From:	
To:	Young, Victor (BOS)
Cc:	Ronen, Hillary; Stefani, Catherine (BOS); Mar, Gordon (BOS)
Subject:	[SOTF Application] Withdrawing application
Date:	Friday, January 8, 2021 8:59:33 AM
Date:	Friday, January 8, 2021 8:59:33 AM

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## Good morning,

I apologize for any headaches this may cause, but I'd like to withdraw my application for seat 8 on the Sunshine Ordinance Task Force. I initially applied last summer in the wake of the George Floyd protests because I was searching for a way to create a positive impact in our city (specifically, to help build trust between communities that are wary of institutions like City Hall).

Truthfully, as a 22 year old with most of my advocacy work outside of SF, I initially wasn't even sure I'd meet the qualifications. However, I *was* sure that the SOTF would be an effective way to achieve this goal, which is why I ultimately decided to apply. However, after learning more about the other applicants and reading their strong qualifications and deep roots in the city, I've realized that I am likely not the strongest candidate for this position. In order to ensure the most qualified candidate is selected and seated, I've decided to withdraw my application ahead of Monday's meeting. Again, I apologize for any headaches this may cause — it was a tough call for me to make.

Still, I plan to get more involved in our community and am looking forward to reapplying in the future. In the meantime, thank you all so much for your consideration and have a great weekend.

Best, Jason Rowland

From:	Beinart, Amy (BOS)
To:	Young, Victor (BOS)
Subject:	Fwd: Rules Item 2- appointment to SOTF, file 201342
Date:	Thursday, January 7, 2021 7:23:55 PM

Amy Beinart| Legislative Aide/Chief of Staff Office of Supervisor Hillary Ronen | amy.beinart@sfgov.org https://sfbos.org/supervisor-ronen-district-9

From: Bob Planthold <political\_bob@att.net>
Sent: Thursday, January 7, 2021 7:05:20 PM
To: Ronen, Hillary <hillary.ronen@sfgov.org>; Stefani, Catherine (BOS)
<catherine.stefani@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Monge, Paul (BOS) <paul.monge@sfgov.org>; Lerma, Santiago (BOS)
<santiago.lerma@sfgov.org>; Li-D9, Jennifer (BOS) <jennifer.li-d9@sfgov.org>; Herzstein, Daniel
(BOS) <daniel.herzstein@sfgov.org>; Bennett, Samuel (BOS) <samuel.bennett@sfgov.org>; Mullan,
Andrew (BOS) <andrew.mullan@sfgov.org>; Falzon, Frankie (BOS) <frankie.falzon@sfgov.org>;
Lovett, Li (BOS) <li.lovett@sfgov.org>; Quan, Daisy (BOS) <daisy.quan@sfgov.org>; Wright, Edward
(BOS) <edward.w.wright@sfgov.org>; Bob Planthold <political\_bob@att.net>
Subject: Rules-- Item 2- appointment to SOTF, file 201342

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I suggest it not be appropriate to RE-appoint Mr. Pilpel to a seat on the SOTF.

While he WAS a member long ago, there are others who bring

a new diversity of experience & viewpoints.

As well, since his SOTF term expired long ago,

he has re-applied--BUT been rejected.

I leave it up to you to consider this, and maybe research why.

But, there are other applicants who

bring worthwhile experience and fresh ideas who are worthy of consideration.

Bob Planthold



### Certificate in Evaluation Practice, The Evaluators' Institute (in progress)

Focus on qualitative and quantitative approaches for evaluation of complex social change, strategic planning, and organizational/program development.

Master of Arts in Sociology, 2008, University of California Irvine, Social Movements and Globalization Thesis on in-country equity indicators as predictors of environmental treaty ratification.

Master of Arts in English, 1991, Texas Tech University, Rhetoric and Composition Thesis on narrative correspondence and coherence in the construction of historical texts.

Bachelor of Arts, Texas Tech University, May 1987 Dual Major in History and English

### EXPERTISE

**Knowledge:** Knowledgeable about equity issues and perspectives in pubic decision making, especially in terms of health equity, educational equity, and racial, economic, and environmental justice for the built environment.

**Network**: Relationships across sectors and issues, with ability to build strategic networks to support new projects, particularly within the racial, economic, educational, and environmental justice spheres.

**Research and Evaluation**: Trained social science researcher and data analyst with a knowledge of the constraints of prevailing research methods and approaches in advancing social justice outcomes. Background in technical, transactional, and academic writing.

**Collective Leadership and Political Strategy**: Proven ability to develop and support under- represented stakeholders in realizing political targets and achieving breakthrough innovations, including through the design, implementation, and evaluation of communities of practice.

**Program Modeling, Management, and Evaluation**: Experienced in developing, managing, assessing, and evaluating programs that systematically address social inequities, including nonprofit programs, cross-organizational communities of practice, and programs to support at-risk college students.

**Organizational Development and Management**: Experienced in managing nonprofit organizations, programs, people, and budgets, including fundraising. Experienced in college and university program administration.

**Teaching, Facilitation, and Presentation**: Master teacher, trainer, and presenter in both traditional academic and community educational settings. Recipient of multiple teaching awards.

### **RECENT SERVICE**

- Member, Bay Area Justice Funders Network, Oakland, CA: November 2019 to Present
- Member, League of Women Voters of San Francisco: October 2019 to Present
- Member, Green Foothills Advisory Board, Palo Alto, CA: September 2019 to Present
- Member, TransForm Board of Directors, Oakland, CA: October 2018 to December 2020

- Member, Native Americans in Philanthropy, Washington, DC: March 2018 to Present
- Member, American Evaluation Association, Washington DC: April 2017 to Present

### PROFESSIONAL EXPERIENCE

### **Managing Principal**

Cities & People Advisors (Laurie Jones Neighbors Consulting), San Francisco, CA: July 2012 to present

As an independent consultant, work with nonprofit, educational, and governmental organizations and foundations to develop programs for technically and politically preparing low-income people to lead decision making in their schools, communities, regions, states, and nation. Highlights include:

- Developed a strategic program that builds the capacity of Los Angeles residents to serve on and influence **appointed city boards and commissions** and develops a community framework for stronger, active connections between community groups and appointed commissioners, allowing stakeholders to work more effectively together to achieve common progressive policy and social justice objectives. *Client: Liberty Hill Foundation.*
- Designed and led a three-part staff training on developing and supporting game-changing communities of practice for supporting local to national initiatives for breakthrough innovations in public projects for the built environment. *Client: PolicyLink*
- Designed and evaluated a year-long pilot for a student-centered, teacher-led, program-level assessment of student learning for a college program that supports students in addressing the opportunity gap. *Client: Metro Academies at San Francisco State University*
- Designed, implemented, and evaluated a two-year cross-organizational community of practice for staff members of three **college pathway organizations**, based on a three-month investigation process engaging members in shared program design. *Client: The James Irvine Foundation*.
- Provided technical and evaluative assistance for the development of a peer-to-peer capacity-building virtual community of practice for health providers across the country to increase their ability to better identify, plan, implement, and share high-impact prevention activities for reducing HIV infections, decreasing HIV-associated morbidity and mortality, and eliminating health disparities. *Client: Center for Learning and Innovation, Population Health Division, San Francisco Department of Public Health.*
- Provided technical assistance to four of **The California Endowment**'s Building Healthy Communities sites (City Heights in San Diego, Central Santa Ana, Eastern Coachella Valley, and Long Beach) in order to ensure that local residents have **public planning decision-making power** through local board and commission influence and service. *Client: Liberty Hill Foundation*.

### Faculty, Health Education Department San Francisco State University: August 2014 to May 2017

Developed and taught a lower-division course on the history of health and social movements in the 20th century United States and an upper-division course on the social inequities and public health.

### Senior Director of Strategic Initiatives (outgoing title) Urban Habitat, Oakland, CA: July 2008 to July 2012

- As part of a team of four senior managers and a President/CEO, contributed to decision making for all aspects of the organization's programmatic, personnel, and financial goals and strategies.
- Led the strategic planning process to develop a clear, collaborative, values-driven plan that supports the organization in leveraging its technical and political capacity across programs.
- Researched, developed, and piloted the Boards and Commissions Leadership Institute, implementing the pilot on time and under budget and placing 100% of the pilot cohort in priority boards and commissions seats in the region.
- Provided oversight and direction for Urban Habitat's Bay Area strategic programs and developing areas of expertise, with core responsibilities for continuing innovation in the Boards and Commissions Leadership Institute, Social Equity Caucus, and annual State of the Region conference.
- Designed and implemented curriculum, including in support of community engagement strategies, policy and decision-making processes, deliberation, and with technical content to support equitable decision making in public planning processes including transportation, land use, housing, jobs, and the environment.
- Developed and oversaw the Strategic Initiatives budget, and participated with the CEO in fundraising for that budget as well as for general operating support.
- Worked with the Richmond Equitable Development Initiative to determine plug-in points for community members in order to move equitable revisions to the city's General Plan update, including the Health Element.
- Represented Urban Habitat as a speaker and panelist at conferences and coalition events.
- Managed consultants and contractors and supervised staff.
- Shepherded the organization's adoption of educational technology to enhance training.

### **Teaching Assistant**

### University of California Irvine: August 2006 to August 2008

• Upon returning to college for a second graduate degree, developed and taught discussion sections and assisted professors of record in various courses in the Department of Sociology and in the School of Education.

### Faculty Consultant and Instructor Teaching Effectiveness Program, University of Oregon: August 2002 to June 2006

- Co-led a mandatory training for all faculty and staff of the College of Education to ensure accountability to student concerns about respect for a racially diverse student body.
- Designed and implemented cross-campus workshops on a variety of teaching, curriculum, educational technology, and administration issues.
- Served as the point-person for teaching-crisis support for all levels of instructors.

### Online Course Developer and Instructor Kaplan Colleges, Virtual: August 2001 to December 2002

- Developed all assignments, activities, message board threading, and seminar directives for a composition course to be delivered online through synchronous and asynchronous methods.
- Taught various online classes through the English and Communication Department in the College of Arts and Sciences, including Intercultural Communication.

### **Director of Learning**

### Kinection, Inc., Santa Cruz, CA: August 2001 to July 2002

- Managed all aspects of the firm's technology-enhanced projects, including a strategic mentoring process for the New Teachers Project, a suite of courses for the San Jose State University Extension program, and an online workforce learning community prototype for the United States Navy.
- Developed architecture and content development plans for two online statistics courses for the Naval Postgraduate School.
- Communicated, managed, and negotiated with a diverse array of stakeholders and contributors: subject-matter experts, graphic designers, copyeditors, instructional technicians, Web designers and programmers, and technical project managers.
- Oversaw budgets for all in-house projects and consistently completed projects under-budget and with high client satisfaction.

### **Director** (outgoing title)

### ProSeminar, California State University Monterey Bay: August 1995 to July 2001

- Administered all aspects of a university-wide first-year academic program enrolling approximately 700 students per year in a mandatory course taught by faculty from across the disciplines, including overseeing budget, managing support staff, setting policies, and recruiting, hiring, training, and evaluating program faculty.
- Planned and delivered a teacher-training curriculum that addressed achieving outcomes, facilitating discussions, responding to student work, using portfolios, fostering climates of shared leadership and self-directed learning, and building learning communities.
- Coordinated, compiled, and distributed a program self-study, collecting and analyzing perspectives on program effectiveness from the campus community, comparing program issues to similar programs nationwide, and making recommendations to the administration and general campus community regarding structure, content, policies, and approaches.
- Designed and updated a progressive curriculum for diversity awareness and anti-oppression for use with a demographically diverse first-year student body.
- Worked with interdisciplinary faculty to build an innovative skills center (the Academic Skills Achievement Program) at a new university by setting policies, developing programs, and determining appropriate pedagogy that allowed for the support and respect of all students.

### **PRESENTATION HIGHLIGHTS**

**Center on Policy Initiatives.** "Inside-Outside Strategy in Action and Networked Leadership." San Diego: May 19, 2018.

**Urban Habitat Annual Boards and Commissions Training Programs Summit.** "A Cross-Site Program Evaluation Tool." Oakland, July 27, 2017.

**Urban Habitat Annual Boards and Commissions Training Programs Summit.** "What Does Long-Term Program Sustainability Look Like?" Oakland, July 27, 2017.

**Center on Policy Initiatives.** "Inside-Outside Strategy in Action and Networked Leadership." San Diego: June 24 2017.

**New American Leaders Project**. "Proving Ground: Appointed Commission Service and Your Political Trajectory." National Webinar: November 6, 2014.

**New American Leaders Project National Alumni Convening**. "Getting Appointed to Boards and Commissions." Washington, DC: July 26, 2013.

Long Beach Rising! "Local Boards and Commissions Leadership for Movement Building." Long Beach, CA: June 5, 2013.

**Building Healthy Communities Santa Ana** (The California Endowment). "Civic Engagement Strategies for Building Healthy Communities." Santa Ana, CA: June 4, 2013.

**New American Leaders Project**. "Proving Ground: Appointed Commission Service and Your Political Trajectory." National Webinar: April 20, 2013.

**Building Healthy Communities Long Beach** (The California Endowment). "Resident-Led Change: Boards and Commissions Leadership Strategies for Building Healthy Communities." Long Beach, CA: April 2, 2013.

**California Convergence Steering Committee Meeting**. "New Approaches to Civic Leadership for Resident Capacity Building." Sacramento, CA: February 15, 2013.

**California Convergence Steering Committee Meeting**. "Move the Needle on CA Convergence Capacity Building Efforts." Baldwin Park, CA: October 4, 2012.

**2012 State of the Region** (Urban Habitat). "Reciprocal Accountability: Bringing the Outside Movement into Insider Advocacy." Oakland, CA: April 26, 2012.

**Equity Summit California**. "Leadership Development and Community Engagement." (Panelist) Sacramento, CA: April 10, 2012.

PolicyLink Equity Summit. "What It Takes: Preparing Equity Leaders." Detroit: MI: November 8, 2011.

**The State of Environmental Justice in America**. "Setting the Agenda, Creating Change." (Panelist) Detroit, MI: April 27, 2011.

**Funders' Network for Smart Growth and Livable Communities**. "Catalyzing New Community Leadership." (Panelist) Detroit, MI: March 22, 2011

From:	Beinart, Amy (BOS)
To:	Kai Forsley; Ronen, Hillary; Young, Victor (BOS)
Subject:	RE: Regarding SF Sunshine Ordinance Task Force
Date:	Friday, January 8, 2021 10:08:31 AM

Kai, thank you so much for reaching out.

Please feel free to forward your email also to the two other members of Rules Committee:

Supervisor Catherine Stefani – <u>Samuel.Bennett@sfgov.org</u> Supervisor Gordon Mar – <u>Li.Lovett@sfgov.org</u>

Thanks much, ~Amy

### Sent: Friday, January 8, 2021 9:57 AM

**To:** Ronen, Hillary <hillary.ronen@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org> **Subject:** Regarding SF Sunshine Ordinance Task Force

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello-

My name is Kai Forsley and I was instructed by Victor Young to introduce myself directly. (Amy, we have already spoken.)

I am applying to be a member of the Sunshine Ordinance Task Force. In relation to this particular task force, I have interest in overarching accountability measures in workplace settings as well as specific interest in open government. I have always been interested in the organization of information, which is why I pursued librarianship. It is important to all that government information is well organized, easily accessible (as needed), and presented for public benefit. Joining this Task Force will allow me to support San Francisco's goal of government accountability and access to public records, documents, meetings, etc.

My specific connection to SOTF is that a case I submitted/presented to the Sunshine Ordinance Task Force set a precedent directing that *Community Benefit Districts* (CBDs) be subject to the Sunshine Ordinance. I was a board member on a local CBD and I felt that some of the business being conducted should have been available for public review. I studied Chapter 67 thoroughly, submitted my information, and after several months, SOTF members at that time agreed with my suggestion. This positive experience with the task force definitely fueled my interest.

Lastly, I have attached my resume, as advised by the office of the Clerk of the Board.

Best,

Kai Forsley, MLIS

From:	Beinart, Amy (BOS)
To:	Matt Yankee; Young, Victor (BOS)
Subject:	RE: Sunshine Ordinance Task Force Appointment
Date:	Thursday, January 7, 2021 2:47:37 PM

Thanks so much for writing, Matt. I'm adding Victor Young, who serves as Clerk to the Rules Committee, to add this to the public record.

Please feel free to forward your email to the two other members of Rules Committee:

Supervisor Catherine Stefani – <u>Samuel.Bennett@sfgov.org</u> Supervisor Gordon Mar – <u>Li.Lovett@sfgov.org</u>

Thanks much, ~Amy

From: Matt Yankee <yankeema@gmail.com>
Sent: Thursday, January 7, 2021 2:20 PM
To: Beinart, Amy (BOS) <amy.beinart@sfgov.org>
Subject: Fwd: Sunshine Ordinance Task Force Appointment

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Amy,

I sent the e-mail below to Supervisor Ronen, and I wanted to be sure you received a copy of it as well.

Thanks!

Matt Yankee

------ Forwarded message ------From: **Matt Yankee** <<u>yankeema@gmail.com</u>> Date: Thu, Jan 7, 2021 at 2:12 PM Subject: Sunshine Ordinance Task Force Appointment To: <<u>Hillary.Ronen@sfgov.org</u>> Dear Supervisor Ronen,

In anticipation of the upcoming Rules Committee hearing for appointments to the Sunshine Ordinance Task Force (SOTF), I would like to take a brief moment to personally introduce myself to you. My name is Matt Yankee, and I live in the Sunset/Parkside District of San Francisco. I have been serving on the SOTF since November 2018 and have devoted over fifteen years to careers in public service, specifically in positions involving a high degree of public contact, public records, and government accessibility. I would be thrilled to continue my service on the SOTF and respectfully ask for your support in my reappointment.

I am currently the Chief of the Alameda County Clerk-Recorder's Office, where I have been employed since moving to San Francisco in 2011. Prior to moving to San Francisco, I served as the Director of Elections for Washtenaw County – Michigan's sixth largest county, and home to the City of Ann Arbor and the University of Michigan. During my tenure in these positions, I have been a passionate advocate for open government and have consistently sought ways to improve services. I strongly believe in the concept that government works for the people, and to that end, it should be as transparent as possible. Furthermore, I have been on the front lines of ensuring continued access to thousands of essential public records during the current pandemic.

I am particularly proud of the work I have accomplished on the Sunshine Ordinance Task Force since my initial appointment. As Chair of its Information Technology Committee, I led several important hearings regarding the disclosure of metadata associated with electronic records. I have also served on the Complaint Committee, the Rules Committee, and the Education, Outreach & Training Committee. More recently, I was honored to be unanimously elected as Vice-Chair of the SOTF. I also am keenly aware of the importance of quorum at SOTF meetings – and I can gladly report that I have attended every regularly scheduled meeting of the full SOTF throughout my tenure.

I would be happy to further discuss my background and qualifications with you or your staff, and to answer any questions that you may have. Please feel free to let me know if you would like to arrange some time for a short discussion. Otherwise, I look forward to attending the hearing on Monday and speaking to you then.

Sincerely,

Matt Yankee 2615 30th Ave. San Francisco, CA 94116 <u>yankeema@gmail.com</u> Cell: (440) 623-4612 Work: (510) 272-6798

From:	Beinart, Amy (BOS)
To:	Joanna Kabat; Young, Victor (BOS)
Subject:	RE: Sunshine Ordinance Task Forcerecommendation for Laurie Jones Neighbors
Date:	Friday, January 8, 2021 9:07:24 AM

Thanks so much for writing, Joanna. I'm adding Victor Young, who serves as Clerk to the Rules Committee, to add this to the public record.

Please feel free to forward your email to the two other members of Rules Committee:

Supervisor Catherine Stefani – <u>Samuel.Bennett@sfgov.org</u> Supervisor Gordon Mar – <u>Li.Lovett@sfgov.org</u>

Thanks much, ~Amy

From: Joanna Kabat 
Sent: Thursday, January 7, 2021 11:28 PM
To: Beinart, Amy (BOS) <amy.beinart@sfgov.org>
Subject: Sunshine Ordinance Task Force--recommendation for Laurie Jones Neighbors

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Beinart,

I am writing on behalf of staff leadership at the Liberty Hill Foundation to support the appointment of Laurie Jones Neighbors to San Francisco's Sunshine Ordinance Task Force. It is our firm belief that Laurie would be a deeply qualified member of the task force, with profound commitment to transparent governance and community access to government systems.

We have had the benefit and pleasure of working with Laurie for more than six years in her capacity as a consultant to Liberty Hill. Laurie has worked with us to guide the work of our Commissions Training Program, as she has done with other organizations, building a network of organizations throughout the state that collectively have trained hundreds of community members on equitable decision-making, with many of these people going on to serve on boards, commissions, task forces, and neighborhoods councils. This is, of course, built on her expertise working with Urban Habitat to create their Boards and Commissions Leadership Institute. Urban Habitat and Laurie's work is considered by many, including by Liberty Hill, to be the gold standard for building community access to, and relationships with, local governments.

Laurie's passion and excitement about the Brown Act and parliamentary procedure are matched by her knowledge and curiosity, and of course for her love of her community in San Francisco. She has professional and personal experiences that give her deep insights into how government can and should work to transform communities and individual lives through transparent and equitable decision-making. Her commitment to her community and all communities where she works is reflected in her dedication to building trusting relationships with those around her. With community equity as her north star I have great trust in her ability to be a capable and valuable member of the Task Force, in service of San Francisco.

Thank you for your consideration,

Joanna Kabat, Director, Grant Making and Capacity Building Jenny Punsalan Delwood, Executive Vice President

### Joanna Kabat

Pronouns: she/her/hers

Director, Grant Making & Capacity Building | Liberty Hill Foundation

### Website | YouTube | Facebook | Twitter | Instagram

From:	Beinart, Amy (BOS)
То:	Sarah Nelson; Young, Victor (BOS)
Subject:	RE: Support letter for L. J Neighbors to SOTF
Date:	Friday, January 8, 2021 9:18:17 AM

Thanks so much for writing, Sarah. I'm adding Victor Young, who serves as Clerk to the Rules Committee, to add this to the public record.

Please feel free to forward your email to the two other members of Rules Committee:

Supervisor Catherine Stefani – <u>Samuel.Bennett@sfgov.org</u> Supervisor Gordon Mar – <u>Li.Lovett@sfgov.org</u>

Thanks much, ~Amy

From: Sarah Nelson <sarahcnelson@gmail.com>
Sent: Thursday, January 7, 2021 9:22 PM
To: Beinart, Amy (BOS) <amy.beinart@sfgov.org>
Subject: Support letter for L. J Neighbors to SOTF

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Ronen, Mar, and Stefani,

I am writing to support the appointment of Laurie Jones Neighbors to the Sunshine Ordinance Task Force.

In the 10 years that I have known Laurie she has proved to be an ethical and conscientious neighbor, as well as a compassionate teacher and guide to the complicated political universe of SF. I'm even more impressed by how diligent she is in doing the difficult and tedious work of dismantling systems of oppression and building good governance.

I teach middle school here in SFUSD and I care deeply about the city I live in. It's difficult to stay here. Our communities that have traditionally been underserved will continue to stay underserved without recruiting high quality public workers. Having Laurie Neighbors on the SOTF will benefit the city and its residents as we work together to build back a better city.

Sincerely,

Sarah Nelson

Sarah Nelson (she/her/hers) 6-8 Science Teacher San Francisco Community Alternative School SFUSD Cell: <u>(415) 729-4698</u>

From: To: Cc:	Richard Knee Ronen, Hillary; Stefani, Catherine (BOS); Mar, Gordon (BOS) Young, Victor (BOS); j Chris Hyland
Subject:	Sunshine Ordinance Task Force appointments
Date:	Friday, January 8, 2021 12:33:20 AM
Importance:	High

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Supervisors Rules Committee Honorable Hillary Ronen, Chair Honorable Catherine Stefani Honorable Gordon Mar

Re: Candidacies of Jaya Padmanabhan, Chris Hyland and Bruce Wolfe for Sunshine Ordinance Task Force seats: Strongly support

During a lengthy interview with the Freedom of Information Committee of the Society of Professional Journalists' Northern California Chapter ("SPJ NorCal"), of which I am a member, Jaya Padmanabhan impressed me as someone knowledgeable on sunshine law, passionate about government transparency, and of pleasant demeanor and temperament well suited for dealing with the tension that at times surfaces during Task Force proceedings. Moreover, filling the seat for which she is nominated is extremely important, given the Task Force's depleted membership.

Also, Supervisor Aaron Peskin and his legislative aide Lee Hepner deserve thanks for leading the way in enabling SPJ NorCal to succeed New America Media as nominator for the seat for which Ms. Padmanabhan is applying.

In addition, I am pleased to endorse Chris Hyland and Bruce Wolfe for reappointment to the Task Force. Their tenures on the Task Force overlapped mine, and they have served in excellent fashion.

Sincerely, Richard Knee Former Sunshine Ordinance Task Force member and chair

Cc: Victor Young, Clerk of the Rules Committee; Jaya Padmanabhan; Chris Hyland; Bruce Wolfe; Supervisor Aaron Peskin; Lee Hepner Bcc: Other interested persons



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# **Patrick Monette-Shaw**

975 Sutter Street, Apt. 6 San Francisco, CA 94109 Phone: (415) 292-6969 • e-mail: <u>pmonette-shaw@eartlink.net</u>

January 7, 2021

Rules Committee

San Francisco Board of Supervisors

The Honorable Hillary Ronen, Supervisor, San Francisco Board of Supervisors, Chair, Rules Committee The Honorable Catherine Stefani, Supervisor, San Francisco Board of Supervisors, Member, Rules Committee The Honorable Gordon Mar, Supervisor, San Francisco Board of Supervisors, Member, Rules Committee 1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

### Re: Agenda Item #2: <u>Opposition to Re-Appointment of David Pilpel to Sunshine</u> Ordinance Task Force (SOTF)

Dear Chair Ronen and Rules Committee Members,

I am submitting testimony opposing any re-appointment of David Pilpel to the SOTF.

Attached, please find:

- A. Testimony I submitted to the Rules Committee opposing Mr. Pilpel's application for appointment to SOTF on April 27, 2016 when then-Supervisor Katy Tang was Chairperson of the Rules Committee, and
- B. Testimony submitted to the Rules Committee by labor leader Claire Zvanski on April 26, 2016 opposing Mr. Pilpel's application for appointment to SOTF in 2016; Ms. Zvanski's letter is a public record in the background files of the Rules Committee and her testimony was more than likely posted on-line in the public correspondence file for the Rules Committee's hearing on Pilpel's application in 2016.

Both my testimony in April 2016 and Ms. Zvanski's testimony in April 2016 are part and parcel of the historical record on why Mr. Pilpel should never be re-appointed to SOTF — not now, and not ever.

In summary, the reasons the current Rules Committee should not even recommend to the full Board of Supervisor Pilpel for appointment to SOTF include:

- 1. Although the Rules Committee in 2016 forwarded a recommendation to the full Board of Supervisors to potentially consider Pilpel for re-appointment to the SOTF, the full Board had the wisdom not to do so, and Mr. Pilpel was <u>not</u> re-appointed to SOTF when his term expired in 2016.
- 2. Pilpel's prior disruptive behavior as a member of two policy bodies the SFMTA's *Citizens Advisory Council* (CAC) and the PUC's CAC prevented his being re-appointed to either policy body. Mr. Pilpel's application dated January 6, 2021 cited his service on those two policy bodies in the "Civic Activities" section of his application, but he failed to note to this Rules Committee that he was **not** re-appointed to either policy body.

I learned the weekend of April 24, 2016 by reliable report that former Supervisor Katy Tang — the then-chairperson of the Rules Committee — was responsible for, or instrumental in, blocking David Pilpel's re-appointment to both the SFMTA Citizen's Advisory Council (CAC) and to the SF PUC's Citizen's Advisory Committee (CAC) due to many complaints from both CAC members and SFMTA staff.

- 3. Public testimony submitted in April 2016 (see attached) documented Pilpel's previous history of rifling through the desks of SFMTA employees at MUNI's headquarters after hours. He did so not as a once or twice occurrence, but as a regular practice. By report, he continued to snoop around City offices for a number of years.
- 4. Pilpel has refused to recuse himself from hearing SOTF complaints after the complainants noted his conflict of interest, or perceived conflicts of interest.

### January 7, 2021 <u>Agenda Item #2: Opposition to Re-Appointment of David Pilpel to Sunshine Ordinance Task Force</u> Page 2

- 5. Pilpel's attendance record at 15 SOTF meetings held between October 2013 and August 2014 when he was appointed on the SOTF was pathetic; he missed four 26.7% of those 15 meetings.
- 6. Pilpel was observed engaging in *ex parte* communications with City department employees named as respondents in Sunshine complaints filed with SOTF, jeopardizing the outcome of proceedings for the complainants.
- 7. Two complaints were filed with the Ethics Commission for violations of the Statements of Incompatible Activities applicable to Board of Supervisors and SOTF members.
- 8. Pilpel withheld and misrepresented key information regarding due process issues from the Rules Committee in 2014 when the 2014 Rules Committee was considering re-appointing him to SOTF in 2014.
- 9. By report, Pilpel also exhibited on-going disruptive behavior when he served on the Redistricting Task Force, but of course, he also didn't mention that in his January 6, 2021 application for re-appointment to the SOTF.
- 10. On April 6, 2016, an hour-and-a-half into a Sunshine Task Force meeting, Pilpel suddenly requested being recused from hearing a complaint filed by Ray Hartz, Jr. involving the Ethics Commission. The MP3 audio of that meeting shows that then-Task Force Member Mark Rumold a lawyer who held a Task Force seat reserved for nominations from the Society of Professional Journalists noted that the Task Force may potentially want to eventually discuss whether Pilpel had abused his duties as a member of the Task Force often.

The now current Rules Committee must not make the same mistake of forwarding Pilpel's name to the full Board of Supervisors for consideration of re-appointment to the SOTF.

This time, on January 11, 2011 the Rules Committee should forward an explicit recommendation to the full Board of Supervisors clearly rejecting appointing Mr. Pilpel and specifically declining to submit his name for any further consideration by the full Board of Supervisors.

As I noted in April 2016, leopards rarely change their spots and tigers rarely change their stripes. Both animals rarely change their behavior. So, too, with David Pilpel.

It's time to stop considering him for appointment to any Board or Commission in City government, since he's far too disruptive to transparency and accountability.

Respectfully submitted,

Patrick Monette-Shaw Columnist/Reporter Westside Observer Newspaper

# **Patrick Monette-Shaw**

975 Sutter Street, Apt. 6 San Francisco, CA 94109 Phone: (415) 292-6969 • e-mail: <u>pmonette-shaw@eartlink.net</u>

April 27, 2016

Rules Committee
San Francisco Board of Supervisors
The Honorable Katy Tang, Supervisor, San Francisco Board of Supervisors, Chair, Rules Committee
The Honorable Eric Mar, Supervisor, San Francisco Board of Supervisors, Member, Rules Committee
The Honorable Malia Cohen, Supervisor, San Francisco Board of Supervisors, Member, Rules Committee
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

### Re: Opposition to Re-Appointment of David Pilpel to Sunshine Ordinance Task Force

Dear Rules Committee Members,

Please do not approve recommending applicant David Pilpel to another term on the SOTF for the following reasons.

### Prior Disruptive Behavior Prevented His Re-Appointment to Two CAC's

Mr. Pilpel's behavior as a member of other policy bodies has been totally disruptive.

Despite Pilpel's claim on his application that he has served on the SFMTA CAC, SFPUUC CAC, and on the Redistricting Task Force, he was not re-appointed to the MTA CAC in 2009 or earlier, reportedly due to his disruptive behavior and badgering of MTA CAC members and MTA staff. Similarly, within approximately the past year Pilpel was not re-appointed to the PUC CAC for the largely the same reason, as Supervisor Tang must be aware. And by report, Pilpel was extremely disruptive when he served on the Redistricting Task Force.

### **Poor Attendance Record**

Between October 2, 2013 and August 24, 2014, the SOTF held 15 meetings. Pilpel was absent four times -26.7% — of those 14 meetings.

### Refusal to Recuse Himself vs. Recusal From Hearing Complaints

- On May 5, 2015, a Sunshine complaint filed by Brian Browne against the SF PUC was calendared for a hearing before the Sunshine Task Force. Browne aware that Pilpel was then serving on the PUC's CAC requested that Pilpel recuse himself from hearing Browne's complaint due to a potential conflict of interest. Pilpel refused, and announced that although he was a member of the PUC's CAC, he should NOT have to recluse himself. Browne's complaint was continued to a future meeting of the Task Force.
- On April 6, 2016, an hour-and-a-half into the Sunshine Task Force's meeting, Pilpel suddenly requested being recused from hearing a complaint filed by Ray Hartz, Jr. involving the Ethics Commission. Pilpel admitted he had attended the Ethics Commission's January 25 meeting and had testified several times that the Commission was making a mistake because he felt an item on the Ethics Commission's agenda "was not framed properly for public discussion." Pilpel felt the Ethics Commission was not conducting themselves appropriately. Subsequently Hartz filed a Sunshine complaint concerning the Ethics Commission's January 25 meeting.

Pilpel claimed he had been speaking as a "private citizen" but it was obvious he was providing advice to the Ethics Commission in his role as a member of the Sunshine Task Force.

Hartz's complaint that was supposed to be heard on April 6 involved the new Executive Director of Ethics, LeeAnn Pelham. The draft minutes of the Task Force's April 6 minutes only reported that Pilpel wanted to avoid the appearance of bias.

### April 27, 2016 **Opposition to Re-Appointment of David Pilpel to Sunshine Ordinance Task Force** Page 2

Pilpel requested to be recused from hearing the matter. The MP3 audio file of the April 6 Task Force meeting shows that Pilpel stated during the meeting that "my view is that I have either bias, or the appearance thereof" [for having spoken during the Ethics Commission's meeting on January 25]. But there should have been no need for him to recuse himself if he had, in fact, been speaking as a private citizen. And there should have been no question about whether Pilpel was engaging in "bias" if he had been speaking as a member of the public.

The MP3 audio also shows that Task Force Member Mark Rumold — a lawyer who holds a Task Force seat reserved for nominations from the Society of Professional Journalists — noted that potentially the Task Force may want to eventually discuss whether Pilpel has abused his duties as a member of the Task Force often, and that, if so, the Task Force we could take some action later.

There doesn't seem to be much rhyme or reason as to when Pilpel decides whether or not to request being recused from hearing items on the agenda.

### **Ex Parte Communications**

On May 5, 2015 following the hearing on Brian Browne's Sunshine complainant, Pilpel raced up to the SFPUC representative who had attended the hearing and who was enroute to the elevator, and began speaking with the PUC rep. Browne reportedly said "Mr. Pilpel, I hope you are not talking to her about my case." It's one of many examples — not an isolated occurrence — of Pilpel having sidebar — *ex parte* — conversations with respondents regarding Sunshine complaints prior to hearing the merits of a complainant's formal complaint.

### **Undermining Sunshine Complainants**

Also in 2015, Pilpel submitted a letter to the Ethics Commission prior to an Ethics Commission hearing involving a Sunshine complaint Paula Datesch had filed against the Art Commission that the Task Force had referred to the Ethics for enforcement. Pilpel intentionally interfered with the Ethics Commission's deliberations by offering his so-called "personal opinion" on a matter that the Task Force had already ruled on and had concluded. Pilpel has no compulsion about trying to overturn Sunshine Task Force decisions that he doesn't agree with, and is brazen enough to show up at Ethics hearings to intentionally undercut official Orders of Determination the Task Force had issued.

It is thought Pilpel has interfered with other concluded Orders of Determination issued by the Task Force after-the-fact, and this is not an isolated incident.

# Two Ethics Complaints Involving Violations of the Statement of Incompatible Activities Applicable to the Board of Supervisors and SOTF Members

In 2014 I filed two Ethics complaints against Mr. Pilpel alleging that he had violated the SIA applicable to SOTF members. In the first Ethics complaint, I noted Pilpel had identified himself during public comment at a meeting of the Ethics Commission as "David Pilpel, Member of SOTF," rather than as a member of the public, as if he were authorized to speak on behalf of the full Task Force.

After I filed my complaints, Pilpel became somewhat more careful to claim he addresses policy bodies as a member of the public, although he has been reported by other observers as having continued to identify himself as a member of SOTF when addressing other policy bodies.

Mr. Pilpel had *not* sought an Advance Written Determination that testifying to the Ethics Commission about a Sunshine Complaint adjudicated and finalized by the full Task Force is *not* incompatible with his official duties.

In my second Ethics complaint, the underlying issue was not whether Mr. Pilpel is permitted to speak before other policy bodies on issues *outside* the scope of his duties as a member of the Sunshine Task Force (for example speaking during a meeting of a Commission considering a land use matter that might affect Mr. Pilpel's neighborhood). Instead, the underlying issue was whether Pilpel is permitted to speak to another policy body on issues that are *inside* the scope of his duties as a Sunshine Task Force member (i.e., speaking about a matter inside the scope of his duties, *after* the full Task Force had concluded the matter and referred it to the Ethics Commission for enforcement).

### April 27, 2016 **Opposition to Re-Appointment of David Pilpel to Sunshine Ordinance Task Force** Page 3

When Mr. Pilpel voluntarily became a member of the Task Force, he was automatically bound under the governing SIA to restrict his testimony on matters falling *inside* the scope of his duties before other bodies. As a member of the Task Force, he has a duty to support and abide by decisions reached by a majority of Task Force members.

Pilpel's *ex parte* communications with other Policy Bodies and his testimony during other Policy Body meetings are a ruse when he claims to be speaking as a private citizen. His claims are a sham, when not a pretense or pretext, since it is clear he is trying to provide testimony in his role as a member of the Task Force, not so much as a member of the public.

His ruse needs to stop, and the Rules Committee can do so by refusing to advance him for consideration for re-appointment to the Task Force. Please refuse to support him application; it's long overdue that you dump him off of SOTF.

### Pilpel Withheld Key Information from Rules Committee in May 2014

To the extent that Pilpel sought to sway the Rules Committee into re-appointing him to the Sunshine Task Force on May 15, 2014 by blabbing his wild assertion that members of the SOTF didn't understand where "due process attaches," he may have gamed re-appointment to the Task Force by withholding informing Supervisors Yee and Tang on May 15 that just 17 days earlier when Pilpel had raised the "due process" issue during the Sunshine complaint hearing involving Phil Ginsburg before the Ethics Commission, Deputy City Attorney Josh White who advises the Ethics Commission, had to interject and inform Ethics Commissioners that "due process" didn't apply.

It is completely egregious that Pilpel — who must have fully understood DCA White's clear City Attorney advice — withheld DCA White's advice from Tang and Yee in 2014, and repeated the "due process" misinformation that White had shot down, during his testimony seeking re-appointment to the Task Force. Indeed, it could be argued that by ignoring DCA White's "City Attorney opinion," and repeating due process misinformation, Pilpel had failed Katy Tang's "litmus test" of undying fealty to City Attorney "advice" as a condition of appointment to the Task Force.

### Conclusion

The Rules Committee should not make the same mistake twice by referring Mr. Pilpel for re-appointment to the Task Force again, after he duped you in May 2014.

After all, leopards rarely change their spots, and tigers rarely change their stripes. Both animals rarely change their behavior. So, too, with David Pilpel. It's time to get rid of him as being too disruptive.

Respectfully submitted,

Patrick Monette-Shaw Columnist/Reporter Westside Observer Newspaper Continuation of Patrick Monette-Shaw's Testimony to Board of Supervisors Rules Committee, January 7, 2021

Below is the testimony Claire Zvanski submitted on April 26, 2016 opposing the appointment of David Pilpel to the Sunshine Ordinance Task Force. Zvanski's letter is a public record that was posted on-line to the Rules Committee in April 2016.

# Evans, Derek From: Tang, Katy (BOS) Sent: Tuesday, April 26, 2016 11:46 AM To: Evans, Derek Subject: FW: Rules Committee appointment consideration For the clerk's records From: claire zvanski [mailto:czvanski@hotmail.com] Sent: Tuesday, April 26, 2016 3:51 AM To: Mar, Eric (BOS) <eric.mar@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org> Subject: Rules Committee appointment consideration

Dear Supervisors:

It is my understanding that the Rules Committee will be considering appointments to the Sunshine Task Force this Thursday, April 28. It is also my understanding that **David Pilpel** has submitted his application for reappointment to that task force.

I have known David for more than 25 years. He was a teenager when I used to have to physically extract him from offices at MUNI headquarters (on Presidio at Geary in those days). He was regularly rifling through desks of managers and other employees and also going through our file cabinets for "information" on various projects and issues. He would often come in after hours when those managers would have gone home for the day. This was not a once or twice occurrence. It was a regular practice for a very long time. He was reported, but he continued to do this as long as the doors of the building were not locked. Later, security measures were taken and he could not easily access our building after hours. So, he would come in and "visit" with various managers at the end of the day but not leave the building at closing.

Mr. Pilpel has continued to probe/snoop into City business and City offices over the years. As a retired City employee with nearly 40 years of service behind me, I found and continue to find Mr. Pilpel's methods despicable and his motives questionable. While I support transparency and the public's right to know, I also understand the need for files and work products to remain protected. There is a time and place for everything.

All this is to say that I don't believe Mr. Pilpel is appropriate for reappointment to the Sunshine Task Force. Colleagues of mine have told me of his ongoing unorthodox methods in seeking information and also his harassment of both City employees and elected/appointed individuals. These are unprofessional methods and behaviors that should not be rewarded by appointment to an official City body, especially the Sunshine Task Force.

Please reject the reappointment of David Pilpel to the Sunshine Task Force.

Thank you very much for your consideration of this request. Claire Zvanski (37.5 years retired career public service with CCSF; 26 years on HSS board)