



SUNSHINE ORDINANCE TASK FORCE
Complaint Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

January 20, 2015 - 4:30 PM

Special Meeting

Members: Lou Fischer (Chair), Fiona Hinze, Mark Rumold

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

The meeting was called to order at 5:00 p.m. All members were noted present. There was a quorum.

There were no requests to change the agenda.

The Complaint Committee shall hold a hearing on File Nos. 14089, 14090, and 14119 to: 1) determine if the Sunshine Ordinance Task Force (SOTF) has Jurisdiction; 2) review the merits of the complaints; and/or 3) issue a report and/or recommendation to the SOTF. The SOTF, upon receipt of the report and/or recommendation from the Complaint Committee, shall: 1) accept the recommendation of the Complaint Committee; 2) schedule the complaint for a hearing before the SOTF at a future date; or 3) immediately hold a hearing on the merits of the complaint.

- 2. File No. 14089:** Complaint filed by Paula Datesh against Rebekah Krell, Howard Lazar, Sharon Page-Ritchie and Kate Patterson-Murphy, San Francisco Arts Commission, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25 for failure to respond to various Immediate Disclosure Requests in a timely and/or complete manner.

Member Rumold, seconded by Member Hinze, moved to find jurisdiction on matter.

Public Comment:

None.

The motion PASSED without objection.

Paula Datesh (Complainant), provided a summary of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Rebekah Krell, Deputy Director and CFO, San Francisco Arts Commission (Respondent), provided a summary of the department's position. Ms. Krell acknowledged that out of the many request for public records the two were late by two and three days respectively due to unforeseen circumstances. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent did not provide a rebuttal. The Complainant provided a rebuttal.

Member Rumold, seconded by Member Hinze, moved to refer the matter to the Sunshine Ordinance Task Force with the recommendation that a violation of Administrative Code (Sunshine Ordinance), Section 67.25(a) occurred for failure to comply with an Immediate Disclosure Request in a timely manner.

The committee further recommends that the SOTF does not referred the matter to committee as no further actions or followup is required. *(The text of the recommendation is available in File No. 14089).*

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Hinze, Rumold, Fischer

Noes: 0 - None

3. **File No. 14090:** Complaint filed by Paula Datesh against Sharon Page-Ritchie, Rebekah Krell, and Tom DeCaigny, San Francisco Arts Commission, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.16 for failing to post various meeting minutes in a timely manner.

Member Hinze, seconded by Member Rumold, moved to find jurisdiction on matter.

Public Comment:

None.

The motion PASSED without objection.

Paula Datesh (Complainant), provided a summary of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Rebekah Krell, Deputy Director and CFO, San Francisco Arts Commission (Respondent), provided a summary of the department's position. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent did not provide a rebuttal. The Complainant provided a rebuttal.

Member Rumold commented that a reasonable notice of hearing was provided to the public. However, the agenda is not a model of clarity and suggested improvements in the future.

Member Hinze, seconded by Member Rumold, moved to refer the matter to the Sunshine Ordinance Task Force with the recommendation that no violation occurred and that the matter be concluded. *(The text of the recommendation is available in File No. 14090).*

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Hinze, Rumold, Fischer

Noes: 0 - None

4. **File No. 14119:** Complaint by Paula Datesh against the San Francisco Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.16 for failing to include written summaries of public comment in meeting minutes.

Member Hinze, seconded by Member Rumold, moved to find jurisdiction on matter.

Public Comment:

None.

The motion PASSED without objection.

Paula Datesh (Complainant), provided a summary of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Rebekah Krell, Deputy Director and CFO, San Francisco Arts Commission (Respondent), provided a summary of the department's position. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent did not provide a rebuttal. The Complainant provided a rebuttal.

Member Hinze, seconded by Member Rumold, moved to refer the matter to the Sunshine Ordinance Task Force with the recommendation that no violation occurred and that the matter be concluded. (*The text of the recommendation is available in File No. 14119*).

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Hinze, Rumold, Fischer
Noes: 0 - None

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

Speakers:
None.

6. **Announcements, Comments, Questions, and Future Agenda Items.**

Victor Young, SOTF Administrator, commented on the continuing work with the Arts Commission to improve their policies and procedures related the complying with the Sunshine Ordinance.

7. **ADJOURNMENT**

There being no further business the meeting was adjourned at 6:09 p.m.

**APPROVED by the Sunshine Ordinance Task
Force: April 1, 2015**



**Victor Young
Administrator
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.