



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

**July 13, 2021 - 5:30 PM**

**Regular Meeting**

**Members:** Bruce Wolfe (Chair) Matthew Yankee and Jaya Padmanabhan

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

Chair Wolfe called the meeting to order at 5:31 p.m. On the call of the roll Chair Wolfe and Members Yankee and Padmanabhan were noted present. A quorum was present.

The Committee discussed agenda changes. Petitioner Zach Karnazes requested a reasonable disability accommodation that his matters, File Nos. 21033, 21034 and 21035, be continued so that each of his matters are scheduled individually, one month at a time.

**Action: Moved by Chair Wolfe, seconded by Member Yankee, to continue File No. 21033 to August, File No. 21034 to September and File No. 21035 to October.**

**Public Comment:**

Peter Warfield, Executive Director Library Users Assn.  
[libraryusers2004@yahoo.com](mailto:libraryusers2004@yahoo.com), P.O. Box 170544, San Francisco, California 94117-0544. Mr. Warfield does not have an objection to the continuance request of Mr. Karnazes. Mr. Warfield stated there have been disability issues associated with this agenda and timing notifications.

Zach Karnazes, [zkarnazes@gmail.com](mailto:zkarnazes@gmail.com) stated that he received an email from Administrator Leger Thursday stating that it was the Committee's decision to continue his matters be heard at the hearing. Mr. Karnazes stated that due to his disabilities, it is difficult for him to participate in long meetings and that providing only a 24-hour notice is not acceptable.

Anonymous #3 stated that he wishes to be identified as Anonymous #3. The original notice was sent out on July 6, 2021, from the SOTF mailing list to various parties and Mr. Karnazes was not on that list.

Patrick Monette-Shaw provided comment on the motion saying that Administrator Leger has on multiple occasions provided reasonable accommodations and finds it objectionable that she is being wrongly accused at this hearing.

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

Ayes: 3 - Wolfe, Yankee, Padmanabhan  
Noes: 0 - None

**1a) Shall the Compliance and Amendments Committee waive Complaint Procedure Rules to allow more than two complaints to be heard in the same meeting by the same complainant?**

The Committee discussed the waiving the Complaint Procedure Rules.

**Action: Moved by Member Yankee, seconded by Member Padmanabhan, to waive the Complaint Procedure rules and allow more than two complaints to be heard in the same meeting by the same Complainant.**

**Public Comment:**

Peter Warfield provided his address and stated that the issue of waiving the complaint procedures comes up many times and with regard to this hearing, there is no need for it. Mr. Warfield added that if the SOTF has rules, there should be some justification on why this hearing should be treated as an exception to the rule.

Zach Karnazes opined that he shares Mr. Warfield's concern about waiving the rule even if there is consent between parties. Mr. Karnazes stated that he has loads of evidence to gather and that is hard work. Mr. Karnazes believes that parties should be asked if they want to have multiple hearings.

Anonymous #3 stated that he is not the anonymous party scheduled for this hearing. Anonymous #3 stated that he files a lot of complaints and agrees that there should be consent between the parties to have more than two complaints heard at committee hearings.

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

Ayes: 3 - Yankee, Padmanabhan, Wolfe  
Noes: 0 - None

2. **Adoption of the minutes for the June 8, 2021, Education, Outreach, and Training Committee meeting.**

The Committee discussed the June 8, 2021, Minutes and provided recommended changes.

**Action: Moved by Member Yankee, seconded by Member Padmanabhan, to approve the June 8, 2021, Education, Outreach and Training Committee meeting minutes as amendments.**

Public Comment:

Peter Warfield noted that a correction to his email address in the May Education, Outreach and Training Committee minutes is yahoo.com not gmail.com.

Anonymous #3 stated that the Board of Supervisors notes corrections and puts a red text at the top of the minutes and that might be a way to correct the matter.

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

Ayes: 3 - Yankee, Padmanabhan, Wolfe

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.

Patrick Monette-Shaw noted that he has a disability and that the Department of Public Health and the City Attorney's Office have not provided their responses which is a systemic recurring problem.

Zach Karnazes stated that he has a lot of concerns about accessibilities for these meetings and wondered if he would be penalized for his request for reasonable accommodation when the agenda was posted on the July 8. Mr. Karnazes requested the ADA Coordinator's name and that the minutes reflect this issue.

Anonymous #3 stated that he wanted to talk about the purpose of the committee. Anonymous #3 insisted that this committee's responsibility is training and insisted that the City Attorney should be encouraged to train. Anonymous #3 stated that the City needs to take the Sunshine Ordinance and the Task Force seriously.

Peter Warfield stated that there needs to be a reconsideration of the SOTF Complaint Procedure which, in his opinion, does not address how to respond to respondents. Mr. Warfield would like the SOTF to address every allegation each complainant makes.

4. **File No. 21033:** Complaint filed by Zach Karnazes against the Mayor's Office on Disability for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.12 by failing to provide disclosures of closed session discussions and actions; 67.25 by failing to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner.

See Item 1, regarding File Nos. 21033, 21034 and 21035 for action.

5. **File No. 21034:** Complaint filed by Zach Karnazes against the Human Services Agency for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.12 by failing to provide disclosures of closed session discussions and actions; 67.25 by failing to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner.

See Item 1, regarding File Nos. 21033, 21034 and 21035 for action.

6. **File No. 21035:** Complaint filed by Zach Karnazes against the Department of Technology for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.12 by failing to provide disclosures of closed session discussions and actions; 67.25 by failing to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner.

See Item 1, regarding File Nos. 21033, 21034 and 21035 for action.

7. **File No. 20086:** Complaint filed by Anonymous against the 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.

Chair Wolfe noted that there are three complaints filed by an Anonymous Petitioner and that the Petitioner was not present. Chair Wolfe acknowledged that Respondent representatives from Supervisor Haney, Supervisor Mar and Supervisor Ronen's offices were present.

Member Yankee stated that it would make sense for the Committee to close File Nos. 20086, 20087 and 20088 in a single motion due to the Petitioner's continued absence.

**Action: Moved by Chair Wolfe, second by Member Yankee to close File Nos. 20086, 20087 and 20088.**

Public Comment:

Anonymous #3 noted that the Committee is following the rules. Anonymous #3 stated that in this case there is a distinction between a Sunshine meeting and a Brown Act meeting and that it must be within the subject jurisdiction.

Peter Warfield stated thanks to the representatives from Supervisor Mar, Supervisor Ronen and Supervisor Haney's offices for being present. Mr. Warfield stated that SOTF Committee hearings should not take place at the same time as Board of Supervisor meetings.

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

Ayes: 3 - Wolfe, Yankee, Padmanabhan

Noes: 0 - None

8. **File No. 20087:** Complaint filed by Anonymous against the Supervisor Hillary Ronen 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.

See Item 7, File No. 20086 for action.

9. **File No. 20088:** Complaint filed by Anonymous against the Supervisor Gordon Mar 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.

See Item 7, File No. 20086 for action.

10. **Shall SOTF send systemwide advisory about the time limits of public records disclosure requests?**

Chair Wolfe noted that many SOTF cases are about timeliness. Chair Wolfe has also heard from City staff who believe that timeliness is a trivial issue and takes more time and resources than it is worth. Chair Wolfe stated that timeliness needs more research and that the SOTF should follow up and send out an advisory. Chair Wolfe stated that there is a discrepancy regarding the timeliness and that most staff follow the directives of the Good Government Guide, which states a 14-day time to respond and the Ordinance states 10 days to respond. Chair Wolfe stated that a lot of city staff believe they can claim 10 days and then apply an extension of 14 days in which to respond. Chair Wolfe stated that the Ordinance is clear on the proper time to respond under Administrative Code, Sections 67.21 and 67.25.

Public Comment:

Peter Warfield acknowledged Chair Wolfe's comments and that time limits and restrictions on Immediate Disclosure Requests need to be clear.

Anonymous #3 thinks addressing timeliness is a fantastic idea. Anonymous #3 thinks that the SOTF interpretation should be sent out so that if City agencies don't follow the rules, there will be violations. Anonymous #3 agrees with Chair Wolfe that there needs to be more research on why the restrictions are not lifted.

Chair Wolfe wanted to clarify to city agencies that there is only one response time, not two and that the Ordinance supersedes the California Public Records Act. Chair Wolfe noted the basic first level of timeliness (10 days) and 67.21(c) seven-day response. Chair Wolfe stated that there have been a few cases where the Committee heard respondents respond to an IDR and treat it as a standard request. Chair Wolfe stated it might be worth-while to send a reminder that the SOTF regards an IDR independently of a standard 67.21 request. Chair Wolfe intends to take the points discussed in this meeting and present them to the full SOTF in August.

Public Comment:

Peter Warfield stated that this issue is very important and deserves to be placed high because some people's interpretation is that they get a free pass.

Anonymous #3 agrees with members of the Committee and Mr. Warfield and urges the Committee to draft a letter from the full SOTF to City agencies with timeliness recommendations.

**Action: Moved by Member Padmanabhan, second Chair Wolfe, to create a draft memo to departments to present to the full SOTF in August and send a system wide advisory about the time limits in consideration of 67.21(b)(c)(d) that would include the time frame for the supervisor of records and 67.25(b) in addition will add to the preamble the last sentence of 67.25(a) adding that there cannot be a conversion of 67.25 and 67.21 as they exist independently.**

Public Comment:

Peter Warfield expressed the importance of not converting an Immediate Disclosure Request to a standard 67.21 request.

Anonymous #3 supported Mr. Warfield and added that City employees often use incorrect wording when responding to a records request especially during these times of Covid restrictions.

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

Ayes: 3 – Padmanabhan, Wolfe, Yankee

Noes: 0 - None

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

No discussion and no action.

**Public Comment:**

Peter Warfield expressed appreciation for allowing Public Comment and requested that the complaint against the Library Commission (file no. 20082), be heard before the Compliance and Amendments Committee because there has been no change at Commission hearings.

Anonymous #3 urged the Chair of this Committee to agendaize before the SOTF a system wide advisory about calendars, remote meetings and keys to redactions because people do not know that the Ordinance requires these items.

**12. ADJOURNMENT**

The meeting adjourned at 7:29 PM.

**APPROVED: August 10, 2021**

**Sunshine Ordinance Task Force, Education, Outreach and Training Committee**

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.