



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

REMOTE REGULAR MEETING

April 26, 2022 - 4:30 PM

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

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via videoconference.

Members of the public may participate by phone or may submit their comments by email to: Cheryl.Leger@sfgov.org; all comments received will be made a part of the official record. Sunshine Ordinance Task Force agendas and their associated documents are available at <https://sfbos.org/sunshine>.

As the COVID-19 disease progresses, please visit the Sunshine Ordinance Task Force website regularly to be updated on the current situation as it affects the legislative process.

Meeting Decorum: Any member of the Sunshine Ordinance Task Force may call for decorum due to disorderly conduct of meeting participants. Persons who engage in threatening and/or menacing behavior may be asked to leave.

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 Wong and Wolfe were noted present. A quorum was present.

SOTF Chair Bruce Wolfe appointed himself in place of Member Laurie Jones Neighbors for the Compliance and Amendments Committee Meeting of April 26, 2022.

There were no agenda changes.

2. Approval of the February 22, 2022, Compliance and Amendments Committee meeting minutes.

Chair LaHood proposed amendments to the February 22, 2022, meeting minutes.

Action: Moved by Member Wong, seconded by Member Wolfe, to approve the meeting minutes as amended.

Public Comment:

Patrick Monette-Shaw proposed amendments to his testimony in the meeting minutes.

Member Wong, with the agreement of Member Wolfe, moved to further amend the February 22, 2022, minutes as suggested by Mr. Monette-Shaw.

The motion PASSED by the following vote:

Ayes: 3 - Wong, Wolfe, 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.

Anonymous #3 provided comments on Complaint No. 21152 and disagreed with the testimony provided by the Respondent. Anonymous #3 questioned comments by the SOTF on previous actions and requested an update on Complaint No. 19098.

Patrick Monette-Shaw requested a status update of the SOTF budget request to the Board of Supervisors.

4. File No. 20059: Complaint filed by Anonymous against the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25 by failing to respond to an Immediate Disclosure request in a timely and complete manner.

(On April 6, 2022, the SOTF found that the Department of Public Health violated Administrative Code, Sunshine Ordinance, Section 67.21(b) for not responding in a complete and timely manner; 67.25 for not following response requirements of an Immediate Disclosure Request; 67.26 for nonminimal withholding and for not providing email addresses, email attachments, and texts and chats, nor providing a redaction log or footnote and order the department to turn over the remaining records on a rolling basis and refer the matter to the Compliance and Amendments Committee for monitoring.)

Anonymous #3 provided an update on the status of the complaint and responded to questions from the Committee. Anonymous #3 summarize the directions given to the Department and stated the requested documents haven't been provided in a corrected format as any redaction causes the destruction of hyperlinks, email addresses and attachments in the rest of the document. Anonymous #3 stated that responsive text/chats were not preserved. Anonymous #3 request referral back to the SOTF for enforcement actions.

Allison Hawkes (Department of Public Health) (Respondent) provided an updated on the status of the complaint and responded to questions from the Committee. Ms. Hawkes stated that requested attachments have been provided as pdf files. Ms. Hawkes stated that a search was conducted for the requested texts but did not find anything responsive.

The Committee noted that it appears that the Respondent is providing records on a rolling basis and there has been an effort to comply with the SOTF order.

Action: Chair LaHood, seconded by Member Wolfe, to request the Respondent to seek technical support to resolve the issue of redactions to pdf files cause broken links and emails addresses in the pdf; documents to be continued to be produced on a rolling basis; and that the matter will be continued to the call of the chair.

Public Comment:

Patrick Monette-Shaw expressed support of the motion and commented on the practice of notifying parties of the actions of the SOTF the day after the meeting. Mr. Monette-Shaw commented on the scrubbing of meta-data from native files.

The motion PASSED by the following vote:

Ayes: 3 - Wong, Wolfe, LaHood

Noes: 0 - None

- 5. File No. 21054:** Complaint filed by Patrick Monette-Shaw against Grant Colfax, Veronica Vien and the Department of Public Health for violating Administrative Code (Sunshine Ordinance), Section 67.21 by failing respond to a public records request in a timely and/or complete manner.

(On February 22, 2022, the Compliance and Amendments Committee moved to ask the Department of Public Health to 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 SFGH and Laguna Honda Hospital as separate numbers for the time period identified in the initial request January 1, 2020, to June 30, 2020 and respond within 10 Business days or report back the estimated amount of time the department thinks will take to complete that request. The committee would like to recommend that the department consider an analysis of time period January 1, 2020, through June 30, 2020, and recommend

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.)

Patrick Monette-Shaw provided an update on the status of the complaint and responded to questions from the Committee. Mr. Monette-Shaw provided an analysis of the data provided from the Respondent and noted that EPIC is unable to locate requested records/information. Mr. Monette Shaw questioned how discharged information was searched.

Allison Hawkes and Eric Raffin (Department of Public Health) (Respondent) provided an updated on the status of the complaint and responded to questions from the Committee. Ms. Raffin provided a summary oof how information is captured in the Legacy systems and the new EPIC system how information is researched. Mr. Raffin noted the numbers of hours already allocated to search for the requested records. Mr. Raffin stated the search for records is a manual search process and not automated.

Action: Moved by Chair LaHood, seconded by Member Wolfe, to find that the Respondent has complied with the Orders of the SOTF and Closed the Complaint.

Public Comment:

Anonymous #3 commented on the actions of the Respondent and search methods.

Anonymous #3 disagreed with the decision may by the SOTF and that a partial search can be conducted.

The motion PASSED by the following vote:

Ayes: 3 - Wong, Wolfe, LaHood

Noes: 0 - None

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

There were no announcements or other actions.

7. ADJOURNMENT

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

**APPROVED: DRAFT
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.

