



SUNSHINE ORDINANCE TASK FORCE CITY AND COUNTY OF SAN FRANCISCO MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

January 16, 2013 – 5:30 PM

Special Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice Chair),
Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel,
David Sims, Todd David, Chris Hyland, Bruce Oka

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

The meeting was called to order at 5:38 p.m. Members Manneh, Pilpel, and Hyland were noted absent. There was a quorum.

Member Knee, seconded by Member Sims, moved to excuse Members, Manneh, Pilpel, and Hyland.

Public Comment:

Peter Warfield expressed opposition with excuse of member absences.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

2. **File No. 12007:** The Compliance and Amendments Committee has referred File No. 12007, the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

Peter Warfield, (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find violations. Female Speaker spoke in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Supervisor Campos (Respondent) provided an overview of the Office of Supervisor Campos' defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violations.

Public Comment:
None.

Member Washburn, seconded by Member Fischer, moved to refer the matter to the Education, Outreach and Training Committee.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

3. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly inappropriate redactions of contact information from supporters of retention of the existing Bernal Heights Branch Library, Victor Jara multi-cultural mural and others, from information provided to Library Users Association.

Member Knee, seconded by Member David, moved to find jurisdiction.

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

Peter Warfield (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Kate Patterson, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Public Comment:

Paula Datesh spoke in support of the Complainant; Cynthia expressed that emails should be provided to the Complainant.

Member Knee, seconded by Member Washburn, moved to find violation of Sunshine Ordinance Section 67.26 for failure to keep withholding to a minimum for unauthorized request of redactions; Arts Commission to provide documents unredacted.

The motion FAILED by the following vote:

Ayes: 4 - Knee, Washburn, Sims, Oka
Noes: 3 – David, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

Recess
7:10 p.m. –7:20 p.m.

4. **Public Comment:**

Peter Warfield expressed concern with Task Force Member's attendance and the current vacancies.

5. **File No. 12027:** Complaint filed by the San Francisco Preservation Consortium against the Office of Supervisor Wiener for alleged non-Compliance with the City Charter, the Sunshine Ordinance, the Public Records Act, and the Brown Act of proposed amendments to Articles 10 and 11 of the Planning Code.

Member Knee, seconded by Member Oka, moved to find jurisdiction.

Andres Power, Respondent contested jurisdiction, citing the City Charter.

Public Comment:

Peter Warfield expressed that the Task Force has broad jurisdiction to advise the Board of Supervisors.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

Cynthia Servetnick (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Andres Power, Office of Supervisor Wiener (Respondent), provided an overview of the Office of Supervisor Wiener's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Public Comment:

Paula Datesh spoke in support of the Complainant.

Member Knee, seconded by Member Oka, moved to find violation of Sunshine Ordinance Section 67.21(b) for failure to observe 10-day window for records requests.

The motion FAILED by the following vote:

Ayes: 3 - Knee, Washburn, Oka,

Noes: 4 – Sims, David, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

6. **File No. 12030:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage from an incident on March 29, 2012, on Muni Bus No. 8157, 9 San Bruno.

Member Sims, seconded by Member David, moved to close File No. 12030 with the option to re-file, due to the Complainant not showing for the second time the hearing was scheduled.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

7. **File No. 12032:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary.

Member Knee, seconded by Oka, moved to find jurisdiction.

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

Paula Datesh (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Kate Patterson (Respondent) provided an overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Public Comment:

Peter Warfield expressed concern with the character flaws made by the Arts Commission.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

8. **File No. 12034:** Complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects.

Member Knee, seconded by Washburn, moved to find jurisdiction.

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

Anonymous (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Debbie

Brubaker, Film Commissioner (Respondent) provided an overview of the Film Commission's defense and further requested the Task Force to dismiss the complaint. Male Speaker and Amy, former Oakland Film Commissioner spoke in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Public Comment:

None.

Member David, seconded by Member Knee, moved to CONTINUE File No. 12034 to February 6, 2013, meeting allowing the Complainant to obtain emails between Susannah Greason Robbins, Executive Director Film Commission and Debbie Brubaker, Film Commissioner using the Task Administrator as a liaison.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

9. Approval of Minutes from the December 12, 2012, Special Meeting.

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

10. Approval of Minutes from the December 5, 2012, Regular Meeting.

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

11. Approval of Minutes from the November 7, 2012, Regular Meeting.

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

12. **Approval of Minutes from the July 11, 2012, Special Meeting.**
Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

13. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

14. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

15. **Report: Education Outreach and Training Committee meeting of December 13, 2012.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

16. **Administrator's Report.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:

Peter Warfield expressed concern with detail of speaker's comments in the minutes.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant

Excused: 3 – Manneh, Pilpel, Hyland

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

Member Knee announced, he would be undergoing surgery and will not be in attendance for the February 6, 2013 meeting.

Public Comment:

Peter Warfield wished Member Knee a speedy recovery.

18. **ADJOURNMENT**

Member Knee, seconded by Member Fischer, moved to ADJOURN.

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

There being no further business, the Task Force adjourned at the hour of 10:13 p.m.

APPROVED: August 7, 2014



**Victor Young
Administrator
Sunshine Ordinance Task Force**

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 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

- | | | |
|----|--|----------------------|
| 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.

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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 SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

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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 by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 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.