



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

REMOTE REGULAR MEETING

**August 24, 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 4:32 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 July 27, 2020, Compliance and Amendments Committee meeting minutes.

Public Comment.

Peter Warfield, Executive Director, Library Users Association, libraryusers2004@yahoo.com; P.O. Box 170544, San Francisco, CA 94117-0544, stated that he hopes that what passed in the discussion should go in the minutes because there was an unusual request. Anonymous #3 pointed out a few suggested corrections to the minutes.

Action: Moved by Chair LaHood, seconded by Member Neighbors, to continue the matter to the call of the chair .

Public Comment.

Peter Warfield noted the importance of accurate minutes and agendas because they are a major part of the product and supports putting off their approval.

Wynship Hillier wanted to draw attention to Robert’s Rules of Order and cited Rule 16:6 and that he could not find anything regarding public comment.

Anonymous #3 agrees with Mr. Warfield and that he doesn’t see why the Roberts Rules would ever override the Sunshine Ordinance.

The motion PASSED by the following vote:

Ayes: 3 - LaHood, Neighbors, Wong

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;

Mr. Warfield provided comments regarding public comment at Library Commission hearings and the fact that the general public is not allowed to make public comment.

Anonymous #3 provided comment on the Complaint Committee’s suggested reorganization of Agenda packets and that several members of the public provided suggestions including Patrick Monette-Shaw.

Geoffrey Grier asked the Committee to take a serious look at the Sunshine Ordinance being weaponized for personal gain or purpose.

4. **File No. 21036:** Complaint filed by Wynship Hillier against the Behavioral Health Commission (BHC) for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.7(a) by failing to post the Agenda 72 hours in advance of the meeting and failure to provide a description of each item of business; 67.7(b) failing to post documents on the website or make available to the public; agenda; 67.9(a) failure to post relevant documents on the internet; 67.15(c) failing to allow public comment; and 67.21(e) failing to make.

Wynship Hillier (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Hillier provided many changes and deletions to his

complaint. Mr. Hillier noted that his hyperlinks, bookmarks and highlighting were eliminated after scanning.

Geoffrey Grier (Behavioral Health Commission) (Respondent), provided a summary of the department's position. Mr. Grier stated that he did not had enough time to review Mr. Hillier's complaint or review his revised claims. Mr. Grier stated that until recently, there was no staff for the Commission. Mr. Grier noted that he is not familiar with many of the rules and regulations and asked the Petitioner to provide an updated complaint for his review.

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 and to refer the matter to the SOTF for hearing.

Public Comment:

Anonymous #3 acknowledged what the Respondent is saying; that they were just thrown into this and that the staff person is not responsible for what the Commission does. Anonymous #3 noted the Behavioral Health Commission is a policy body because it was created by the Ordinance.

Stephen Banuellos stated that he is a BHC member and was not appointed to the Board until March 2021. Mr. Banuellos stated that the Petitioner was not able to provide a good summary of the issues and did not provide remediation or solution on how to make things better.

Peter Warfield stated that he found the commissioner's statement alarming and as well that the Petitioner is not suggesting mediation.

The motion PASSED by the following vote:

Ayes: 3 - Wong, Neighbors, LaHood

Noes: 0 - None

5. **File No. 21066:** Complaint filed by Karl Kramer against Carmen Chiu and the Office of the City Administrator for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing respond to a records request in a timely and/or complete manner.

Karl Kramer (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Kramer stated that May 12, 2020, he filed a request for fiscal information for the year 2022. Mr. Kramer stated that he filed a complaint July 2020. Mr. Kramer noted that Mr. Barnes stated the information is not covered by the Ordinance because the subject line said information required for the MCO. Mr. Kramer

stated that Mr. Barnes stated that the Office of Contract Administration is exempt. Mr. Kramer also stated that there is a timeliness issue.

Bill Barnes (City Administrator's Office) (Respondent), provided a summary of the department's position. Mr. Barnes stated that Mr. Kramer was asking for certain calculations for certain nonprofits. Mr. Barnes stated that the City Administrator's Office does not have the requested records.

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.

Public Comment:

Anonymous #3 noted that the subject line said request for information and the Petitioner can ask for information. Anonymous #3 stated that the respondent should have responded in a timely manner or they have violated the law.

The motion PASSED by the following vote:

Ayes: 3 - Wong, Neighbors, LaHood
Noes: 0 - None

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

Chair LaHood stated that the SOTF Deputy City Attorney is crafting a memo regarding attorney/client privilege and will address the issue at the September meeting.

Public Comment:

Anonymous #3 requested that some of the most important decisions are made regardless of what the City Attorney says, however the Committee should take their input because the Committee members are also SOTF members.

7. **ADJOURNMENT**

There being no further business the meeting was adjourned at 6:21 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.