



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

**Hearing Room 408**  
**City Hall, 1 Dr. Carlton B. Goodlett Place**  
**San Francisco, CA 94102-4689**

**August 27, 2019**  
**4:30 PM**

**Regular Meeting**

**Members:** Frank Cannata (Chair), Fiona Hinze and Lila LaHood

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

Chair Cannata called the meeting to order at 4:30 p.m. On the call of the roll Chair Cannata and Members LaHood and Hinze were noted present. A quorum was present.

There were no agenda changes.

**2. Approval of the June 18, 2019, Compliance and Amendments Committee meeting minutes.**

**Action: Moved by Member LaHood, seconded by Member Hinze, to approve the June 18, 2019, meeting minutes.**

Public Comment:  
None.

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

Ayes: 3 – LaHood, Hinze and Cannata  
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:

None.

4. **File No. 18072: Hearing on the Status of the Order of Determination** - Complaint filed by Joshua Klipp against the Recreation and Parks Department for violating Administrative Code (Sunshine Ordinance), Section 67.21(b) and (e), by failing to respond to a public records request in a timely and/or complete manner. (00:01:55 - 00:11:46)

Joshua Klipp (Petitioner) provided a summary of the complaint. Mr. Klipp stated that he received all request records and thanked the SOTF and Recreation and Parks for their assistance.

Dennis Kern (Recreation and Parks Department) (Respondent), provided a summary of the department's position. Mr. Kern stated that all request documents have been provided and that the department has complied with the SOTF Order of Determination.

A question and answer period occurred.

**Action: Moved by Member LaHood, seconded by Member Hinze, to that the Recreation and Parks Department has complied with the Order of Determination and closed the filed.**

Public Comment:

None.

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

Ayes: 3 - LaHood, Hinze, Cannata

Noes: 0 - None

5. **File No. 18049: Hearing on the Status of the Order of Determination:** Complaint filed by Robert M. Smith against the Fine Arts Museums of San Francisco (FAMSF) for violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner. (00:11:50 – 00:27:01)

Robert M. Smith (Petitioner) provided a summary of the complaint. Mr. Smith stated that FAMSF has not complied with the SOTF Order of Determination as they have not provided the requested records. Mr. Smith stated that his original request was that the Museum provide documents on the docent program. Mr. Smith stated that the records received should not have been redacted and that the privilege log was incomplete.

Megan Bourne (Fine Arts Museum) (Respondent), provided a summary of the department's position. Ms. Bourne stated that a privilege log with redactions was provided to the Petitioner and additional details regarding redactions can be provided upon inquiry. Ms. Borne stated that they have complied with the SOTF Order of Determination and provided all request records by the July 15, 2019, deadline set by the Compliance and Amendments Committee.

A question and answer period occurred.

**Action: Moved by Member LaHood, seconded by Member Hinze, to refer the matter to the SOTF for review of the extensive redactions made to the provided records and possible willful violations.**

Public Comment:

None.

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

Ayes: 3 - LaHood, Hinze and Cannata

Noes: 0 - None

6. **File No. 18083: Hearing on the Status of the Order of Determination:** Complaint filed by Robert M. Smith against the Fine Arts Museums of San Francisco (FAMSF) for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner. (00:27:11 – 00:40:06)

Robert M. Smith (Petitioner) provided a summary of the complaint. Mr. Smith stated that FAMSF provided incomplete records with excessive redactions. Mr. Smith stated that FAMSF did not comply with the SOTF Order of Determination.

Megan Bourne (Fine Arts Museum) (Respondent), provided a summary of the department's position. Ms. Bourne stated the FAMSF has provided all requested records with appropriate redaction and has complied with the SOTF Order of Determination. Ms. Bourne stated a privilege log regarding redactions was provided as requested.

**Action: Moved by Member Hinze, seconded by Member LaHood, to refer the matter to the SOTF for review of the extensive redactions made to the provided records.**

Public Comment:

None.

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

Ayes: 3 - Hinze, LaHood, Cannata

Noes: 0 – None

7. **File No. 18012: Hearing on the Status of the Order of Determination** - Complaint filed by Denta Tadesse against Lori Mazzola, City Hall Building Management, for violating Administrative Code (Sunshine Ordinance), Section 67.13(a), by failing to allow access to a meeting of a policy body. (00:40:08 – 00:54:20)

Denta Tadesse (Petitioner) provided a summary of the complaint and video evidence. Mr. Tadesse stated that the video demonstrates that Deputies followed him in City Hall. Mr. Tadesse stated when he informed the Deputies that he uses voice control commands for his service animal. Mr. Tadesse stated that he told the Deputies that they should not follow him in City Hall and that he should receive the same access and treatment as all other parties entering City Hall. Mr. Tadesse stated that when he informed Deputies if they continued to follow him, he would be forced to leave City Hall.

Lori Mazzola (City Hall Building Management) (Respondent), was not present for the hearing and did not communicate with the SOTF Administrator that they would not appear.

A question and answer period occurred.

**Action: Moved by Member Hinze, seconded by Member LaHood, to refer the matter to the SOTF with the recommendation that the City Hall Building Management has not complied with the Order of Determination and that an additional violation of Administrative Code, Section 67.34 (willful violation) be found and to request that a person most knowledgeable from City Hall Building Management be present for the hearing.**

Public Comment:

None.

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

Ayes: 3 - Hinze, LaHood, Cannata

Noes: 0 - None

8. **File No. 18028: Hearing on the Status of the Order of Determination:** Complaint filed by Denta Tadesse against the Sheriff's Department for violating Administrative Code (Sunshine Ordinance), Section 67.13(a), by failing to allow access to a meeting of a policy body. (00:54:25 - 01:14:18)

Denta Tadesse (Petitioner) provided a summary of the complaint and video evidence which was from April 2018. Mr. Tadesse stated that the video demonstrates that Sheriff's Deputies did not allow him entry to City Hall. Mr. Tadesse stated a California Superior Court judge signed an order for a stay to allow him reentry into his apartment and that he was unable to enter City Hall with his service animal off leash to deliver the stay to the Sheriff's Office.

Captain William Kelleher (Sheriff's Department) (Respondent), provided a summary of the department's position. Captain Kelleher stated that the Sheriff's directive which allowed for off leash service animals to enter City Hall was a pilot program that has been revoked upon review/consultation with the City Attorney, Sheriff's Legal, City Administrator and Building Management. Captain Kelleher stated that they are in the process of developing new policies regarding the matter.

A question and answer period occurred.

**Action: Moved by Member Cannata, seconded by Member Hinze, to refer the matter to the SOTF with the recommendation that the Sheriff's Office has not complied with the Order of Determination, that a member of the Sheriff's Department who has knowledge of the service animal program and that a member of the Mayor's Office on Disability all be present at the next hearing.**

Public Comment:  
None.

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

Ayes: 3 – Cannata, Hinze, LaHood  
Noes: 0 – None

9. **File No. 19052:** Complaint filed by Alex Koskinen 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/or complete manner. (01:14:18 -01:29:47)

Alex Koskinen (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Koskinen stated that he requested certain email records that have not been provided in a complete manner to date. Mr. Koskinen stated the he only received one email which was not was responsive to his request.

Veronica Vein (Department of Public Health) (Respondent), provided a summary of the department's position. Ms. Vein stated the due to the complexity, need for redactions and time to consult with the City Attorney's Office the response has been delayed. Ms. Vein stated that her office requested clarification on certain requests and that they are still working on provide the requested records. Ms. Vein stated that there was a request for emails and a separate request for job announcements.

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

**Action: Moved by Member LaHood, seconded by Member Hinze, 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:

None.

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

Ayes: 3 – LaHood, Hinze, Cannata

Noes: 0 - None

10. **ADJOURNMENT**

There being no further business the meeting was adjourned at 6:05 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.