



SUNSHINE ORDINANCE TASK FORCE CITY AND COUNTY OF SAN FRANCISCO MINUTES

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

November 7, 2018 - 4:00 PM

Regular Meeting

Seat 1	Matthew Cate	Seat 7	Rodman Martin
Seat 2	Lila LaHood	Seat 8	Frank Cannata
Seat 3	Josh Wolf	Seat 9	Chris Hyland - Vice Chair
Seat 4	Rishi Chopra	Seat 10	Matthew Yankee
Seat 5	Leuwam Tesfai	Seat 11	Fiona Hinze
Seat 6	Bruce Wolfe - Chair		

Ex-officio (*non-voting*) Clerk of the Board of Supervisors or his or her designee

Ex-officio (*non-voting*) Mayor or his or her designee

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

Chair Wolfe called the meeting to order at 4:03 pm. On the call of the roll Chair Wolfe, Vice Chair Hyland, and Members LaHood, Tesfai, Yankee, Cannata, Martin, and Hinze were noted present. Members Cate, J. Wolf and Chopra were noted not present. There was a quorum.

Victor Young, SOTF, noted the receipt of a request for postponement of Item No. 6 (File No. 18030).

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 8 - LaHood, Tesfai, Martin, Cannata, Hyland, Yankee, Hinze, B. Wolfe

Noes: 0 - None

Absent: 3 - Cate, J. Wolf, Chopra

2. Approval of minutes from the Sunshine Ordinance Task Force October 3, 2018, meeting.

The SOTF discussed the draft meeting minutes.

Member Cannata, seconded by Member Hinze, moved to approve the October 3, 2018, meeting minutes.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 8 - LaHood, Tesfai, Martin, Cannata, Hyland, Yankee, Hinze, B. Wolfe

Noes: 0 - None

Absent: 3 - Cate, J. Wolf, Chopra

3. **File No. 18011:** Complaint filed by Denta Tadesse against John Haley and the San Francisco Municipal Transportation Agency (SFMTA) for allegedly violating administrative Code (Sunshine Ordinance), Section 67.29-2, by failing to update the SFMTA website on a weekly basis. (00:04:45 – 01:14:53)
(On August 21, 2018, the Education, Outreach and Training Committee determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing).

Chair Wolfe provided a summary of the Education, Outreach and Training Committee's hearing on the matter.

Denta Tadesse (Petitioner) provided a summary of his complaint and requested the Committee find a violation. Mr. Tadesse stated that the service animal policy for cable cars did not exist and was not posted on the SFMTA website prior to January 6, 2017. Mr. Tadesse alleged that the SFMTA created and posted the policy after an incident to justify action taken against him. There were no speakers on behalf of the Petitioner.

Roberta Boomer and David Coplon, SFMTA (Respondent), provided a summary of the department's response. Ms. Boomer clarified that the complaint was filed against John Haley and the SFMTA and stated that Mr. Haley is no longer with the SFMTA. Ms. Boomer stated that the complaint, as submitted, should only be regarding whether or not the SFMTA updated their website in a timely manner. Ms. Boomer stated the policy in question was authorized by John Haley, Director of Transit, and implemented via a departmental bulletin. Mr. Coplon stated that logs were provided as a sample of how the SFMTA continuously updates their website on a weekly if not daily basis. In response to questions from the SOTF, Ms. Boomer stated that the SFMTA Board of Directors does not act to implement ADA policy. Therefore, Ms. Boomer stated that there are no agenda or minutes regarding a public process to approve the cable car ADA policy. Ms. Boomer stated that department bulletins are not posted online but relevant webpages are updated to implement actions required by various bulletins. Ms. Boomer further stated that copies of the bulletins were provided upon request. There were no speakers on behalf of the Respondent.

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

Deputy City Attorney Colla responded to questions from the SOTF.

Member Tesfai, seconded by Member Cannata, moved to continue the matter to the call of the chair and requested that the Respondent provide a response to the following questions:

- **The SOTF Board requested from the SFMTA a chronology of when the bulletin is approved and updated;**
- **The SOTF Board requested information on what constitutes an update to the website;**
- **The SOTF Board requested that SFMTA logs between 2013 and 2017 be provided;**
- **The SOTF Board requested information on who has the authority to make ADA changes and what is the process under ADA to make specific changes;**
- **The SOTF Board requested information on when are the bulletins made public;**
- **The SOTF Board requested a chronology of when the operational bulletin were created and approved and services animals allowed on cable cars;**
- **The SOTF Board requested information on what constitutes an update on the website;**
- **The SOTF Board requested information on website update logs that are pertinent to this matter and policy information on updates and how the public is notified of these updates that are implemented at the SFMTA.**

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 8 - LaHood, Tesfai, Martin, Cannata, Hyland, Yankee, Hinze, B. Wolfe

Noes: 0 - None

Absent: 3 - Cate, J. Wolf, Chopra

4. **File No. 18012:** Complaint filed by Denta Tadesse against Lori Mazzola, City Hall Building Management, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.5, by restricting access to all meeting of any policy body in City Hall. (01:16:47 – 01:33:58)

(On August 21, 2018, the Education, Outreach and Training Committee determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing).

Chair Wolfe provided a summary of the Education, Outreach and Training Committee's hearing on the matter.

John Gavin, Department of Real Estate (Respondent), requested that additional documents be accepted late and reviewed by the SOTF.

Denta Tadesse (Petitioner) commented on the motion to continue the matter and objected to the delays caused by the Respondent.

Member Cannata, seconded by Member Hinze, moved to accept documents provided late by the Respondent on behalf of Building Management into the record and to continue the matter to the next SOTF meeting (December 5, 2018).

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 7 - LaHood, Tesfai, Martin, Cannata, Yankee, Hinze, B. Wolfe

Noes: 1 - Hyland

Absent: 3 - Cate, J. Wolf, Chopra

5. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action) Public comment shall be taken at 5:00 p.m. or as soon thereafter as possible.*

Speakers:

Denta Tadesse expressed concerns with the city's application of ADA rules and alleged discriminations.

6. **File No. 18030:** Complaint filed by Patrick Roddie against the San Francisco Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner. *(01:34:13 – 01:35:11)*
(On May 22, 2018, the Complaint Committee determined that the SOTF has jurisdiction, determined that the records are public and referred the matter to the SOTF for hearing).

It was noted that Mr. Roddie provided a request for postponement on the day of the meeting. Neither the Petitioner nor the Respondent were present.

Member Tesfai, seconded by Member Hyland, moved to continue the matter to the call of the chair.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 8 - LaHood, Tesfai, Martin, Cannata, Hyland, Yankee, Hinze, B. Wolfe

Noes: 0 - None

Absent: 3 - Cate, J. Wolf, Chopra

7. **File No. 18050:** Complaint filed by Don Chan against the Juvenile Probation Commission (JPC) 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. (01:35:34 – 01:38:21)

(On July 17, 2018, the Compliance and Amendments Committee determined that the SOTF has jurisdiction, determined that the records are public and referred the matter to the SOTF for hearing).

Member Cannata provided a summary of the Compliance and Amendments Committee's hearing on the matter.

Victor Young, SOTF, noted that the Petitioner was not present and did not provide notice of absence or contact the SOTF in any matter for the last two scheduled meeting. Mr. Young requested that the complaint be filed pursuant to the SOTF Complaint Procedures.

The Respondent was noted present at the meeting.

Member Hinze, seconded by Member LaHood, moved to file the matter and take no additional actions.

(The Petitioner will be notified of the action and allowed 60 days to request the matter be reopened.)

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 8 - LaHood, Tesfai, Martin, Cannata, Hyland, Yankee, Hinze, B. Wolfe

Noes: 0 - None

Absent: 3 - Cate, J. Wolf, Chopra

8. Reports from Sunshine Ordinance Task Force Committees.

- Complaints Committee
 - Member Tesfai said that she is looking to leave the Complaints Committee and be assigned to another Committee;
- Compliance and Amendments Committee
 - Member Cannata stated that the next Compliance and Amendments Committee meeting will take place in December.
- Education, Outreach and Training Committee
 - Member Hinze gave an update of the Education, Outreach and Training Committee's October 16, 2018, meeting;
- Rules Committee
 - Member Hinze gave an update of the Rules Committee meeting of October 23, 2018 and spoke regarding File No. 18082: (Review of proposed amendments to the SOTF By-laws and Complaint Procedure.)
 - Administrator Young gave an update on the Board of Supervisors who are in the development stage with the Legistar program to implement legislation and the plan to include the SOTF.
- Information Technology Ad Hoc Committee

- Member Hyland made item suggestions for the next IT Ad Hoc Committee meeting.

9. **Sunshine Ordinance Task Force - Chair’s Report.**

Chair Wolfe provided introductions of new members to the Task Force. Chair Wolfe stated that there should be a review of various Departments’ websites for compliance with Sunshine Ordinance. Member Cannata suggested contacting neighborhood organizations to provide information to members of the public. Chair Wolfe stated that he would like to organize a SOTF – Member orientation/training and strategic planning meeting.

10. **Staff Report, Complaints and Communications.**

SOTF Administrator Leger provided an update of matters regarding the Task Force hearing schedule, complaints and communications submitted to the Task Force including a letter from Helen Vo of the Civil Grand Jury and a summary of pending complaints and other issues.

Vice-Chair Hyland, seconded by Member Cannata moved to have Chair Wolfe, draft a letter to Helen Vo, Civil Grand Jury, stating that the Sunshine Task Force will not take any future action on the matter and the SOTF is no longer considering the issue.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 8 – Hyland, Cannata, LaHood, Tesfai, Martin, Yankee, Hinze, B. Wolfe
Noes: 0 - None
Absent: 3 - Cate, J. Wolf, Chopra

11. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force.**

12. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:24 p.m.

**APPROVED: 12/6/18
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.