



SUNSHINE ORDINANCE TASK FORCE
Education, Outreach and Training Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES
REMOTE REGULAR MEETING

If you wish to make a statement during general Public Comment, please press *6 and unmute your telephone to speak. Please press *6 to mute your telephone once you are done with your statement.

May 11, 2021 - 5:30 PM

Regular Meeting

Members: Chris Hyland (Chair), Kevin Frazier and Jaya Padmanabhan

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference.

Members of the public may participate by phone or may submit their comments by email to: Cheryl.Leger@sfgov.org; all comments received will be made a part of the official record. Sunshine Ordinance Task Force agendas and their associated documents are available at <https://sfbos.org/sunshine>.

PUBLIC COMMENT CALL IN

1-415-906-4659

Meeting ID: 324 211 348 #

As the COVID-19 disease progresses, please visit the Sunshine Ordinance Task Force website regularly to be updated on the current situation as it affects the legislative process.

Meeting Decorum: Any member of the Sunshine Ordinance Task Force may call for decorum due to disorderly conduct of meeting participants. Persons who engage in threatening and/or menacing behavior may be asked to leave.

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

Chair Hyland called the meeting to order at 5:31 p.m. On the call of the roll Chair Hyland and Members Yankee and Padmanabhan were noted present. A quorum was present.

The SOTF Administrator notified the Committee that Item 5, File No. 20103 was withdrawn by the Petitioner.

2. Adoption of the minutes for the March 23, 2019, Education, Outreach, and Training Committee meeting.

The Committee discussed the Minutes and Member Padmanabhan noted corrections to Items 7 and 8.

Action: Moved by Chair Hyland, seconded by Member Padmanabhan, to approve the March 23, 2021, meeting minutes with amendments.

Public Comment:

Peter Warfield – Executive Director of Library Users Association, libraryusers2004@gmail.com, P.O. Box 170544, San Francisco, CA 94117-0544. Mr. Warfield expressed appreciation that the Association has made it into the March Education, Outreach and Training Committee minutes.

Anonymous concurred with the previous comment regarding time stamps and an additional thanks for adding time stamps to the minutes.

The motion PASSED by the following vote:

Ayes: 3 - Hyland, Padmanabhan, Yankee
Noes: 0 - None

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

Speakers:

Peter Warfield stated that he feels a need to state the name and address of Library Users Association at each meeting and in each turn for Public Comment. Mr. Warfield noted the importance of identifying individuals at meetings.

Anonymous stated that he wants to use this time to inform the SOTF of various changes regarding the SOTF within the City. Anonymous noted that the Mayor

has signed an agreement to renew the request for release of Citywide metadata a few weeks ago.

4. **File No. 20099:** Complaint filed by Amanda Ashton against San Francisco Airport 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. (*attachments*)

The Petitioner was not present and did not notify the Administrator of their absence.

The Respondent was not present and did not notify the Administrator of their absence.

Action: Moved by Member Yankee, seconded by Member Padmanabhan to close the file without prejudice.

Public Comment:

Peter Warfield stated that the rules with respect to appearance of parties have changed many times and that his reading of the rules indicate that the Respondent is required to be present not the Petitioner.

Anonymous opined that it is possible to maintain an anonymous profile in a complaint. Anonymous noted that the rules state that if the Petitioner does not appear, the matter will be closed without prejudice.

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Padmanabhan, Hyland
Noes: 0 - None

5. **File No. 20103:** Complaint filed by Karl Kramer against the Department of the Environment 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.

The Petitioner requested via email that the Administrator close the complaint.

6. **File No. 20055:** Complaint filed by Liza Murawski 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.

Liza Murawski (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Murawski stated that she was denied requested records and statistics related to Conard Mental Health by its Director Mr. Heasley without reason. In January 2021, Ms. Murawski made a second request for the same information to CEO Clayton which was also denied. Ms. Murawski stated that Conard

Mental Health is a contractor of the Department of Public Health and that she has not received her requested records.

The Respondent was not present and did not notify the Administrator of their absence.

Action: Moved by Chair Hyland, seconded by Member Padmanabhan, to continue the matter to the Call of the Chair, find jurisdiction, and request that the Task Force Administrator confirm attendance of the Department of Public Health before the next meeting.

Public Comment:

Anonymous stated that the Committee knows that some records exist and doesn't think fair to the Petitioner to make them wait because respondent didn't appear.

Peter Warfield agreed with Anonymous in that the Committee should take the side of the Petitioner when the Respondent is not present at a hearing.

The motion PASSED by the following vote:

Ayes: 3 - Hyland, Padmanabhan, Yankee

Noes: 0 - None

The Committee requested the SOTF Administrator to reach out to Ms. Vien to inquire where the requested records are and to confirm that she will appear at the next Education, Outreach and Training Committee hearing.

File No. 20014: Complaint filed by Anonymous against Dennis Herrera, Elizabeth Coolbrith, Brittany Feitelberg and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(1)(k), 67.25(a) 67.26, 67.27, 67.29-1 and 67.29-5(a) by failing to respond to a public records request in a timely and/or complete manner.

Anonymous (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Anonymous stated that this complaint is over a year old. Anonymous stated that he requested one week of calendar records with metadata. Anonymous contends that these records are disclosable, should be turned over and that there is no security threat. Anonymous stated that the City Attorney has already been found in violation for not providing Prop G calendar entries. Anonymous stated that he has not received his requested records

John Cote (city Attorney's Office) (Respondent), provided a summary of the department's position. Mr. Cote stated that allegations of improper redacting are untrue. Mr. Cote referred the Committee to his submitted written response.

A question and answer period occurred. The parties were provided an opportunity for rebuttals.

Action: Moved by Member Padmanabhan, seconded by Member Yankee to find that the records are public, there is jurisdiction and to forward the matter to the SOTF for hearing.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Padmanabhan, Yankee, Hyland
Noes: 0 - None

7. Announcements, Comments, Questions, and Future Agenda Items by Members of the Education, Outreach and Training Committee.

The Committee had no further discussion of the matter.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:01 p.m.

**APPROVED: June 8, 2021
Education, Outreach and Training 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.