



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

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

January 13, 2014 – 3:00 PM

Regular Meeting

Members: David Pilpel (Chair), Todd David,
Bruce Oka, Chris Hyland, Louise Fischer

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

Louise Fischer was appointed to the Committee meeting of January 13, 2014.

The meeting was called to order at 3:02 p.m. Members Hyland and Oka were noted absent. There was a quorum.

2. File No. 12013: Hearing on the determined violation of complaint by William Clark against Howard Lazar, Arts Commission, for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

William Clark (Complainant) provided an overview of the status of the records requested. Robert Clark and Paula Datesh present facts and evidence in support of the Complainant. Howard Lazar and Kate Patterson-Murphy, Arts Commission (Respondent) provided the Arts Commission's defense and provided an update on compliance with the Order of Determination. Complainant and Respondent responded to questions raised throughout the discussion. The Respondent provided a rebuttal. The Complainant provided a rebuttal.

Member David, seconded by Member Fischer, moved to authorize the Chair of the Committee to compose and transmit a letter to the City Attorney's Office requesting advice as to whether conversations (verbal and written) between departments and the City Attorney's Office regarding public documents and the Sunshine Ordinance is considered public information. (Divided into File No. 14002)

Public Comment:

Thomas Picarello expressed concern about the long delay in the complaint process and suggested that the complaint be referred back to the Task Force for determination of official misconduct.

The motion passed by the following vote:

Ayes: 3 – Pilpel, David, Fischer

Absent: 2 – Hyland, Oka

Due to a lack of an additional motion, the MATTER was CONCLUDED.

3. **File No. 13024:** Hearing on the status of the Order of Determination of Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue.

Mica Ringel (Complainant), provided an update on the information submitted by the Planning Department. There were no speakers in support of the Complainant. Jonas Ionin, Custodian of Records, Planning Department (Respondent), provided an overview of the Planning Department's defense. There were no speakers in support of the Respondent. The Complainant and Respondent responded to questions raised throughout the discussion. The Respondent provided a rebuttal. The Complainant provided a rebuttal.

Member Fischer, seconded by Member David, moved to refer the matter back to the Task Force.

The Committee requested the Planning Department to perform an additional email database search for '480 + Potrero' and "2011.0430".

Public Comment:

Thomas Picarello expressed various concerns and suggested that the matter be referred to the Task Force for determination of willful violation.

Charles Pitts expressed various concerns.

The Motion passed by the following vote:

Ayes: 3 – Pilpel, David, Fischer

Absent: 2 – Hyland, Oka

4. **Planning Department Public Records Policies and Procedures.**

Jonas Ionin, Custodian of Records, Planning Department, provided a summary of the Planning Department's public records policies and procedures. A question and answer period followed.

Member Pilpel, seconded by Member David, moved to CONTINUED THE MATTER TO THE CALL OF THE CHAIR.

Public Comment:

Thomas Picarello expressed concerns over the Sunshine training of planners and requested a timeline of implementation.

Charles Pitts expressed various concerns.

The motion passed without objection.

5. **Administrative Code, Chapter 12L: Public Access to Records and Meetings of Non-Profit Organizations.**

Chair Pilpel provided a summary and discussion occurred.

Member David, seconded by Member Fischer, moved to request comments from city departments regarding to the Task Force draft letter concerning Administrative Code, Chapter 12L.

Public Comment:

Thomas Picarello expressed concerns that a draft letter was not available for public review and stated that non-profits should not be exempt from public information laws.

Charles Pitts expressed various concerns about non-profits meeting procedures.

6. **Public Comment:**

Thomas Picarello expressed concerns regarding public comment on the City's budget.

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

Pending items before the Committee:

SOTF website and Chaffee v. Budget and Finance Committee.

Public Comment:

Charles Pitts requested that information concerning public comment at meetings be transmitted to other city agencies.

8. **ADJOURNMENT**

There being no further business the meeting was adjourned 5:28 p.m.

APPROVED: November 10, 2014



Victor Young
Administrator
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.

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.

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.

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.