



SUNSHINE ORDINANCE TASK FORCE
Complaint Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

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

November 28, 2017
5:30 PM – 7:30 PM

Regular Meeting

Members: Leuwam Tesfai (Chair), Fiona Hinze and Bruce Wolfe

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

Chair Leuwam Tesfai called the meeting to order at 5:31 p.m. On the call of the roll Chair Tesfai, Member B. Wolfe, and Member Hinze were noted present. There was a quorum.

There were no agenda changes.

2. Approval of the October 24, 2017, Complaint Committee meeting minutes.

The Committee discussed the draft minutes.

Member B. Wolfe, seconded by Member Hinze, moved to approve the October 24, 2017, Complaint Committee meeting minutes.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 – B. Wolfe, Hinze, Tesfai
Noes: 0 – None

3. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction but not on today's agenda.

Speakers:

None.

The Complaint Committee (Committee) shall hold hearing(s) on File No(s). 17117 and 17118 to: 1) determine if the Sunshine Ordinance Task Force (Task Force) has jurisdiction; 2) review the merits of the complaints; and/or 3) issue a report and/or recommendation to the Task Force. The Task Force, upon receipt of the report and/or recommendation from the Committee, shall schedule and conduct a hearing on the merits of the complaint.

4. **File No. 17118:** Complaint filed by James Stark against Supervisor Aaron Peskin for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

SOTF Administrator noted that James Stark (Petitioner) verbally requested that the hearing be continued to a future date. Lee Hepner, Office of Supervisor Aaron Peskin (Respondent) provided a summary of Supervisor Aaron Peskin's position and stated the SOTF does not have jurisdiction as the allowed ten deadline for responding to public records requests has not yet elapsed. Mr. Hepner stated that he is currently in contact with Mr. Stark and that they are attempting to resolve the public records request.

Member Hinze, seconded by Chair Tesfai, moved to find that the Task Force has jurisdiction in the matter and that the requested records are public.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 – B. Wolfe, Hinze, Tesfai

Noes: 0 – None

Member B. Wolfe, seconded by Member Hinze, moved to continue the matter to the call of the chair.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 – B. Wolfe, Hinze, Tesfai

Noes: 0 – None

5. **File No. 17117:** Complaint filed by Patrick Roddie against the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Patrick Roddie provided a summary of complaint prior to withdrawing the complaint as the matter has already been resolved.

6. **File No. 17121:** Hearing – Ethics Commission’s Draft Enforcement Regulations and Enforcement of Orders of Determinations by the Sunshine Ordinance Task Force.

Deputy Director Jessica Blome and Jeff Pierce, Ethics Commissions, provided a summary of the Ethics Commission’s Draft Enforcement Regulation, potential procedure for reviewing referrals from the SOTF and answered questions from the Committee.

Audio recordings of the discussion is available at the following web link:

<http://sfgov.org/sunshine/audio-archive-committees>

Member B. Wolfe, seconded by Member Hinze, moved to refer the matter to the December 6, 2017, SOTF meeting for additional discussion and possible actions.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 – B. Wolfe, Hinze, Tesfai

Noes: 0 – None

7. **Announcements, Comments, Questions, Future Agenda Items, and Pending Calendar by members of the Committee.**

There were no announcements or comments.

8. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:06 p.m.

**APPROVED: January 23, 2018
Complaint Committee
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.