



**SUNSHINE ORDINANCE TASK FORCE**  
**Education, Outreach and Training Committee**  
**CITY AND COUNTY OF SAN FRANCISCO**  
**MINUTES**

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

**January 15, 2019 - 4:00 PM**

**Rescheduled Meeting**

**Members:** Josh Wolf (Chair), Fiona Hinze, Matthew Yankee

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

Chair Josh Wolf called the meeting to order at 4:02 pm. On the call of the roll Chair J. Wolf, Members Hinze and Yankee were noted present. There was a quorum.

**2. Adoption of the minutes for the October 16, 2018, Education, Outreach, and Training Committee meetings.**

**Member Yankee, seconded by Member Hinze, moved to approve the October 16, 2018, meeting minutes.**

Public Comment:  
None

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

Ayes: 3 - Yankee, Hinze, J. Wolf  
Noes: 0 - None

3. **Public Comment:** Members of the public may address the Education, Outreach and Training Committee on matters that are within the Committee's jurisdiction but not on today's agenda.

Public Comment:

Ray Hartz provided a public comment regarding the Library Commission.

4. **File No. 18093:** Complaint filed by Yolanda Jones against Officer Rick Yick and the Police Department 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. (00:07:03 – 00:47:03)

Yolanda Jones (Petitioner) provided a summary of the complaint and requested the Committee find a violation. Ms. Jones stated that she was seeking records from police logs and emails between Officer Rick Yick and his immediate supervisor, Christopher Pedrini and his Captain. Ms. Jones stated that these materials are incident to a breach of contract within the City and indicate wrong doing by the Police Department. Ms. Jones said that she has received some emails and logs, not everything. Ms. Jones stated that the activity logs between Officer Yick and the vendor are necessary and that she was told that he had destroyed logs which Ms. Jones believes is a violation of city policy.

Lieutenant Catherine Waaland, Police Department (Respondent); provided a summary of the Department's position. Lt. Waaland stated that the Police Department received the Immediate Disclosure Request on March 19, 2018, and on March 29, 2018, and the Police Department invoked an extension of time to respond. On April 12, 2018, the Department provided a response to the Petitioner. Lt. Waaland stated that Ms. Jones has made 13 requests in total and that everything has been turned over and cited with a letter. Lt. Waaland stated that the logs referred to are used for reconciling receipts for car washes and there is no reason to keep the logs, that they were destroyed once Mr. Yick was promoted and that they fall outside the scope of Sunshine.

A question and answer period occurred. The Petitioner and Respondent were provided the opportunity for rebuttals.

**Member Yankee, seconded by Member Hinze, moved to find that the SOTF has jurisdiction, the records are public and referred the matter to the SOTF for hearing.**

Public Comment:

Ray Hartz stated that he believes that if the Police Department destroyed records there must be a generated record regarding payments.

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

Ayes: 3 - Yankee, Hinze, and J. Wolf

Noes: 0 - None

5. **File No. 17087:** Complaint filed by Ray Hartz against the Office of the Mayor for violating Administrative Code (Sunshine Ordinance), Sections 67.31, by failing to administer and coordinate the implementation of the provision of the Sunshine Ordinance for departments under the control of boards and commission appointed by the Mayor. (00:48:32 - )

Ray Hartz (Petitioner) provided a summary of his complaint and requested the Committee find a violation. Mr. Hartz stated that he has over three dozen Orders of Determination regarding meetings and public records and that he has twelve separate Orders against the Library because the Library does not want to admit they have public records. Mr. Hartz also stated that he has an Order against the City Attorney for advising the Library Commission which the Head of the Commission says that often they need to follow their advice. Mr. Hartz stated that each time he makes a records request, the Library Commission is in violation and that the Mayor's Office does nothing about it. Mr. Hartz stated that even though late Mayor Edwin Lee died doesn't mean that the Mayor's office should not be responsible. Mr. Hartz stated that the Mayor's Office does nothing to enforce Sunshine.

Hank Heckel, Compliance Officer, Office of Mayor (Respondent), provided a summary of the department's position. Mr. Heckel commented on Mr. Hartz's many Orders of Determination. Mr. Heckel stated the SOTF found a violation against the Mayor's Office, not a particular person, for failing to comply with Sunshine Ordinance 67.31 which sets forth the Mayor's provisions. Mr. Heckel stated that the Mayor's Office has complied with the Sunshine Ordinance and that if Mr. Hartz has a complaint, to let them know and they will refer him to the appropriate department.

A question and answer period occurred. The Petitioner and Respondent were provided the opportunity for rebuttals.

Chair J. Wolf stated that there would be no action at this time and that the SOTF needs to address the issue of the Office of the Mayor's responsibility to oversee the departments' compliance with the Sunshine Ordinance.

Public Comment:

None.

6. **ADJOURNMENT**

There being no further business the meeting was adjourned at 5:14 p.m.

**APPROVED**

**Education, Outreach and Training Committee**

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.