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December 18, 2025

Sunshine Task Force Administrator
Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: Correction — Complaint Regarding Commission Streamlining Task Force and Deputy City Attorney Jon Givner

Dear Administrator,

Complaint against which Department or Commission:
- Ed Harrington, Commission Streamlining Task Force Chair
- Sophia Kittler, Commission Streamlining Task Force Member, and
- Jon Givner, Deputy City Attorney City Attorney's Office

Name of individual(s) **responsible** at Department or Commission • Rachel Alonso, Streamlining Task Force Staff Member

Alleged Violation: ☐ Public Records Access ☒ Public Meeting

Sunshine Ordinance Section(s) §67.6(f), §67.7(d) and (e), ***and/or any other relevant sections of the Sunshine Ordinance that the Task Force determines are applicable violations***

Do you want a public hearing before the Sunshine Ordinance Task Force? ☒ Yes ☐ No
Do you want a pre-hearing conference before the Complaint Committee? ☐ Yes ☒ No
I request confidentiality of my personal information ☐ Yes ☒ No

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Please describe alleged violation.

1. Sunshine Violation Description

Cause of Action

- **Sunshine Ordinance §67.7, Agenda Requirements; Regular Meetings**

  (d) No action or discussion shall be undertaken on any item not appearing on the posted agenda …and §67.7

  (e) Notwithstanding subdivision (d), the policy body may take action on items of business not appearing on the posted agenda under any of the following conditions:

  (1) Upon a determination by a majority vote of the body that an accident, natural disaster or work force disruption poses a threat to public health and safety.

  (2) Upon a good faith, reasonable determination by a two-thirds vote of the body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that (A) the need to take immediate action on the item is so imperative as to threaten serious injury to the public interest if action were deferred to a subsequent special or regular meeting, or relates to a purely commendatory action, and (B) that the need for such action came to the attention of the body subsequent to the agenda being posted as specified in subdivision (a).

  (3) The item was on an agenda posted pursuant to subdivision (a) for a prior meeting of the body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

- **The City Attorney's "*Good Government Guide*"** (November 2024 editions) states on page 157 the same three exceptions listed in Sunshine Ordinance §67.7(e) for regular meetings.

  However, for "***Special Meetings***" the City Attorney's "*Good Government Guide*" specifically states:

> "**For special meetings**, the body ***may consider only matters stated on the agenda; there are no exceptions***. Cal. Govt. Code § 54956(a); Admin. Code § 67.6(f)."

The "*Good Government Guide*" was referring to the prohibition in 67.6(f) that states "No other business shall be considered at such meetings," other than what is noticed on the meeting agenda, and ***there are no exceptions***.

None of the three exemptions applied to the meeting in question, or to this Sunshine complaint.

2. Discussion of Sunshine Violation

On December 12, 2025 the Commission Streamlining Task Force held a "*Special Meeting*," during which the Streamlining Task Force improperly discussed and took action on the "*Reentry Council*," which had not been publicly noticed anywhere on the Special Meeting's agenda.

During Agenda Item #7, Future Meeting Topics, multiple members of the pulic testified eloquently that the Streamlining Task Force needed to reverse its initial September 3 decision to eliminate the Reentry Council completely, based on the erroneous justification that the Reentry Council was a "*staff working group, whose memebers are '***primarily***' department staff of the Adult Probation Department*." The Reentry Council admirably serves a unique population of formerly incarcerated **juveniles**, distinct from adults.

That rationale to leiminate the advisory body was nonsense and erroneous, because the Streamlining Task Force's own September 2 "*Public Safety Body's Staff Recommendation*" memo written by Rachael Alonso clearly stated on page 14 that a membership qualification requirement for the Reentry Council's 25 members include "Seven formerly incarcerated members (three Mayoral appointees and four Board of Supervisors appointees). Seven of 25 members represents fully 28% (fully one-quarter) of the members, which proves the lie that the Reentry Council was "*primarily*" a staff working group.

The members of the public who spoke noted that the Reentry Council serves juveniles reintegrating following release from incarceration. They asked the Task Force to reconsider its decision to eliminate the Reentry Council, an admirable "***ask***," which I fully support.

At 3:01:00 on the meeting audiotape, Streamlining Task Force Chair Ed Harrington introduced a motion to bring back the Reentry Council for further discussion and action at a future meeting to see if they wanted to change their initial recommendation to eliminate the Reentry Council. **Harrington's motion for a future meeting was seconded**.

After discussion by Streamlining Task Force members about bringing it back at a future meeting, Support Staff to the Streamlining Task Force stated they could re-agendize it for the Task Force's future meeting on December 18 or January 14, where the item could be reconsidered (and appropriately "***noticed***" on a published meeting agenda).

Rather than waiting the mere six days to their next December 18 meeting, at 3:05:10 on the December 12 meeting audiotape, Streamlining Task Force member Sophia Kittler stated "*Separating 'best practices vs. Brown Act' rules … would it be* ***in****appropriate for us to discuss this today*?" Given Kittler's mention of the Brown Act, she appears to have had foreknowledge the Streamlining Task Force was prohibited from taking action on an item ***not*** on the published meeting agenda. There's nothing in "*best practices*" that allows violating State law, even if Ms. Kittler doesn't know that! In fact, even "*best practices*" support **following** State law; it was a frivolous bifurcation. And no, it **wasn't** "*appropriate*."

Then, at 3:05:30 on audiotape, Deputy City Attorney Jon Givner surprisingly stated, "*You could go back to* [Agenda] *Item 7 and discuss*."

[**Note:** Givner misspoke, and should have referred to going back to Agenda Item #6. Given his role as Chief Assistant City Attorney Mr. Givner had to have known of the City Attorney's "***Good Government Guide***" (November 2024 edition that he likely helped co-author), which states on page 157 the same three exceptions listed in Sunshine

Ordinance §67.7(e) for regular meetings prohibiting discussing items not on a published meeting agenda, none of which applied to the Reentry Council's situation. Givner had to have known that for "*Special Meetings*" of policy bodies, the City Attorney's "*Good Government Guide*" also specifically states: "*For special meetings,* ***the body may consider only matters stated on the agenda; there are no exceptions***." [Cal. Govt. Code §54956(a); Admin. Code §67.6(f).]

Givner — despite knowing better that it was prohibited, with no exceptions — simply made up a fake rule on the spot. Givner must surely know of the Brown Act's and Sunshine Ordinance's prohibition against discussing and taking action on items not listed on published meeting agendas, particularly during "*Special Meetings*."

Then at 3:06:54 on audiotape, (armed with Givner's false "*cover*," at 3:05:30 on audiotape), Task Force Chair Harrington said "*So let's reopen Item 6.* ***I would typically not want to have*** [***discussion*** and decisions] ***about things that were not on the posted agenda****, but I think this is not controversial*." Harrington, who had to have known he was chairing a "*Special Meeting*," also willfully chose to violate the Brown Act, as Kittler had proposed doing, but his mea culpa was actually an **admission of guilt** about what he was proposing to do, regardless of whether or not it was "*controversial*"— that had nothing to do with it!

At 3:07:32, Giver started to say "*The Board of Supervisors rules …*" but he did not finish his thought.

[It's thought Givner may have been poised to wade into the Board of Supervisors "*Rules of Order*" that provide exceptions that exist for "*Imperative Agenda*" items, requiring a two-thirds vote (or unanimous if fewer are present) for urgent matters or commendations, or when an item arises after the agenda is posted. But clearly, the Board of Supervisors Rules of Order do **not** apply to other public meeting bodies, like the Streamlining Task Force, which clearly Givner knew. Givner was essentially "*throwing sand in the eyes of the bull*," as lawyers well know how to do. It's a metaphorical way of using **The Dilemma Logic** to create a false logical problem to deceive or blind an opponent**.** *It's also known colloquially as* "*baffling with bullshit*."]

Givner should have advised the Streamlining Task Force to wait to discuss the issue at a subsequent meeting!

At 3:07:33, Sophia Kittler interrupted Givner, asserting "*See, that's my problem. That's where I was indoctrinated*," referring to whatever excuse Givner was about to offer regarding the Board of Supervisors to justify her confusion about whether it would be *inappropriate* to violate the Brown Act. She was referring to her two-year and seven-month service as former-Mayor London Breed's *Liaison to the Board of Supervisors*. Clearly, it didn't dawn on Kittler that Board of Supervisors "*Rules of Order*" don't apply to her service as a member of the Commission Streamlining Task Force.

At 3:08:05, Givner then said, "*You don't need to* [take public comment again on the additional discussion topic], *but you could re-open public comment for those who did not already comment*."

At 3:08:12, Chair Harrington closed Agenda Item 7, and reopened Item 6, at which point the Streamlining Task Force eventually voted to rescind its September 3 recommendation to eliminate the Reentry Council, and keep it as an advisory body.

But another procedural problem was that Agenda Item #6 had been listed on the meeting agenda to discuss previous Task Force decisions regarding five specific, but narrow, topic areas, including member qualifications, compensation and benefits, contract approval authority, appointing authority, and policy body naming conventions. That had been the stated purpose of Agenda Item #6. That agenda item wasn't intended to focus on other previous Task Force decisions writ large. It was clear the Reentry Council issue didn't fit the narrow topic areas listed for Agenda Item #6.

After the discussion by the Task Force of Harrington's motion that had been seconded to schedule the Reentry Council for a future meeting, the December 12 meeting draft meeting minutes report that Vice Chair Bruss then introduced a (competing) motion to reverse the Task Force's prior September 3 decision and restore the Reentry Council to its current form but keep the Council's planned 2029 Sunset date, which motion was seconded by Member Kittler.

Another problem was there was no formal "*Motion to Withdraw*" made, or seconded, required under *Robert's Rules of Order*, to withdraw Harrington's initial motion to schedule the Reentry Council for a future Task Force meeting. The Task Force just blithely passed Bruss' alternative motion unanimously to restore the Reentry Council on the spot, without closing Harrington's initial motion.

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It's clear that Chair Harrington, Sophia Kitler, and the Streamlinining Task Force's support staff all violated the Sunshine Ordinance knowing that it was improper to discuss an item that was not on the meeting agenda, and knew they had an opporunity to rescedule it for an upcoming meeting on December 18 or January 14. They chose not to, knowing it would be a Sunshine Ordinance and Brown Act violation.

Worse, Deputy City Attorney Jon Givner gave the Streamlining Task Force tacit approval to violate both the Sunshine Ordinance and Brown Act's prohibition against discussing an item not on the meeting agenda, and which is prohibited for "*Special Meetings*," in particular.

I testified again saying my nephew is in prison in another state, and I support the work of Reentry Councils nationwide to help former inmates re-adjust to living again safely in the community. That does not mean I support City Officials breaking our Sunshine Ordinance laws, as two wrongs never make something right.

Given that the Streamlining Task Force had ample opportunity to reschedule revisiting their initial decision to eliminate the Reentry Council to a future meeting — just six days later on December 18 — they willfully and knowingly chose to violate the Sunshine Ordinance by discussing and taking action not on their December 12 meeting agenda.

3. **Remedies Sought**

Given that Chair Harrington, Sophia Kittler, and Deputy City Attorney Jon Givner all knew that the Sunshine Ordinance prohibits discussing and taking action on matters not listed on the published meeting agenda — whether it was or was not a subjectively "***conroversial***" issue — they all knowingly chose to violate the Sunshine Ordinance. Of all peope, Givner provided inadequate and improper legal advice to the Commission Streamlining Task Force during its September 2 meeting.

As such, the Sunshine Task Force should rule that there was a clear violation of Sunshine §67.6(f), §67.7(d), and §67.7(e) by hearing and acting on an item **not** on its published meeting agenda.

The Sunshine Task Force's Order of Determination needs to be explicitly written stating by name that Harrington, Kittler, and Givner all violated the Sunshine Ordinance!

Sincerely,

/s/
Patrick Monette-Shaw
Columnist
Westside Observer Newspaper

cc: Rachael Alonson, Project Director Controller's Office, assigned as staff support for the Commission Streanlining Task Force