



**SUNSHINE ORDINANCE TASK FORCE**  
**Compliance and Amendments Committee**  
**CITY AND COUNTY OF SAN FRANCISCO**  
**MINUTES**

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

**April 21, 2015 - 4:00 PM**

**Regular Meeting**

**Members:** Lee Hepner (Chair)  
Allyson Washburn, Rishi Chopra

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

The meeting was called to order at 4:05 p.m. At the call of the roll, Member Chopra was noted absent. There was a quorum.

**2. Adoption of the February 17, 2015, Compliance and Amendments Committee meeting minutes.**

**Member Washburn, seconded by Chair Hepner, moved to approve the February 17, 2015, Compliance and Amendments Committee minutes as amended.**

**Public Comment:**

Thomas Picarello expressed concern that the minutes did not provide sufficient details regarding public comment.

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

Ayes: 2 - Washburn, Hepner

Noes: 0 - None

Absent: 1 - Chopra

At 4:10 p.m. Allyson Washburn, Sunshine Ordinance Task Force (SOTF) Chairperson, appointed David Pilpel, SOTF Member, to serve as a member of the Compliance and Amendments Committee for the meeting of April 21, 2015.

3. **File No: 14099:** Hearing on the status of the Order of Determination - Complaint filed by Patrick Monette-Shaw against Dennis Herrera, Matt Dorsey, and Gabriel Zitrin, City Attorney's Office, for violating Administrative Code (Sunshine Ordinance), Section 67.25(a), for failure to respond to an Immediate Disclosure Request in a timely and complete manner. (00:03:00 - 01:06:00)

Matt Dorsey, Office of the City Attorney (Respondent), provided an overview of the department's position and responded to questions raised throughout the discussion. Mr. Dorsey acknowledged that the response to the public records request was late but stated that the requested documents do not exist. Patrick Monette-Shaw (Complainant) stated that the Office of the City Attorney has not yet complied with the Order of Determination and responded to questions raised throughout the discussion.

Member Pilpel volunteered to draft a letter regarding the City Attorney's budget for the SOTF, asking that both a dollar amount and hours be provided.

Chair Hepner moved to find that the Respondent complied with the Order of Determination and that the file be concluded. The motion failed due to lack of a second.

**Member Pilpel, seconded by Member Washburn, moved to continue the matter to the call of the Chair and requests the Office of the City Attorney to provide the following:**

Restatement/recap of the Office of the City Attorney's response to the Complainant's records request for the amount of budgeted City Attorney time to the Sunshine Ordinance Task Force in both hours and dollar amounts for FY 2012-2013, FY 2013-2014, and FY 2014-2015.

If the information doesn't exist an explanation as to the reason why the requested information doesn't exist is requested along with documentation and/or the name of the person responsible for the budget process.

Public Comment:

Michael Petrelis stated that he had previous experiences where the City Attorney did not respond to email requests.

Thomas Picarello expressed support for the motion to continue but requested that a specific date be set.

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

Ayes: 3 - Pilpel, Washburn, Hepner

Noes: 0 - None

Absent: 1 - Chopra

4. **File No. 15010:** Hearing on the status of the Order of Determination - Complaint filed by Thomas Picarello against the Fire Department for violating Administrative Code (Sunshine Ordinance), Sections 67.21(c), 67.25(a), and 67.27, for failure to identify public records that were withheld, failure to respond to a public records request in a timely manner, and for failure to justify the reason for withholding certain records. (01:06:00 - 01:38:00 )

Rhab Boughn, Fire Department (Respondent), provided a summary of the department's progress and responded to questions raised throughout the discussion. Mr. Boughn stated that the Fire Department has instituted improvements to their public records request process. The Fire Department will now gather records from its internal units on behalf of a requester prior to responding to a public records request and will update their website to allow public records requests to be submitted online. Thomas Picarello (Complainant) stated that the Fire Department has not yet complied with the Order of Determination.

The Compliance and Amendments Committee requested that the Order of Determination be resubmitted to the Fire Department and Chief Hayes-White in particular as the department has not yet complied. Of particular note the Fire Department should provide the following additional records at a minimum:

- Communications between Officer Kelly and the Chubb Insurance Company investigator
- Explanation as to why a search for communications (emails, notes, etc) was not conducted as the request was for all relevant records
- Copy of the investigation report in an unredacted or limited redacted version and/or detailed reasons for any redactions. (The requester is the victim and should be entitled to more comprehensive information.)

Mr. Boughn should coordinate with internal units of the Fire Department to ensure that a comprehensive search for all records is conducted.

**Chair Hepner, seconded by Member Washburn, moved to continue the matter to the call of the Chair.**

Public Comment:

Michael Petrelis stated that the public should not have to forward their requests for public records to various email addresses and that city employees should forward requests as needed.

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

Ayes: 3 - Pilpel, Washburn, Hepner

Noes: 0 - None

Absent: 1 - Chopra

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

None.

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

Chair Hepner provided an update on the proposed amendment to the Sunshine Ordinance regarding department head and elected officials’ calendars.

Public Comment:

None.

7. **Pending Calendar:** The following items are pending before the Compliance and Amendments Committee and will be scheduled on a future date.

- 14101: Order of Determination - Grossman v. Dept. of Building Inspection

Public Comment:

None.

8. **ADJOURNMENT**

**There being no further business the meeting was adjourned at 5:43 p.m.**

**APPROVED: August 18, 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.