



SUNSHINE ORDINANCE TASK FORCE

Education, Outreach and Training Committee

CITY AND COUNTY OF SAN FRANCISCO

MINUTES - DRAFT

REMOTE MEETING

August 10, 2021
5:30 PM

Remote Regular Meeting

Members: Matthew Yankee (Chair), Bruce Wolfe, Jaya Padmanabhan

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

Chair Yankee called the meeting to order at 5:32 p.m. On the call of the roll Chair Yankee and Members Wolfe and Padmanabhan were noted present. A quorum was present.

There were no agenda changes.

2. Approval of the July 13, 2021, Education, Outreach and Training Committee meeting minutes.

Action: Moved by Member Wolfe, seconded by Member Padmanabhan to approve the July 13, 2021, meeting minutes with amendments.

Public Comment:

Zack Karnazes stated that he requested ADA accommodations and that changes to the agenda be included.

Anonymous #3 commented on the process of informing members of the public of public comment and how to deal with those who cannot be heard.

Peter Warfield, Executive Director Library Users Assn.,
libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California
94117-0544. Mr. Warfield expressed appreciation to the attention to detail of Mr. Karnazes.

The motion PASSED by the following vote:

Ayes: 3 -Wolfe, Padmanabhan, Yankee

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:

Zach Karnazes stated that he is a disability advocate and a District 9 resident. Mr. Karnazes expressed concern with the SOTF mistreatment of the public.

Peter Warfield, Executive Director, Library Users Assn., expressed concern and that his contact information has been left out of this and other committee minutes. Mr. Warfield requested an explanation on why this is happening and stated that there has been no change in the Library Commission hearings with regard to public comment.

Anonymous #3 agreed with the last two speakers and asked when is the deadline to get materials to the Administrator before a hearing? Anonymous noted that other parties who did not appear were allowed to reschedule.

4. **File No. 21033:** Complaint filed by Zach Karnazes against the Mayor's Office on Disability for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.12 by failing to provide the recording of the closed session discussions and actions; 67.25 by failing to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner.

Zach Karnazes (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Karnazes stated that he was using this time to address a disability accommodation request that was ignored. Mr. Karnazes stated that he is asking for a continuance under a reasonable disability accommodation.

The Respondent did not make an appearance and did not inform the Administrator of their absence.

Action: Moved by Member Wolfe, seconded by Member Padmanabhan, to continue the matter to the September 7, 2021 meeting of the EOTC.

Public Comment:

Anonymous #3 acknowledged and supports Mr. Karnazes' request for a continuance .

Peter Warfield, Executive Director, Library Users Assn., stated that he is very interested in good Sunshine justice and noted that the Petitioner wanted to know the date and time of the hearing.

The motion PASSED by the following vote:

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

5. **File No. 21052:** Complaint filed by Bob Planthold against the Planning Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.15 by failing to allow participation in public comment during a remote April 27, 2021 Planning Commission meeting

Bob Planthold (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Planthold stated that the complaint is about denial of the opportunity for public comment for people with sensory disabilities. Mr. Planthold stated that the Planning Commission Agenda provided on SFGOVTV did not display a call-in number and was not accessible for a disabled person. The Commission secretary announced a call-in number but if a person is deaf, they could not hear the announcement and therefore unable to make Public Comment.

Laura Lynch (Planning Department) (Respondent), provided a summary of the department's position. Ms. Lynch stated that there was an error in the posting of the April 2021 agenda. Ms. Lynch stated that error was corrected and corrected information was provided to SFGOVTV. Ms. Lynch also added that the webpage has been updated with the correct access code.

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

Action: Moved by Member Wolfe, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction and to refer the matter to the SOTF for hearing.

Public Comment:

Anonymous #3 stated that the violation is that the location of the meeting changed and when that was realized the virtual location is required to be noticed on the Agenda.

Peter Warfield, Executive Director, Library Users Assn., stated that the ability to listen to, attend and participate in public meetings is very important in democracy.

The motion PASSED by the following vote:

Ayes: 3 - Wolfe, Padmanabhan, Yankee

Noes: 0 - None

6. **File No. 21062:** Complaint filed by Karl Kramer against and the Department of Building Inspection for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing respond to a records request in a complete and/or timely manner.

Karl Kramer (Petitioner) provided a summary of the complaint. Mr. Kramer stated that he had an email exchange with Patrick Hanon and has received all requested records and wishes to withdraw the complaint.

Patrick Hanon (Department of Building Inspection) (Respondent), provided a summary of the department's position. Mr. Hanon stated thanks to the Committee members and was happy to oblige Mr. Kramer.

Action: Moved by Member Wolfe, seconded by Member Padmanabhan, to table the matter and considers it closed because the Petitioner withdrew their complaint.

Public Comment:

Peter Warfield, Executive Director, Library Users Assn., noted his concern about the dismissal and that there should be a procedure on withdrawals.

Anonymous #3 stated that part of the process is compliance and is concerned that agencies often do not comply with the law until a complaint hearing is scheduled.

The motion PASSED by the following vote:

Ayes: 3 – Wolfe, Padmanabhan, Yankee

Noes: 0 - None

7. **File No. 21063:** Complaint filed by Karl Kramer against and the Department on the Status of Women for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing respond to a records request in a timely and/or complete manner.

Karl Kramer (Petitioner) confirmed that he is withdrawing the complaint against the Department on the Status of Women.

Joe Macalhan (Department on the Status of Women) (Respondent) had no further comments.

Action: Moved by Member Wolfe, seconded by Member Padmanabhan, to accept the withdrawal of the complaint from the Petitioner and considers the matter closed.

Public Comment:

Peter Warfield, Executive Director, Library Users Assn., commented on the delays in responding to records request and how it may make the public withdraw their complaint due to delays.

The motion PASSED by the following vote:

Ayes: 3 - Wolfe, Padmanabhan, Yankee

Noes: 0 - None

8. **File No. 20124:** Complaint filed by Stiliyan Bejanski against Kevin Guy and the Office of Short-Term Rentals for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24 for failing to provide public information; 67.25 for failing to respond to an Immediate Disclosure Request in a timely manner, 67.26 for failing to keep withholding to a minimum; 67.27 for failing to justify withholding and 67.29 and failing to provide an index of records.

Stiliyan Bejanski (Petitioner) was not present for the hearing and did not inform the Administrator of their absence.

Laura Lynch (Planning Department), Kevin Guy (Office of Short-Term Rentals) (Respondents), were present for the hearing.

Action: Moved by Member Wolfe, seconded by Member Padmanabhan, to table the matter without prejudice and apply Sunshine Task Force Complaint Procedures Section C.7.B and to inform the Petitioner that they have sixty days to reopen their matter.

Public Comment:

Peter Warfield, Executive Director, Library Users Assn. questioned the timeline and actions taken. Mr. Warfield stated that the Petitioner may be having difficulty trying to sign into the hearing.

Anonymous #3 wanted to direct the Committee to an administrative issue on page 3 and that the Petitioner was not sure what the question was and if using a browser cannot see the question.

The motion PASSED by the following vote:

Ayes: 3 - Wolfe, Padmanabhan, Yankee

Noes: 0 - None

9. **Announcements, Comments, Questions, and Future Agenda items by Members of the Education, Outreach and Training Committee.**

No discussions or actions taken by the Committee.

Public Comment:

Peter Warfield, Executive Director, Library Users Assn., noted that members of the Committee did not make comments when there is a wide variety of possible concerns including a referral to former Member Kevin Frazer.

10. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:33 p.m.

APPROVED: DRAFT

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.