



SUNSHINE ORDINANCE TASK FORCE CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

May 6, 2015 - 4:00 PM

Regular Meeting

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

Seat 1	Vacant	Seat 7	Lee Hepner
Seat 2	Vacant	Seat 8	Vacant
Seat 3	Josh Wolf	Seat 9	Chris Hyland - Vice Chair
Seat 4	Rishi Chopra	Seat 10	Louise Fischer
Seat 5	Allyson Washburn - Chair	Seat 11	Fiona Hinze
Seat 6	David Pilpel		

Ex-officio (*non-voting*) Clerk of the Board of Supervisors or his or her designee

Ex-officio (*non-voting*) Mayor or his or her designee

2. **Approval of minutes from the Sunshine Ordinance Task Force (SOTF) April 1, 2015, meeting.** (*Discussion and Action*) (*attachment*)

3. **Approval of minutes from the Complaint Committee April 21, 2015, meeting.** (*Discussion and Action*) (*attachment*)

4. **Approval of minutes from the Rules Committee March 10, 2011, and January 20, 2015, meetings.** (*Discussion and Action*) (*attachment*)

5. **Office of the City Administrator's Update: Index of Records pursuant to Administrative Code (Sunshine Ordinance), Section 67.29.** (*Discussion and Action*) (*attachment*)

6. **File No. 15011:** Complaint filed by David Eisenberg against Trent Rhorer and the Human Services Agency (HSA) for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.3, 67.4, 67.7, and 67.21, for failure to adequately respond to a February 4, 2015, request for information about HSA meetings and for denying access to said meetings. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by David Eisenberg against Trent Rhorer and the Human Services Agency. (*Discussion and Action*)
 - (b) Hearing on complaint filed by David Eisenberg against Trent Rhorer and the Human Services Agency. (*Discussion and Action*)
7. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (*No Action*) **Public comment shall be taken at 5:00 pm or as soon thereafter as possible.**
8. **File No. 15008:** Complaint filed by Brian Browne against the San Francisco Public Utilities Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, for failure to respond to a request for public records in a timely and/or complete manner. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Brian Browne against the San Francisco Public Utilities Commission. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Brian Browne against the San Francisco Public Utilities Commission. (*Discussion and Action*)
9. **File No. 15014:** Complaint filed by the Paula Datesh against the Howard Lazar and the San Francisco Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(b)(e), for failure to announce agenda changes and accept public comment prior to taking action. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Paula Datesh against the Howard Lazar and the San Francisco Arts Commission. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Paula Datesh against the Howard Lazar and the San Francisco Arts Commission. (*Discussion and Action*)

Recommendation from the Complaint Committee.

(The Compliant Committee held a hearing on March 17, 2015, to review File No. 15012 and issued a report and/or recommendation for the SOTF's review. Upon review of the Committee's recommendations the SOTF shall: 1) accept the recommendation of the Committee; or 2) schedule the complaint for a hearing before the SOTF at a future date.

10. **File No. 15012:** Complaint filed by the Jason Grant Garza against Barbara Garcia, Philip Katzenberger, Faye DeGuzman, and Nancy Sariel, Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 for failure to allow inspection of public records during normal hours of operations, without unreasonable delay, and without requiring an appointment and failure to respond to an Immediate Disclosure Request in a timely and/or complete manner. *(Discussion and Action)(attachment)*

(The Complaint Committee determined that the SOTF has jurisdiction and recommended that the SOTF find that a violation of Administrative Code (Sunshine Ordinance), Section 67.25(a) for failure to respond to an Immediate Disclosure Request in a timely manner.)

Special Order - 6:30 PM

(Discussion regarding File No. 15045, 15049, 15024, 15028, and 15039 shall begin at 6:30 PM or as soon thereafter as possible.)

11. **File No. 15045:** Complaint filed by Alvin Johnson against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.26, for failure to allocate adequate staff time to process public record requests in a timely manner. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)

12. **File No. 15049:** Complaint filed by the Alvin Johnson against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.21-1, for failure to respond to a request for public records in a timely and/or complete manner and failure to design and maintain a computer database to ensure convenient, efficient and economical public access to records. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)

13. **File No. 15024:** Complaint filed by Alvin Johnson against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, for failure to respond to a request for public records in a timely and/or complete manner. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)

14. **File No. 15028:** Complaint filed by Alvin Johnson against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, for failure to respond to a request for public records in a timely and/or complete manner. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
15. **File No. 15039:** Complaint filed by Alvin Johnson against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, for failure to respond to a request for public records in a timely and/or complete manner. (*attachment*)
 - (a) Determination of jurisdiction on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
 - (b) Hearing on complaint filed by Alvin Johnson against the Department of Human Resources. (*Discussion and Action*)
16. **Sunshine Ordinance Task Force consideration of tabling complaint filed by Anonymous: File Nos. 14051, 14052, 14060, 14109, 15006, and 15007.** (*The Complainant has requested the following complaints be tabled by the SOTF. If the matters are tabled the Complainant may re-file the complaint with the SOTF on a future date when he/she is available to participate in the SOTF process/hearing. File Nos. 14051, 14052, 14060, 14109, 15006, and 15007.*) (*Discussion and Action*)(*attachment*)
17. **Election of Officers:** Elections of Sunshine Ordinance Task Force Chair and Vice Chair pursuant to SOTF Bylaws, Article II, Sections 2 and 3. (*Discussion and Action*)
18. **Administrator's Report.** (*Discussion and Action*)(*attachment*)
19. **Update: Sunshine Ordinance Task Force Membership and Vacancies.** (*Discussion and Action*)
20. **Announcements, Comments, Questions, and Future Agenda Items.** ((*Discussion and Action*)
21. **ADJOURNMENT**

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.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Wilson Ng at (415) 554-5184. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay Joy Lamug sa (415) 554-7712.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

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