

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

Issued: February 10, 2022

DATE DECISION ISSUED

August 4, 2021

CASE TITLE: Mimi Klausner v. Police Commission

File No. 20106: Complaint filed by Mimi Klausner against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.7 by grouping several agenda items into one and 67.15 by failing to allow participation in public comment during a Police Commission meeting.

HEARING AND ACTION ON THE COMPLAINT

On June 8, 2021, the Education, Outreach and Training Committee acting in its capacity to hear petitions/complaints heard the matter and determined jurisdiction, found that the records are public and referred the matter to the SOTF for hearing.

Minutes from the meeting are available at the following website:

https://sfgov.org/sunshine/sites/default/files/eotc_060821_minutes.pdf

Moved by Member Padmanabhan, seconded by Member Frazier, to find jurisdiction, that the records are public and to forward the matter to the SOTF for hearing.

The motion PASSED by the following vote:

Ayes: 3 - Padmanabhan, Frazier, Hyland

Noes: 0 – None

On August 4, 2021, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

Minutes from the meeting are available at the following website:

https://sfgov.org/sunshine/sites/default/files/sotf_080421_minutes.pdf

See Findings and Order of Determination for action.

FINDINGS AND ORDER OF DETERMINATION

On August 4, 2021, the SOTF made the following Findings and issued an Order of Determination based upon the testimony and evidence presented:

Moved by Member Wong, seconded by Member Padmanabhan, to find that the Police Commission violated Administrative Code, Section(s) 67.7(a) by grouping several agenda items into one and 67.15 by failing to separate agenda items into individual items accordingly and by failing to allow public comment on items individually per 67.15.

The SOTF urges the Police Commission to adjust their agendas and list each of these items as independent agenda items allowing public comment for each item separately and for the Police Commission to attend a training on Administrative Code, Section 67.7 with the Education, Outreach and Training Committee at their pleasure.

The motion PASSED by the following vote:

Ayes: 9 - Wong, Padmanabhan, Yankee, Schmidt, Neighbors, Stein,
Forsley, LaHood, Wolfe

Noes: 0 - None

Absent: 1 - Hyland

Please submit any required responses to the Complainant/Petitioner and the SOTF Administrator at sotf@sfgov.org. Notice of hearing before the Compliance and Amendments Committee will be provided if so required to determine compliance with this Order of Determination.



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

cc. Mimi Klausner (Petitioner/Complainant)
Sgt. Stacy Youngblood, Police Commission (Respondent)