



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

July 11, 2012 – 4:30 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

1. **Call to Order, Roll Call, and Agenda Changes.**

The meeting was called to order at 4:36 pm. Member Hyland was noted absent. There was a quorum. Member Hyland was noted present at 4:40 p.m.

Chair Grant indicated a request that File No. 12005, Anonymous v. the Municipal Transportation Agency (Item 11), be continued by the Complainant until the Task Force is in compliance with Sec. 67.30 (a). Chair Grant announced Items 4 through 7 would be heard before Item 2.

Member Knee, seconded by Member Hyland, moved to adjourn the 4:30 p.m. special meeting.

The motion FAILED by the following vote:

Ayes: 4 – Knee, Manneh, Washburn, Hyland

Noes: 5 – Pilpel, Sims, David, Fischer, Grant

Member David, seconded by Member Hyland, moved to table Item Four (4) until Item Two (2) is heard.

The motion PASSED by the following vote:

Ayes: 6 – Pilpel, Sims, David, Hyland, Fischer, Grant

Noes: 3 – Knee, Manneh, Washburn

Member Grant, seconded by Member Sims, moved to CONTINUE TO THE CALL OF THE CHAIR Complaint No. 12005 (Item 11) by request of the complainant.

Speakers: Patrick Monette-Shaw spoke in objection to continuing Item 11 till the Task Force is in compliance with Sec. 67.30(a); Jason Grant Garza expressed concern with his complaints brought before the Task Force; Ray Hartz spoke in favor of the Task Force not convening until it is in compliance with Sec. 67.30(a); Allen Grossman spoke in favor of the Task Force adhering to Sec. 67.30(a); Peter Warfield expressed concern with Member Knee's outside counsel advice regarding Sec. 67.30(a); Dr. Derek Kerr expressed concern with the Task Force not being in with Sec. 67.30; Kimo Crossman expressed concern with the Task Force allegedly being in violation of seriatim meetings.

The motion PASSED by the following vote:

Ayes: 8 – Knee, Washburn, Pilpel, Sims, David, Hyland, Fischer, Grant

Noes: 1 – Manneh

2. **Determine compliance with Sunshine Ordinance Section 67.30(a).**

Member Knee presented legal advice from outside counsel regarding the Task Force and its violation with Sec. 67.30(a).

Member Grant, seconded by Member Knee, moved that the Task Force write a letter to the Board of Supervisors concerning its violation of Sunshine Ordinance Section 67.30(a) and that the Task Force will not convene until the Task Force is in compliance. The motion was withdrawn.

Member Hyland, seconded by Member Manneh, moved that the Task Force write a letter to the Board of Supervisors concerning its violation of the Sunshine Ordinance Section 67.30(a) and to include a timeframe for the Board of Supervisors to abide by the Ordinance. The motion was withdrawn.

Member David, seconded by Member Knee, moved that the Task Force write a letter to the Board of Supervisors concerning its violation of Sunshine Ordinance Section 67.30(a) without a time stipulation.

Speakers: Patrick Monette-Shaw spoke in favor of the Task Force not convening until it is in compliance with Sec. 67.30(a); Jason Grant Garza spoke in objection to the Task Force writing a letter to the Board of Supervisors; Ray Hartz spoke in favor of the Task Force not convening until they are in compliance with Sec. 67.30(a); Mr. Clark spoke in favor of the Task Force not convening due to Sec. 67.30(a), though his complaint will be affected; Allen Grossman expressed agreement with the Task Force and that the Ethics Commission may reject referrals sent; Robert Clark spoke in favor of the Task Force not convening for future meetings; Male Speaker spoke in favor of the Task Force not meeting due to Sec. 67.30(a); Peter Warfield spoke in favor of the Task Force writing a letter to the Board of Supervisors regarding its violation of Sec. 67.30(a); Jeremy Miller spoke in favor of the Task Force adjourning due to its violation Sec. of 67.30(a); Female Speaker spoke in favor of the Task Force writing a letter to the Board of Supervisors.

The motion PASSED by the following vote:

Ayes: 9 – Knee, Manneh, Washburn, Pilpel, Sims, David, Hyland, Fischer, Grant

3. **Sunshine Ordinance Task Force Bylaws.**

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

4. Selection of Members to service on standing committees and appointment of its Chairs and Vice Chairs.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

5. **Public Comment:**

Speakers: Patrick Monette-Shaw spoke in objection to the Task Force convening in light of violating Sunshine Ordinance Sec. 67.30(a); Ray Hartz, Jr. spoke in objection to a two minute speaker time limit and in support of the Task Force not convening for future meetings due to Sec. 67.30(a); Allen Grossman spoke in support of the Task Force not convening for future meetings due to Sec. 67.30(a); Jason Grant Garza expressed concern with decisions made on his complaints spanning over 10 years; Kimo Crossman expressed concern with speaker time limits and three minute speaker rule; Peter Warfield spoke in objection to two minute speaker time limit and in favor to the Task Force adhering to Sec. 67.30(a); Male Speaker expressed that the Task Force stay in compliance with Sec. 67.30(a).

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

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

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

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

8. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

9. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 10. **File No. 11089:** Complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 11. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

Chair Grant indicated a request that File No. 12005, Anonymous v. the Municipal Transportation Agency (Item 11) be continued by the Complainant until the Task Force is in compliance with 67.30 (a).

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 12. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 13. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 14. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 15. **Report: Education Outreach and Training Committee meeting of May 10, 2012.**

NOT HEARD. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

- 16. **Report: Compliance and Amendments Committee meeting of May 15, 2012.**

NOT HEARD. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

17. **Administrator's Report.**

NOT HEARD. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

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

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

19. **ADJOURNMENT**

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

Speakers. Patrick Monette-Shaw spoke expressing concern with the content of the letter to the Board of Supervisors; Jason Grant Garza spoke expressing disagreement with the Task Force's processes; Ray Hartz, Jr. spoke expressing the rights of the public; Allen Grossman spoke regarding having two agendas; Peter Warfield spoke expressing how the compliance issue is crippling the complaint hearing process; Jeremy Miller spoke in favor of adjourning the meeting.

The motion PASSED without objection.

There being no further business, the Sunshine Ordinance Task Force adjourned at the hour of 6:48 p.m.

APPROVED: April 3, 2013



Andrea Ausberry, Administrator
Sunshine Ordinance Task Force