



**SUNSHINE ORDINANCE TASK FORCE**  
**Education, Outreach and Training Committee**  
**CITY AND COUNTY OF SAN FRANCISCO**  
**MINUTES**  
**REMOTE REGULAR MEETING**

**If you wish to make a statement during general Public Comment, please press \*6 and unmute your telephone to speak. Please press \*6 to mute your telephone once you are done with your statement.**

**March 23, 2021 - 5:30 PM**

**Regular Meeting**

**Members:** Chris Hyland (Chair), Dean Schmidt and Jaya Padmanabhan

**Remote Access to Information and Participation**

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference.

Members of the public may participate by phone or may submit their comments by email to: [Cheryl.Leger@sfgov.org](mailto:Cheryl.Leger@sfgov.org); all comments received will be made a part of the official record. Sunshine Ordinance Task Force agendas and their associated documents are available at <https://sfbos.org/sunshine>.

**PUBLIC COMMENT CALL IN**

**1-415-906-4659**

**Meeting ID: 235 295 697#**

As the COVID-19 disease progresses, please visit the Sunshine Ordinance Task Force website regularly to be updated on the current situation as it affects the legislative process.

**Meeting Decorum:** Any member of the Sunshine Ordinance Task Force may call for decorum due to disorderly conduct of meeting participants. Persons who engage in threatening and/or menacing behavior may be asked to leave.

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

- a) Shall the Education, Outreach and Training Committee waive Complaint Procedure Rules to allow more than two complaints to be heard in the same meeting by the same complainant?

Chair Hyland called the meeting to order at 5:45 p.m. On the call of the roll Chair Hyland and Members Schmidt and Padmanabhan were noted present. A quorum was present.

There were no agenda changes.

**Action: Moved by Chair Hyland, seconded by Member Padmanabhan, to waived SOTF Procedures to allow more than two complaints for the same Petitioner to be heard in the same meeting.**

Public Comment:

Peter Warfield, Library Users Association, commented on the combining of multiple complaints.

Anonymous expressed support of the motion.

**The motion PASSED by the following vote:**

Ayes: 3 - Schmidt, Padmanabhan, Hyland

Noes: 0 - None

2. **Adoption of the minutes for the May 21, 2019, Education, Outreach, and Training Committee meeting.**

**Action: Moved by Chair Hyland, seconded by Member Schmidt, to approve the May 21, 2019, meeting minutes and amend to note that Chair Josh Wolf was noted absent, and Member Hyland assumed the duties of the Chair.**

Public Comment:

Peter Warfield, Library Users Association, expressed concern with the age of the minutes.

Anonymous noted possible issues with listed Chair of the meeting.

**The motion PASSED by the following vote:**

Ayes: 3 - Schmidt, Padmanabhan, Hyland

Noes: 0 - None

3. **Public Comment:** Members of the public may address the Education, Outreach and Training Committee on matters that are within the Committee's jurisdiction but not on today's agenda.

Speakers:

Peter Warfield, Library User Association, thanked the clerk for requesting parties to state their name, thanked the Chair for providing clarification, and questioned the purpose of the meeting.

Anonymous provided information on their complaints regarding Prop. G and requested training department heads. Anonymous stated that the SOTF should look into the use of personal electronics for city business.

4. **File No. 20078:** Complaint filed by Jared Cooper against Fire Department and John Tucker for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.25, by failing to respond to a public records request in a timely and/or complete manner. (00:22:40 – 00:38:00)

Jared Cooper (Petitioner) responded to questions from the Committee and noted that the responses were not provided in a timely manner. Mr. Cooper stated that the Fire Department has recently provided additional documents that fulfilled the request.

Jesusa Bushong (Fire Department) (Respondent), responded to questions from the Committee. Ms. Bushong stated the due to the health emergency and creations of separate email addressed for different issues some requests were temporarily misdirected.

**Mr. Cooper withdrew his complaint after testimony during the meeting.**

5. **File No. 20082:** Complaint filed by Library Users Association against the Library Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.15 by failing to allow participation in public comment during a remote Library Commission meeting. (00:38:38 – 01:03:07)

Peter Warfield, Library Users Association (Petitioner) provided a summary of the complaint and responded to questions from the committee. Mr. Warfield stated that the Library Commission denied public comment on a certain item and described his experience with the Library Commission public comment process. Mr. Warfield stated that adequate instructions and opportunity were not provided for public comment.

Margot Shaub (Library Commission) (Respondent), provided a summary of the department's position and responded to questions from the committee. Ms. Shaub stated that instructions were provided to Mr. Warfield and that many opportunities were provided to allow public comment.

The Committee suggested that the Respondent provide information on the call-in process.

**Action: Moved by Chair Hyland, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.**

Public Comment:

Anonymous noted that an opportunity for public comment be provide and explained the used of WebEX for public comment and possible problem.

**The motion PASSED by the following vote:**

Ayes: 3 - Schmidt, Padmanabhan, Hyland

Noes: 0 - None

The Chair requested that Items No. 6, 7 and 8 (File Nos. 20086, 20087 and 20088) be called and heard at the same time.

6. **File No. 20086:** Complaint filed by Anonymous against Supervisor Matt Haney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.3(a)(d), by failing to provide notice of a meeting of a policy body, 67.5 failing to allow open and public meetings, 67.6 failing to post the time and place for the meeting and 67.8. by failing to allow agenda disclosures. (01:03:45 – 01:50:00)

The Petitioner and the Respondent were not present at the meeting.

**Action: Moved by Chair Hyland, seconded by Member Padmanabhan, to continue File Nos. 20086, 20087 and 20088 to the call of the chair.**

The committee requested that the matters be noticed and heard together.

Public Comment:

Peter Warfield, Library Users Association, noted that the presence of the complainant is not requirement by law and the complaint should proceed. Anonymous noted that the matter shouldn't be tabled due to a clerical error and bad email address by the SOTF staff.

Anonymous provided a summary of the code related to the complaint.

**The motion PASSED by the following vote:**

Ayes: 3 - Schmidt, Padmanabhan, Hyland

Noes: 0 - None

7. **File No. 20087:** Complaint filed by Anonymous against Supervisor Hillary Ronen for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.3(a)(d) failure to provide notice of a meeting of a policy body, 67.5 failing to allow open and public meetings, 67.6 failing to post the time and place for the meeting and 67.8. by failing to allow agenda disclosures.

See Item 6, File No. 20086 for action.

8. **File No. 20088:** Complaint filed by Anonymous against Supervisor Gordon Mar for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.3(a)(d) failure to provide notice of a meeting of a policy body, 67.5 failing to allow open and public meetings, 67.6 failing to post the time and place for the meeting and 67.8. by failing to allow agenda disclosures.

See Item 6, File No. 20086 for action.

9. **File No. 20090:** Complaint filed by Karl Kramer against the City Administrator's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21 by failing to respond to a records request in a timely and/or complete manner. (01:55:00 – 02:39:00)

Karl Kramer, Living Wage Coalition (Petitioner) provided a summary of the complaint and responded to questions from the committee. Mr. Kramer stated that documents were never provided. Mr. Kramer stated that the Ordinance requires that the departments create the request documents. Mr. Kramer stated the minimum compensation ordinance requires that the requested computation be provided.

Tal Quetone (City Administrator's Office) (Respondent), provided a summary of the department's position and responded to questions from the committee. Mr. Quetone stated the requested records were provided on June 11, 2021, but acknowledged that the request was mishandled because the text was misread and buried in other text. Mr. Quetone stated that the responses were also delayed was due to the Mayor's Emergency Order but a response was eventually provided. Mr. Quetone stated that all responsive documents in possession of the department were provided.

The Committee requested that Mr. Kramer provide a detailed list of documents that have not yet been provided to the Respondent and the SOTF. The committee noted that timeliness is the most likely issue.

**Action: Moved by Chair Hyland, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing.**

## Public Comment:

Anonymous provided a summary of what he believes are the requested documents and stated that the City Administrator's Office has previously stated they do not have enough staff.

**The motion PASSED by the following vote:**

Ayes: 3 - Schmidt, Padmanabhan, Hyland

Noes: 0 - None

10. **File No. 20092:** Complaint filed by Karl Kramer against the Department of Recreation and Parks for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21 by failing to respond to a records request in a timely and/or complete manner. (02:39:00 – 03:46:00)

Karl Kramer, Living Coalition (Petitioner) provided a summary of the complaint and responded to questions from the committee. Mr. Kramer stated that some documents were received but and some are outstanding. Mr. Kramer provided a summary of the documents received and stated the minimum compensation ordinance requirements.

Derek Chu (Parks and Recreation) (Respondent) provided a summary of the complaint and responded to questions from the committee. Mr. Chu acknowledged that the response was late, but all requested documents were provided. Mr. Chu stated that there are not standard forms required to comply with the minimum compensation ordinance and provided a summary of the requirement which does not require that written calculations be provided. Mr. Chu stated that documents related to referenced written calculations do not exist.

The Committee opined that all existing documents were provided by the Respondent.

**Action: Moved by Member Schmidt, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing.**

## Public Comment:

Anonymous inquired if the records do not exist is it a public record.

**The motion PASSED by the following vote:**

Ayes: 3 - Schmidt, Padmanabhan, Hyland

Noes: 0 - None

11. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Education, Outreach and Training Committee.**

Chair Hyland noted a possible memo regarding Prop G calendars and requested a list of issues for the EOTC to schedule. The following is a suggested list of issues.

- Emergency Orders regarding Covid 19 and the suspension of provision of the Sunshine Ordinance
- Recommendation of the SOTF in relation to the Covid 19 Emergency Order
- Standard requirements of the Sunshine Ordinance
- Precedence Log and prevention of double jeopardy
- Review of updated Complaint form
- Create standard action for SOTF when department will not or cannot comply to prevent backup in complaints
- Standard letters to departments on timeline to respond (sotf and not CPRA), requirement for justifying withholdings and reaction and Prop G requirements.

Public Comment:

Peter Warfield, Library Users Association, issues with the public comment line and requested a hearing regarding a rule book of changes due to COVID 19 changes.

Anonymous request a hearing regarding training for departments and provide instructions regarding redactions.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 8:21 p.m.

**APPROVED: DRAFT**  
**Education, Outreach and Training Committee**  
**Sunshine Ordinance Task Force**

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.