

# City tells TL CBD to hand over documents

*Ex-board member with complaint prevails at Sunshine Task Force*

BY TOM CARTER

**T**HE city's Sunshine Ordinance Task Force voted unanimously November 30 that the Tenderloin Community Benefits District had improperly withheld records from a former disgruntled board member and the district has until Jan. 11 to deliver them.

The task force said the CBD's General Manager Elaine Zamora and Assistant Manager Dina Hilliard had failed to provide records that Kai Wilson requested, thus violating five areas of Section 67 of the Sunshine Ordinance and one section of the California Public Records Act. Wilson, angered over what she considered the board's mistreatment of her before her res-

ignation, had brought two accusations to the task force: the withholding of emails she requested and discussing her in a closed session.

Under the Sunshine Ordinance of 1999, ensuring easier access to public records and enhancing public meeting laws, the task force offers a procedure to obtain records if someone is denied.

The 6-0 decision was referred to the task force's Compliance and Amendments Committee where it is to be vetted for its merits. The committee will meet Jan. 11. If the CBD has delivered copies of the requested emails to Wilson by then, the case will be dropped. The task force did not decide on the closed session issue.

If the CBD hasn't furnished Wilson all the correspondence she asked for by Jan. 11, the committee sends the case back to the task force with or without a recommendation. Enforcement is the responsibility of the Board of Supervisors, the district attorney, the Ethics Commission or the state attorney general.

To act on the case, the task

force first had to decide that community benefit districts come under the Sunshine law. Zamora and Hilliard said they had been advised by the city attorney's office that the CBD was not under the sunshine's purview. The task force disagreed.

Under questioning, Hilliard admitted that the CBD had not furnished documents that Wilson requested under the California Public Records Act after she resigned, nor had the CBD even replied to Wilson. When asked to explain the "reasoning," Hilliard replied that the CBD board had decided that "(a) response wouldn't help."

Wilson had been voted onto the board July 2009. After the executive committee asked her to resign a year later, she did so in July 2010. Zamora told the task force that Wilson "wasn't a good fit" for the CBD board. Wilson then objected to the way she was treated and sought the documents.

At the hearing's conclusion, Zamora and Hilliard tried to give Wilson the documents but she refused them saying they were incomplete.

Wilson said she may hire a lawyer to pursue additional issues she has with the CBD. ■



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