



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

**REMOTE REGULAR MEETING**

**February 23, 2021**  
**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 4:39 p.m. On the call of the roll Chair LaHood and Members Neighbors and Wong were noted present. A quorum was present.

The SOTF received communications from Mr. Hartz withdrawing / closing File Nos. 19050, 19051, 19054, 19055, 19057 and 19059.

**2. Approval of the January 26, 2021, Compliance and Amendments Committee meeting minutes.**

**Action: Moved by Member Wong, seconded by Member Neighbors, to approve the January 26, 2021, meeting minutes with the recommended changes.**

Public Comment:

Peter Warfield expressed disappointment regarding the January 26, 2021 minutes. Mr. Warfield noted there is no information on the agenda indicating how to make public comment.

Anonymous spoke about general Public Comment.

**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:

Anonymous suggested that the ideas from the other Committee members might include insight as well. Anonymous stated that he tries to get records that are more newsworthy and that the law must be implemented fully.

Peter Warfield repeated Anonymous' statement that all open government laws should be fully complied with and in good faith. Mr. Warfield stated that the SOTF should be strict about following the law. Mr. Warfield stated that the SOTF previously agreed that they would not meet at the same time as the Board of Supervisor.

4. **File No. 19103: Hearing on the Status of the Order of Determination** - Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for violating Administrative Code (Sunshine Ordinance), Sections 67.26 and 67.27, by failing to keep withholdings to a minimum and failing to provide justification for withholdings.

Chair LaHood provided a synopsis of the matter.

Anonymous (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Anonymous stated that he has not received requested records. Anonymous stated that his complaint is a 67.26 violation as stated in the Order of Determination because the entire record was not produced. Anonymous stated that the Mayor's Office re-released the originally requested October 2019 Mayor calendar and did not comply with the request.

Hank Heckel (Mayor's Office) (Respondent), provided a summary of the department's position. Mr. Heckel stated that in response to Anonymous characterization, the request is related to a request made in 2019 regarding future calendars of the Mayor. Mr. Heckel stated that those entries were withheld due to security reasons and reiterated the importance of security measures. Mr. Heckel stated that SFPD is at all Mayor's meetings, as a precaution. Mr. Heckel stated it is too risky to disclose the entire future calendars. Mr. Heckel stated that he believes they have complied with the request.

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

**Action: Moved by Member Wong, seconded by Member Neighbors, to return the matter back to the SOTF due to noncompliance with the Order of Determination, with the recommendation that the Mayor's individual calendar entries and attendees should be shared and for the SOTF to decide whether redactions of date, time, location and recurrence are excessive.**

Public Comment:

Wynship Hillier stated that the driving the security concern at the Mayor's office is the approximately 30,000 people are subject to involuntary mental health treatment. Mr. Hillier stated that the Mayor is afraid of revealing information to the public because she is the Mayor of a totalitarian state.

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

Ayes: 3 - Wong, Neighbors, LaHood

Noes: 0 - None

5. **File No. 19048: Hearing on the Status of the Order of Determination** - Complaint filed by Justin Barker against the San Francisco Zoo for violating Administrative Code (Sunshine Ordinance), Section 67.21 and 6727, California Government Code 6253 and California Business and Professions Code 4857, by failing to provide request records in a timely and/or complete manner.

Chair LaHood provided a synopsis of the matter.

Justin Barker (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Barker stated that he understood from the last meeting a letter was sent to the Recreation and Parks Department and that now this department is not fulfilling their responsibilities. Mr. Barker requested the the matter be referred to the Ethics Commission.

There was no representative from the San Francisco Zoo present nor did they notify the Administrator of their absence.

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

**Action: Moved by Member Neighbors, seconded by Member Wong, to find that the Order of Determination has not been complied with and recommended that the matter be sent back to the SOTF with a recommendation for escalation.**

Public Comment:

Peter Warfield noted there is a very limited group of processes that can be recommended for escalation and that the intent should be clearer on what is meant.

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

Ayes: 3 - Neighbors, Wong, LaHood

Noes: 0 - None

6. **File No. 19092: Hearing on the Status of the Order of Determination** - Complaint filed by Justin Barker against the San Francisco Zoo for violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner and failing to provide justification for withholding records.

Justin Barker (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Barker stated that the issues in this case are similar to the previous case. However, the difference is that in this case he requested significantly more records.

There was no representative from the San Francisco Zoo present nor did they notify the Administrator of their absence.

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 Order of Determination has not been complied with and to recommend that the matter be sent back to the SOTF with a recommendation for escalation.**

Public Comment:

Peter Warfield noted that a representative of Respondent must be present at hearings and that there is no respondent present at today's hearing. Mr. Warfield stated that there should be a separate violation against the Respondent for not being present at the hearing.

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

Ayes: 3 - Wong, Neighbors, LaHood

Noes: 0 - None

**Action: Moved by Member Wong, seconded by Member Neighbors to find the San Francisco Zoological Society in violation of 67.21(e) for not sending a representative to the hearing.**

Public Comment:

Peter Warfield noted a pattern for a contempt for the process and the public's right to know.

Anonymous asked if the Committee found the violation because the Respondent is not at today's hearing because sometimes respondents show up at SOTF hearings and not committee hearings.

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

Ayes: 3 - Wong, Neighbors, LaHood

Noes: 0 - None

7. **File No. 20068:** Complaint filed by James Chaffee against the Library Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.14 by failing to make audio recordings available on the website, 67.21 by failing to respond to a records request in a timely manner and 67.29 by failing to maintain the Library Commission website.

Chair LaHood requested that the Committee continue the item to the call of the Chair.

**Action: Moved by Member LaHood, seconded by Member Wong, to continue the matter to the Call of the Chair.**

## Public Comment:

Peter Warfield stated if this were an in-person meeting he could approach anyone in the room. Mr. Warfield stated that he was disturbed by what was discussed. Mr. Warfield noted that this Petitioner may not have email. Mr. Warfield believes the Petitioner is entitled to use first class mail.

Anonymous thanked the Committee for not being biased against a Petitioner who communicated by USPS. Anonymous noted that even though the Petitioner has an email address, he may not have continuous access to email.

Wynship Hillier pointed out that the postal service has changed and is a shrinking model, that a person cannot get mail anytime. Mr. Hillier noted that Sunshine was formed in the 1990s. Mr. Hillier stated that if someone requests through the USPS, they may not get their records in time. Mr. Hillier stated there should be language to address this issue.

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

Ayes: 3 - LaHood, Wong, Neighbors

Noes: 0 - None

8. **File No. 19050:** Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), by failing to place his 150-word summaries as submitted to the Board of Supervisors “in the minutes.”

Chair LaHood stated that File Nos. 19050, 19051, 19054, 19055, 19057 and 19059 were withdrawn by the Petitioner but will still allow public comment.

Public Comment:

Peter Warfield stated that Ray Hart worked hard to finalize many complaints and has won many complaints against various city departments. Mr. Warfield noted that the SOTF has been a let-down for the public in terms of repeated violations by departments.

Anonymous stated that he almost always agrees with Peter Warfield, but there is a small thing he disagrees with and that is we all have a right to drop our complaints.

Wynship Hillier stated that the Committee should not pick up complaints that petitioners have dropped. Mr. Hillier noted that the Committee is supposed to be impartial arbitrators.

9. **File No. 19055:** Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors May 14, 2019 meeting).

Please see File No. 19050 for additional information.

10. **File No. 19059:** Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors May 21, 2019 meeting).

Please see File No. 19050 for additional information.

11. **File No. 19051:** Complaint filed by Ray Hartz against Norman Yee, President of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.16, by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors May 7, 2019 meeting).

Please see File No. 19050 for additional information.

12. **File No. 19054:** Complaint filed by Ray Hartz against Norman Yee, President of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.16, by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors May 14, 2019 meeting).

Please see File No. 19050 for additional information.

13. **19057:** Complaint filed by Ray Hartz against Norman Yee, President of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections

67.16, by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors May 21, 2019 meeting).

Please see File No. 19050 for additional information.

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

No action taken on the item.

15. **ADJOURNMENT**

There being no further business the meeting was adjourned at 6:23 p.m.

**APPROVED: 4/27/21**  
**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.