



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

April 26, 2016 - 4:00 PM

Special Meeting

Members: Louise Fischer (Chair), Josh Wolf, David Pilpel

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

Chair Louise Fischer called the meeting to order at 4:07 p.m. On the call of the roll Members Wolf and Pilpel were noted present. There was a quorum.

There were no agenda changes.

The Complaint Committee shall hold a hearing on File Nos. 15164, 16033 and 16018 to: 1) determine if the Sunshine Ordinance Task Force (SOTF) has Jurisdiction; 2) review the merits of the complaints; and/or 3) issue a report and/or recommendation to the SOTF. The SOTF, upon receipt of the report and/or recommendation from the Complaint Committee, shall: 1) accept the recommendation of the Complaint Committee; or 2) schedule the complaint for a hearing before the SOTF at a future date.

- 2. File No. 15164:** Complaint filed by Ann Treboux against Howard Lazar and the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, for failure to respond to a public records request in a timely and/or complete manner.

Member Pilpel, seconded by Member Fischer, moved to find jurisdiction on the matter.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Wolf, Pilpel, Fischer
Noes: 0 - None

Ann Treboux (Complainant) provided a summary of the complaint and requested the Task Force to find a violation. There were no speakers in support of the Complainant. Kate Patterson, Arts Commission (Respondent) provided a summary of the department's position. Ms. Patterson stated that the request was found in Mr. Lazar's junk e-mail box and that steps have been taken to address the problem. There were no speakers in support of the Respondent. A question and answer period followed. The Complainant and Respondent were allowed to provide rebuttals.

The committee provide several suggestions including but not limited to the following:

- Regular checks of email boxes to insure that email was not misdirected
- Complainants should follow-up on request if a response is not received
- Complainants should send request to the general email address for the Arts Commission and cc staff members as needed
- Possible creation of an automatic program to sort Immediate Disclosure Requests
- Set up auto replies for email accounts.

Member Pilpel, seconded by Member Wolf, move to refer the matter to the Sunshine Ordinance Task Force with the recommendation that the Task Force has jurisdiction and that the Arts Commission violated Administrative Code (Sunshine Ordinance), Section 67.25(a), by failing to respond to an Immediate Disclosure Request in a timely manner.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Wolf, Pilpel, Fischer

Noes: 0 - None

3. **File No. 16033:** Complaint filed by Ann Treboux against the Sharon Page-Ritchie and the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.16, by failing to make draft minutes available for inspection no later than 10 working days after the meeting (Arts Commission March 7, 2016, meeting).

Member Pilpel, seconded by Member Fischer, moved to find jurisdiction on the matter.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Wolf, Pilpel, Fischer

Noes: 0 - None

Ann Treboux (Complainant) provided a summary of the complaint and requested the Task Force to find a violation. There were no speakers in support of the Complainant. Kate Patterson, Arts Commission (Respondent) provided a summary of the department's position. A question and answer period followed. The Complainant and Respondent were allowed to provide rebuttals.

Member Pilpel, seconded by Member Wolf, move to refer the matter to the Sunshine Ordinance Task Force with the recommendation that the Task Force has jurisdiction and that there were no violations of Administrative Code (Sunshine Ordinance), Chapter 67.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 - Wolf, Pilpel, Fischer

Noes: 0 - None

4. **File No. 16018:** Complaint filed by Charles Pitts against Sheriff Vicki Hennessy and the Sheriff's Department for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

Member Pilpel, seconded by Member Fischer, moved to table the matter due to the non-appearance of the Complainant.

Public Comment:

Paula Datesh stated that Mr. Pitts could have called to inform the Task Force of any issues regarding his non-appearance at the meeting.

The motion PASSED by the following vote:

Ayes: 3 - Pilpel, Fischer

Noes: 0 - Wolfe

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

Ann Treboux stated it is too easy to file a complaint without providing enough information.

6. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Pilpel commented on the scheduling of compliant.

7. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:15 p.m.

**APPROVED: December 20, 2016
Compliance and Amendment 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.