



SUNSHINE ORDINANCE TASK FORCE
Education, Outreach and Training Committee
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

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

May 13, 2013 – 3:00 PM

Special Meeting

Members: David Pilpel (Chair), Todd David,
Bruce Oka, Chris Hyland

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

The meeting was called to order at 3:01 p.m. There was a quorum.

Chair Pilpel announced a request for continuance from the Respondent of File No. 12007.

Speakers: Peter Warfield expressed opposition to the continuance of File No. 12007 and requested for the item to be referred back to the Task Force; Ray Hartz expressed opposition to the continuance of File No. 12007; Patrick Monette-Shaw expressed opposition to the continuance of File No. 12007; Allen Grossman expressed opposition to the continuance of File No. 12007.

- 2. File No. 12007:** Hearing on the status of the April 4, 2012, Order of Determination of Library Users Association against Supervisor Campos for responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

Member David, seconded by Member Oka, moved to refer the complaint back to the Task Force and for Chair Pilpel to write a letter to Supervisor Campos' Office regarding his office's second absence from a hearing has a Respondent.

Speakers: Patrick Monette-Shaw expressed support of the motion; Ray Hartz addressed Member Hyland's request to refrain from using certain language and expressed concern with Respondent's absence; Allen Grossman expressed support of the motion and recommended referring a violation to the Task Force.

The motion PASSED without objection.

3. **File No. 12013:** Hearing on the status of the November 7, 2012, Order of Determination of William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

William Clark (Complainant) provided an overview of the status of the records requested. Kate Patterson (Respondent) provided an updated of the Arts Commission's compliance with the Order of Determination. Complainant and Respondent responded to questions raised throughout the discussion. Respondent waived rebuttal. Complainant waived rebuttal.

The Respondent agreed to respond to the Complainant's concerns regarding the Arts Commission's records keeping in conjunction to City Attorney consultations with the Street Artist Program concerning the Brown Act, the Public Records Act and the Sunshine Ordinance.

Member David, seconded by Member Hyland, moved to CONTINUE TO THE CALL OF THE CHAIR.

Speakers: Male Speaker expressed opposition with the motion; Ray Hartz expressed the Arts Commission are serial violators of the Sunshine Ordinance; Peter Warfield expressed that the Arts Commission smears and slanders the public; Patrick Monette-Shaw accused the Respondent of stating false accusations.

The motion PASSED without objection.

4. **File No. 12018:** Hearing on the status of the December 5, 2012, Order of Determination of Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.

Ray Hartz (Complainant) provided an overview of the status of the records requested. Lt. Raj Vaswani (Respondent) provided an updated of the Police Department's compliance with the Order of Determination. Complainant and Respondent responded to questions raised throughout the discussion. Respondent waived rebuttal. Complainant provided a rebuttal.

Speakers: Patrick Monette-Shaw expressed it is unacceptable for the Police Department to not have a link on their website for complaint submittals; Allen Grossman expressed a development of written plan for records request; Peter Warfield expressed concern as to how and where request for records are handled by the Police Department.

No further action was taken. **Due to Lack of Motion, Matter CONCLUDED.**

5. **Public Comment.**

Speakers: Allen Grossman announced he submitted a records request for Deputy Attorney time budgeted for the Task Force ; Ray Hartz expressed he submitted a similar request to the Office of the City Attorney; Peter Warfield expressed there is bias and favoritism for Respondents that come before the Education, Outreach and Training Committee.

6. **Establishing New Regular Meeting Date.** Proposal to change regular meeting date of the Education, Outreach and Training Committee.

Member Oka, seconded by Member Hyland, moved to hold the regular meeting of the Education, Outreach and Training Committee the second Monday of each month at 3:00 p.m., starting August 12, 2013

Speakers: Ray Hartz expressed concern regarding the new regular meeting date and new policy and procedures outlined in email notices on behalf of the Education, Outreach and Training Chair; Peter Warfield expressed opposed the new date and time.

The motion PASSED without objection.

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

Speakers: Peter Warfield recommended adding a future agenda items to address challenges and Sunshine Ordinance violation patterns.

8. **ADJOURNMENT**

Member David, seconded by Member Hyland, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Education, Outreach and Training Committee adjourned at 5:12 p.m.

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: <http://www.sfbos.org/index.aspx?page=9811>

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee’s consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force’s jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

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| 1. | Complainant presents his/her facts and evidence | 5 minutes |
| | Other parties of Complainant present facts and evidence | Up to 3 minutes each |
| 2. | City responds | 5 minutes |
| | Other parties of City respond | Up to 3 minutes each |
| | <i>Above total speaking times for Complainant and City to be the same.</i> | |
| 3. | Matter is with the Task Force for discussion and questions. | |
| 4. | Respondent and Complainant presents clarification/rebuttal | 3 minutes |
| 5. | Matter is with the Task Force for motion and deliberation. | |
| 6. | Public comment (Excluding Complainant & City response, witnesses) | Up to 3 minutes each |
| 7. | Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.) | |

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.