members voting for Member Washburn as vice chair were Members Washburn, Goldman, and Knee.

Members voting for Member Wolfe as vice chair were Members Snyder, Cauthen, Knoebber, Wolfe, Chan, Johnson and Williams.

Member Wolfe wins vote.

26. Task Force regular-meetings schedule -- possible change from Tuesdays

Members decided not to change the days because of other obligations.

27. Sunshine Award. Schedule, press release, logistics.

Matter sent back to the Education, Outreach and Training Committee.

28. Administrator's Report.

Mr. Rustom made the report.

29. Public comment on matters not listed on the agenda. Public comment shall be taken at 5:00 p.m., or as soon thereafter as possible.

Ray Hartz said the Task Force should set an example to other boards and commissions by attending meetings regularly and fully participate in deliberations. Peter Warfield of the Library Users Association said he wants to know what the outcome was on a complaint he filed against the Historic Preservation Committee. Kimo Crossman said the Task Force needs to take Sec. 67.29-7 seriously and find for the complainants if there is a possibility that a certain document existed but was not provided.

30. Announcements, comments, questions, and future agenda items from the Task Force.

Adjournment:

The meeting was adjourned at 11:04 p.m.

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

