



SUNSHINE ORDINANCE TASK FORCE CITY AND COUNTY OF SAN FRANCISCO MINUTES

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

March 6, 2013 – 4:00 PM

Regular 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 4:11 p.m. Members Manneh, David, Sims and Hyland were noted absent. There was a quorum. Member Sims was noted present at 4:22 p.m.

Member Pilpel, seconded by Member Oka, moved to excuse Members David and Manneh.

Speakers: None

The motion PASSED by the following vote:

Ayes: 6 - Knee, Washburn, Pilpel, Oka, Fischer, Grant

Excused: 2 – Manneh, David,

Absent: 2 – Sims, Hyland

Chair Grant announced a request for File Nos. 12048 and 12049 to be continued from the Complainant.

Member Sims, seconded by Member Knee moved to accept the Complainant's request to continue File Nos. 12048 and 12049.

Speakers: None.

The motion PASSED by the following vote:

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

Excused: 2 – Manneh, David,

Absent: 1 – Hyland

2. **File No. 12013:** The Compliance and Amendments Committee has referred File No. 12013, William Clark against Howard Lazar, Arts Commission, back to the Task Force for further action and referral recommendation.

William Clark (Complainant) provided an overview of the complaint, findings, and follow-up, and requested the Task Force to find further violations of the Sunshine Ordinance. Paula Datesh spoke in support of the Complainant. A question and answer period followed. Kate Patterson, Arts Commission (Respondent), provided an overview of the Arts Commission's 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 requested the Task Force to find violation.

Member Knee, seconded by Member Washburn, moved to refer the matter to the Ethics Commission.

Speakers: Robert Clark stated it is incredulous that emails regarding the records requested by Complainant do not exist; Charlotte spoke in support of the Task Force's motion.

The motion FAILED by the following vote:

Ayes: 3 - Knee, Washburn, Oka
Noes: 4 - Pilpel, Sims, Fischer, Grant
Excused: 2 – Manneh, David
Absent: 1 - Hyland

Member Sims, seconded by Member Knee, moved to refer the matter to the Education, Outreach and Training Committee.

Speaker: William Clark spoke in opposition to the motion.

The motion PASSED by the following vote:

Ayes: 7 - Knee, Washburn, Pilpel, Sims, Oka, Fischer, Grant
Excused: 2 – Manneh, David
Absent: 1 - Hyland

Recess

5:23 p.m. – 5:32 p.m.

3. **File No. 12031:** Complaint filed by Anonymous against Commissioners, San Francisco Housing Authority for allegedly not responding to an Immediate Disclosure Request regarding former residents of Parkmerced and monies paid to Parkmerced or Stellar Management.

Member Sims, seconded by Member Washburn, moved to recuse Member Knee on the matter of due to Member Knee having counseled the Complainant.

Speakers: None.

The motion PASSED by the following vote:

Ayes: 6 - Washburn, Sims, Pilpel, Oka, Fischer, Grant

Excused: 2 – Manneh, David

Absent: 1 – Hyland

Abstain: 1 – Knee

Member Pilpel, seconded by Member Oka, moved to find no jurisdiction

Speakers: Richard Knee said the Housing Authority Commission is a policy body as defined by Sunshine Ordinance Section 67.3(d)(7) and is therefore under the Task Force’s jurisdiction.

The motion FAILED by the following vote:

Ayes: Pilpel, Sims, Oka, Fischer, Grant

Noes: Washburn

Excused: 2 – Manneh, David

Absent: Hyland

Recused: Knee

Member Washburn, seconded by Member Pilpel, moved to CONTINUE to May regular meeting.

Robert Thin, Attorney, Housing Authority (Respondent) is to provide documentation to the Task Force, regarding the Housing Authority’s position by April 12, 2013.

Speakers: None.

The motion PASSED by the following vote:

Ayes: 5 – Washburn, Pilpel, Sims, Oka, Fischer, Grant

Excused: 2 – Manneh, David,

Absent: 1 – Hyland

Abstain: 1 - Knee

4. **Public Comment:**

Speakers: William Clark gave an update on the Ethics Commission’s determination of Task Force referred complaints; Robert Clark gave an update on the Ethics Commission’s

determination of Task Force referred complaints; Paula Datesh stated she is unwelcome in the Arts Commission's Office.

5. **File No. 12034:** Continued hearing on 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.

Anonymous (Complainant) provided an overview of the complaint and requested the Task Force to find violations of the Sunshine Ordinance. There were no speakers in support of the Complainant. A question and answer period followed. Susannah Robbins, Film Commission (Respondent), presented the Film Commission's defense 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. Complainant provided a rebuttal and requested the Task Force to find violations.

Speaker: Charlotte stated that the Film Commission has been withholding lists from union workers.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION. The matter was thus concluded.

6. **File No. 12040:** Complaint filed by Anonymous against Robert Collins, Deputy Director, Rent Board, for allegedly denying a request for reasonable accommodation at Rent Board meetings.

Complaint withdrawn by Complainant via dial-in of Complaint No. 12031, March 6, 2013.

7. **File No. 12048:** Complaint filed by David Schneider against the Municipal Transportation Agency Board for allegedly denying fair and uniform speaking time for public comment.

The Task Force continued the matter in a previous action.

8. **File No. 12049:** Complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes.

The Task Force continued the matter in a previous action.

The motion PASSED by the following vote:

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

Excused: 2 – Manneh, David

Absent: 1 – Hyland

9. **Approval of Minutes from the May 2, 2012, Regular Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
10. **Approval of Minutes from the June 6, 2012, Regular Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
11. **Approval of Minutes from the July 11, 2012, Special Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
12. **Approval of Minutes from the November 7, 2012, Regular Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
13. **Approval of Minutes from the December 5, 2012, Regular Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
14. **Approval of Minutes from the December 12, 2012, Special Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
15. **Approval of Minutes from the January 16, 2013 Special Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.
16. **Approval of Minutes from the February 6, 2013 Regular Meeting.**
By unanimous consent the item was CONTINUED to April 3, 2013.
There were no speakers.

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

Report was given by Member Pilpel, Chair of the Education Outreach and Training Committee on the December 13, 2012 meeting on behalf of the Education Outreach and Training Committee.

Speakers: None.

18. **Report: Compliance and Amendments Committees meeting of January 15, 2013 and February 19, 2013.**

Report was given by Member Washburn, Chair of the Compliance and Amendments Committee, on the January 15, 2013 and February 19, 2013 meetings on behalf of the Compliance and Amendments Committee.

Speakers: None.

19. **Administrator's Report.**

Report was given by Andrea Ausberry, Sunshine Ordinance Task Force Administrator.

Speakers: None.

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

Member Knee announced pointed to Bay Guardian article on the Sunshine Ordinance at sfbg.com; Chair Grant requested Chair Sims (Rules Committee) partner with Member Pilpel on his suggested by-law amendments; Member Knee suggested the Rules Committee focus on substantive majority vote in by-laws; Member Washburn will advise on the ambiguity of the by-laws.

Chair Grant will submit a letter to the Board of Supervisors' Rules Committee regarding applicants for Sunshine Ordinance Task Force seats requiring outside organization to submit nominations.

Speakers: None.

21. **ADJOURNMENT**

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

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

There being no further business, the Task Force adjourned at 7:49 p.m.

APPROVED: February 5, 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 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.

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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 (Chapter 67A of the San Francisco Administrative Code).

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