

Date: September 23, 2008

Item No. 3

File No. _____

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Draft Minutes: Complaint for September 9, 2008**
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Completed by: Frank Darby

Date: September 17, 2008

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

Sunshine Ordinance Task Force



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

<http://www.sfgov.org/sunshine/>

**SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
DRAFT MINUTES
Tuesday, September 9, 2008
4:00 p.m., City Hall, Room 406**

Committee Members: Nick Goldman (Chair); James Knoebber

Call to Order: 4:00 p.m.
Roll Call: **Present:** Goldman, Knoebber
Absent: None

Agenda Changes: None

Deputy City Attorney: Ernest Llorente
Clerk: Chris Rustom

1. Approval of minutes of August 12, 2008.

Motion approving minutes of August 12, 2008. (Knoebber / Goldman)

Public Comment: None

On the motion:
Ayes: Goldman, Knoebber

2. 08033 Determination of jurisdiction of complaint filed by Charles Pitts against the Human Services Department.

Speakers: Charles Pitts said he had requested copies of two contracts from the Dept of Human Services but did not give it timely. He said he called the department every few days to remind them of the request. He also noted that the department representative was not present.

Department representative not present.

DCA Llorente noted that the department's position was expressed in a letter included in the packet.

Chair Goldman said the committee could find jurisdiction based on the facts presented by Mr. Pitts.

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment: None

On the motion:

Ayes: Goldman, Knoebber

A department representative was recognized after Item 4 was heard and invited to give the department's response. Pamela Tebo, the representative, said the complaint was false because she sent a letter to Mr. Pitts the day she received the request. She added that Mr. Pitts also failed to collect the documents but filed a Sunshine complaint. Chair Goldman said the committee had found jurisdiction and instructed her to present her case to the Task Force.

3. 08040 Determination of jurisdiction of complaint filed by Eula Walters against the Recreation and Parks Commission for allegedly withholding documents.

Speakers: Eula Walters introduced herself and said she felt mistreated at a Rec & Park Commission meeting because of favoritism shown to Ms Weiss. She said she could not prepare a proper defense because she does not receive the commission's meeting agenda on time. Also, the commission and her opponent refused to reveal details of the donor behind Ms Weiss' plaque.

Department representative not present.

Chair Goldman said the committee could find jurisdiction based on the facts presented by Ms Walters.

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment: None

On the motion:

Ayes: Goldman, Knoebber

- 4 08042 Determination of jurisdiction of complaint filed by Kimo Crossman against SFGTV, Media Services and COB.

Speakers: Kimo Crossman wanted the Board of Supervisors to be added to his complaint list. He said the Ordinance mandated that the City posts digital recording of meetings on its website. He said Task Force Member Erica Craven explained the Ordinance's requirements at a recent TF meeting, but the City had yet to follow the law. He asked that the committee find jurisdiction and inquire who gave the SOTF administrator the authority to challenge jurisdiction.

Respondent Jack Chin from DTIS said the department supports the Ordinance but lacks funds to implement it. A purchase order was issued at the end of July for equipment, but budget restrictions ended the exercise. Rohan Lane of Media Services said his office would like to provide the service but it was not feasible because of a lack of staff allocation. Frank Darby, representing the Clerk of the

Board, said he was contesting jurisdiction because it was a policy matter and the Task Force does not have the authority to allocate funding to implement the Ordinance.

In rebuttal, Mr. Crossman said jurisdiction should be found because the departments are in violation of Sections 67.26, 67.30, 67.34 and an ordinance approved by the Board of Supervisors.

DCA Llorente recommended jurisdiction because the issue involved the same parties in a complaint heard recently by the Task Force.

Chair Goldman said although he understood that nothing could be done without money the complaint should move forward and let the Task Force decide on the merits.

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment: None

On the motion:

Ayes: Goldman, Knoebber

5. Administrator's Report.

The Administrator made the report.

Public Comment: None

6. Public comment for items not listed on the agenda

Public Comment: None

7. Announcements, questions, and future agenda items from Committee members.

Speakers: None

Public Comment: None

Adjournment The meeting adjourned at 4:23 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force