



**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**

**October 27, 2015 - 4:00 PM**

**Special Meeting**

**Members:** Louise Fischer (Chair), Eric Eldon and David Pilpel

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

Chair Fischer called the meeting to order at 4:05 p.m. All members were present. There was a quorum.

*The Complaint Committee held a hearing on File Nos. 15032, 15046, 15091, 15117 and 15120 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; or 2) schedule the complaint for a hearing before the SOTF at a future date.*

**2. File No. 15032:** Complaint filed by Ali Altaha against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, for failure to respond to a request for public records in a timely and/or complete manner.

Ali Altaha (Complainant) was not present at the hearing and did not communicate in advance regarding his absence. Sheila Evans-Peguese, San Francisco Municipal Transportation Agency (Respondent), provided information regarding the documents provided to the Complainant and responded to questions from the Committee.

**Member Pilpel, seconded by Member Eldon, moved to table the complaint due to the non-appearance of the Complainant at the scheduled hearing.**

Public Comment:  
None.

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

Ayes: 3 - Eldon, Pilpel, Fischer

Noes: 0 - None

Item Nos. 3 and 4 were heard together.

3. **File No. 15046:** Complaint filed by Larry Mendenhall against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, for failure to respond to a request for public records in a timely and/or complete manner.

Larry Mendenhall (Complainant) was not present at the hearing and had not communicate in advance regarding his absence. Shahin Shaikh and Caroline Celaya, San Francisco Municipal Transportation Agency (Respondent), responded to questions from the Committee.

**Member Eldon, seconded by Member Pilpel, moved to table the complaints (Item Nos. 3 and 4) due to the non-appearance of the Complainant at the scheduled hearing.**

Public Comment:

None.

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

Ayes: 3 - Eldon, Pilpel, Fischer

Noes: 0 - None

4. **File No. 15091:** Complaint filed by Larry Mendenhall against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21 and 67.25, for failure to respond to an Immediate Disclosure Request in a timely and/or complete manner.

See Item No. 3 for actions.

5. **File No. 15117:** Complaint filed by Roy Brubaker against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, for failure to response to various Immediate Disclosure Requests in a timely and/or complete manner.

**Member Pilpel, seconded by Chair Fischer, moved to find jurisdiction.**

Public Comment:

None.

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

Ayes: 3 - Eldon, Pilpel, Fischer

Noes: 0 - None

Roy Brubaker (Complainant) provided a summary of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Shahin Shaikh, San Francisco Municipal Transportation Agency (Respondent), provided a summary of the department's position and stated that the video system on the bus in question was non-operational and that no video exists. However, the SFMTA provided a video to the Complainant, from a nearby bus which caused confusion and misunderstanding. The SFMTA provided records in response to follow-up questions in a timely manner. There were no speakers in support of the Respondent. A question and answer period occurred. The Respondent provided a rebuttal. The Complainant provided a rebuttal.

The Committee requested that the SFMTA work with Mr. Brubaker and provide the policy regarding broken video equipment, information regarding the malfunction rate of video equipment, a checklist as to what would pull a vehicle from services, and standard operations procedures for malfunctioning video equipment. Mr. Brubaker may request additional information directly from the SFMTA.

**Member Eldon, seconded by Member Pilpel, moved to refer the matter to the Sunshine Ordinance Task Force with the recommendation to find jurisdiction and that no violation of Administrative Code (Sunshine Ordinance), Chapter 67 occurred.**

Public Comment:

None.

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

Ayes: 3 - Eldon, Pilpel, Fischer

Noes: 0 - None

6. **File No. 15120:** Complaint filed by Anonymous against the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, for failure to respond to an Immediate Disclosure Request in a timely manner and/or complete manner.

Anonymous (Complainant) was not present at the hearing but did call to inform the Task Force that he received the mailed notice of hearing on October 26, 2015, and could not prepare for the meeting due to the late notice (Mailed by the SOTF on October 13, 2015). Mr. Kennedy, San Francisco Municipal Transportation Agency (Respondent), provided a history of the complaint and responded to questions from the Committee.

**Chair Fischer, seconded by Member Eldon, moved to continue and refer the matter to Sunshine Ordinance Task Force December 2, 2015, meeting for a hearing on the merits of the complaint.**

Public Comment:  
None.

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

Ayes: 3 - Eldon, Pilpel, Fischer  
Noes: 0 - None

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

Speakers:  
None.

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

The Committee discussed future agenda issues.

9. **ADJOURNMENT**

**There being no further business, the meeting was adjourned at 5:15 p.m.**

**APPROVED: 1/6/2016**



**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.