



**SUNSHINE ORDINANCE TASK FORCE  
Compliance and Amendments Committee  
CITY AND COUNTY OF SAN FRANCISCO  
MINUTES**

**REMOTE REGULAR MEETING**

**February 22, 2022  
4:30 PM**

**Members:** Lila LaHood (Chair), Jennifer Wong and Laurie Jones Neighbors

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

Chair LaHood called the meeting to order at 4:33 p.m. On the call of the roll Chair LaHood and Members Neighbors and Wong were noted present. A quorum was present.

There were no agenda changes.

**2. Approval of the January 25, 2022, Compliance and Amendments Committee meeting minutes.**

**Action: Moved by Member Wong, seconded by Member Neighbors, to approve the meeting minutes with one adjustment.**

Public Comment:  
None.

**The motion PASSED by the following vote:**

Ayes: 3 - Wong, Neighbors, LaHood  
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:

Patrick Monette-Shaw stated that he hopes the SOTF gets around to revising complaint procedures for conducting meetings and that all SOTF meetings should be standardized.

4. **File No. 21054:** Complaint filed by Patrick Monette-Shaw against Grant Colfax, Veronica Vien and the Department of Public Health for violating Administrative Codes (Sunshine Ordinance), Sections 67.21 by failing respond to a public records request in a timely and/or complete manner; 67.21(b), for failing to provide a complete records production; 67.21(c), for failing to provide Mr. Monette-Shaw assistance; 67.27, for failing to provide justification for redactions; and 67.22(b), for not sending knowledgeable representative, and that the records be produced within five days, and this Complaint be referred to the Compliance and Amendments Committee for monitoring.

Patrick Monette-Shaw (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Monette-Shaw requested discharge notes from Laguna Honda Hospital and Zuckerberg San Francisco General Hospital for the period January 1, 2020, through June 30, 2020. Mr. Monette-Shaw stated that he was told the database does not track out of county discharges. Mr. Monette-Shaw stated that DPH erred in its testimony to SOTF. Mr. Monette-Shaw stated that EPICs media relations departments informed Montte-Shaw that discharge data is stored in EPIC's patient flow module which both hospitals have. Mr. Monette-Shaw stated that he wants supplemental information amended to include additional people like Mr. Raffin who has not made an appearance at any SOTF hearing and is requesting that the matter be revised to add additional people and order that DPH produce records by adding a query in patient discharges extracting San Francisco residents.

Eric Raffin (Department of Public Health) (Respondent), provided a summary of the department's position. Mr. Raffin stated that Mr. Monette-Shaw's request cannot be completed because discharge information is recorded in Electronic Health Records System and is not in discrete data fields and does not track the names and addresses of discharge information and therefore Mr. Monette-Shaw's request is not possible. Mr. Raffin stated that the information has to be extracted manually and would require creating a new field and be an extraordinary amount of work.

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

**Action: Moved by Chair LaHood, seconded by Member Neighbors, to ask that Department of Public Health work with Epics' team to see how much can be done in an automated fashion and ask Mr. Raffin to get a number count of San Francisco residents discharged out of county from Zuckerberg San Francisco General Hospital and Laguna Honda Hospital as separate numbers for the time period**

identified in the initial request of January 1, 2020 to June 30, 2020 and respond within 10 business days and report back the estimated amount of time the department thinks it will take to complete that request. The Committee would like to recommend that the department consider an analysis of time period beginning January 1, 2020, through June 30, 2020, and recommend that they consider how long it will take to provide the information from July 1, 2020, through December 31, 2020 and January 1, 2021 through April 30, 2021.

Public Comment:

None.

**The motion PASSED by the following vote:**

Ayes: 3 - LaHood, Neighbors, Wong

Noes: 0 - None

5. **File No. 21152:** Complaint filed by Jarmee Thieu against Ken Pang and the Human Services Agency Investigation Division for violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to public records request in a timely and/or complete manner and 67.26 for nonminimal withholding.

Jarmee Thieu (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Thieu stated that she received some of the Microsoft Teams screen shots and emails as ordered by Chair Hyland by January 28, 2022, however there are still emails and scoring sheets HSA has not produced. Ms. Thieu noted that on August 20, the first offer letter was sent for the first position. The second offer letter was sent on August 25 which was later rescinded. Ms. Thieu said the offer letter sent to Karen Tryn, who was interviewed by Claire Scott and Jose Ordaz, was sent on October 6.

Ken Pang (Human Services Agency) (Respondent), provided a summary of the department's position. Mr. Pang introduced Mr. Robert Eickwort from the HSA IT Department who confirmed that all responsive emails and Teams Chats for two individuals have been produced. Mr. Eickwort stated that the record retention policy is 30 days and that this policy is citywide.

Mr. Pang noted that Ms. Thieu is missing her email from Vladimir Rudakov, which he will look for and provide and as well as provide and forward the scoring sheets.

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

**Action: Moved by Chair LaHood, seconded by Member Wong, to request that Mr. Pang provide the emails that contain the scoring sheets sent by the panelists to Claire Scott, Wannie Huynh and from Jose Ordaz to Wannie Huynh and sent by**

**Ms. Huynh to Mr. Rudakov in Human Resources and the emails containing the scoring sheets. The matter was continued to the Call of the Chair.**

Public Comment:

None.

**The motion PASSED by the following vote:**

Ayes: 3 - LaHood, Wong, Neighbors

Noes: 0 - None

6. **File No. 22007:** Complaint filed by Anonymous (PAN) against the Thomas Campbell and the Fine Arts Museums for allegedly violating Administrator Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

Anonymous (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Anonymous stated that he requested records related to the lobby of the DeYoung Museum (FAMSF). Anonymous stated that the DeYoung provided part 1 of the 12 requests the day before the hearing, that they failed to respond to 11 out of his 12 records requests and have also stated they are not withholding any documents. Anonymous stated that CoFAM is an agent of the city and collects money for admission and that is a public record.

Megan Bourne (Fine Arts Museums) (Respondent), provided a summary of the department's position. Ms. Bourne stated that the department provided records and a link to those documents. Ms. Bourne stated that the domain name is FAMSF. Ms. Bourne stated that item 1 of the request was provided and records for items 2 through 12 were not provided because FMASF does not own those records. Ms. Bourne stated that California Public Records Act does not apply to CoFAM.

Jason Seifer stated that the data provided to the Controller's Office was also provided to Anonymous.

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

**Action: Moved by Member Wong, seconded by Member Neighbors, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for hearing with the recommendation to find violations of Administrative Code, (Sunshine Ordinance) Sections 67.21(b) for not justifying withholding; 67.21(c) for not assisting the petitioner in directing them to the proper office; 67.21(d) for failing to communicate with the petitioner on why the records are not being provided and 67.25 for not responding to the Immediate Disclosure Request in a timely manner.**

Public Comment:

None.

**The motion PASSED by the following vote:**

Ayes: 3 - Wong, Neighbors, LaHood

Noes: 0 - None

**7. Announcements, Comments, Questions, and Future Agenda Items by Members of the Compliance and Amendments Committee.**

Chair LaHood stated that the SOTF should discuss the City's policy on erasing Microsoft Teams retention policy regarding emails, which contradicts the Ordinance. Chair LaHood stated that she will discuss the issue first with Chair Wolfe.

Public Comment:

None.

No actions taken.

**8. ADJOURNMENT**

There being no further business the meeting was adjourned at 8:42 p.m.

**APPROVED: April 26, 2022  
Compliance and Amendments 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.