



**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**

**August 19, 2014 – 4:00 PM**

**Regular Meeting**

**Members:** Lee Hepner (Chair)  
Bruce Oka, Allyson Washburn

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

The meeting was called to order at 4:04 p.m. At the call of the roll, members were noted present. There was a quorum.

**2. Adoption of July 15, 2014, Compliance and Amendments Committee meeting minutes.**

**Member Washburn, seconded by Member Hepner, moved to continue the matter to the next meeting of the Compliance and Amendments Committee.**

Public Comment:  
None.

**The motion passed without objection.**

**3. File No. 14015: Hearing on the status of the Order of Determination – Carlos D. Gracias against the Municipal Transportations Agency for violating Sunshine Ordinance Section 67.21(a) for failing to provide procedures regarding the release of probationary employees in a timely manner. (01:05:00 – 01:31:00)**

Carlos Gracias (Complainant) provided an overview of the status of Order of Determination. Donald Ellison and Cherylynn Norona, San Francisco Municipal Transportation Agency (Respondent), provided an overview of the department's position and compliance with the Order of Determination. The SFMTA stated that they do not

have a procedural document regarding the release of probationary employees. A question and answer period followed.

Public Comment:  
None.

**There being no motion, the matter was concluded.**

4. **File No. 14034: Hearing on the status of the Order of Determination** – Paula Datesh against Sharon Page-Ritchie for violating Sunshine Ordinance Sections 67.14 and 67.16 for failure to audio record various meeting and failure to post meeting minutes for various meetings in a timely manner. (00:02:00 – 00:57:00)

Paula Datesh (Complainant) provided an overview of the status of Order of Determination. Sharon Page-Ritchie and Kate Patterson-Murphy, San Francisco Arts Commission (Respondent), provided an overview of the department’s position and compliance with the Order of Determination. A question and answer period followed.

The committee will continue to monitor the Arts Commission process in complying with the Order of Determination and posting of missing minutes.

**Member Washburn, seconded by Member Hepner, moved to continue the matter to the Compliance and Amendments Committee December meeting.**

Public Comment:

William Clark expressed support of the violation and stated that the Arts Commission is requested to post committee minutes.

Robert Clark expressed support of the violation and stated that the Arts Commission is requested to post committee minutes.

Peter Warfield stated that the Arts Commission is hostile and has not made the audio recordings available to the public.

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

Ayes: 3 – Washburn, Oka, Hepner

Noes: 0 - None

5. **File No. 14019: Hearing on the status of the Order of Determination** - Complaint filed by William Clark against Dennis Herrera, Jack Song and Gabriel Zitrin, City Attorney’s Office, for violating Sunshine Ordinance Section 67.29-7 for failure to maintain appropriate records in a businesslike manner. (01:31:00 – 02:28:00)

William Clark (Complainant) provided an overview of the status of Order of Determination. Gabriel Zitrin, City Attorney’s Office (Respondent), provided an overview of the department’s position and compliance with the Order of Determination. A question and answer period followed.

Mr. Zitrin agreed to work with the Sunshine Ordinance Task Force to develop possible solutions to provide information to the public regarding the nature of City Attorney advice without breaching attorney client privileges.

Public Comment:

Robert Clark stated that the issue is not an attorney client privilege problem but a refusal to provide general information.

Paula Datesh commented on the qualifications of Howard Lazar, Arts Commission.

**There being no motion the matter was concluded.**

6. **File No. 14073: Proposed amendments to Sunshine Ordinance Section 67.29-5 - Calendars of Certain Officials.** (02:28:00 – 02:37:00)

Discussion occurred regarding the proposed amendment to the Sunshine Ordinance Section 67.29-5.

The matter has been scheduled before the Task Force for further discussion and action on August 26, 2014.

**There being no motion no actions were taken.**

7. **Public Comment:** (00:57:00 – 01:05:00)

Paula Datesh described her interaction with Mr. Lazar of the Arts Commission and submitted a recording of their interaction.

Peter Warfield stated that the Arts Commission was found in violation of the Sunshine Ordinance and that the Task Force was to send a letter to the City Attorney concerning the requirement to record meetings and the incorrect information in the Good Government Guide.

Richard Knee noted that employees of the City and County of San Francisco have the right to express their own personal opinion.

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

Chair Hepner expressed concern regarding who must comply with the Sunshine Ordinance and the need for a Precedent List of previous Task Force Decisions.

9. **ADJOURNMENT**

**There being no further business the meeting was adjourned at 6:45 p.m.**

**APPROVED: 10/21/14**



**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.