

File No. N/A

Item No. 7

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: November 2, 2022

<input type="checkbox"/>	Petition/Complaint	Page: <u> </u>
<input type="checkbox"/>	Memorandum - Deputy City Attorney	Page: <u> </u>
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<input type="checkbox"/>	Administrator's Report	Page: <u> </u>
<input type="checkbox"/>	No Attachments	

OTHER

By-Law Amendments - 184

Completed by: C. Leger Date 10/28/22

* An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file on a disk

SUNSHINE ORDINANCE TASK FORCE

Tel: 415 554-5184
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City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco 94102-4689

NOTICE OF PUBLIC HEARING
SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN THAT the Sunshine Ordinance Task Force will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: November 2, 2022

Time: 4:00 p.m.

Location: Remote Meeting

Subject: Adoption of Amendments to the Sunshine Ordinance Task force By-Law Amendments (attached).

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the members of the Task Force. Written comments should be addressed to Victor Young, Administrator, Sunshine Ordinance Task Force, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Agenda information relating to this matter will be available for public review by Friday, October 28, 2022.

Victor Young, Assistant Clerk
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE

Tel: 415 554-7724
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City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco 94102-4689

City and County of San Francisco Sunshine Ordinance Task Force By-Laws

ARTICLE I. NAME, AUTHORITY, PURPOSE, AND CONTACT INFORMATION

Section 1. Name and Authority. The Sunshine Ordinance Task Force ("Task Force") was established pursuant to San Francisco Administrative Code (Sunshine Ordinance), Section 67.30 (a).

Section 2. Purpose. The Task Force shall protect the public's interest in open government and have the powers and duties enumerated in San Francisco Administrative Code, Chapter 67 (Sunshine Ordinance).

Section 3. Contact Information: Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.
Email Address: sotf@sfgov.org Phone: 415-554-7724

ARTICLE II. MEMBERSHIP AND ATTENDANCE.

Section 1. Membership. The Task Force shall be composed of eleven voting members appointed by the Board of Supervisors pursuant to San Francisco Administrative Code, Section 67.30 (a). In addition, The Mayor or his/her designee and the Clerk of the Board of Supervisors or his/her designee serve as nonvoting members of the Task Force.

Section 2. Attendance. Members of the Task Force shall notify the Task Force Administrator and the SOTF Chair if a member is unable to attend a regular meeting of the Task Force. The Task Force Administrator shall notify any member who misses two consecutive or three regular meetings in any twelve-month period of time. If a third consecutive or fourth subsequent absence from a regular meeting occurs in that same twelve-months, the Chair or Vice-Chair (acting in the absence of the Chair) of the Task Force shall notify the Board of Supervisors of the member's lack of attendance.

Section 3. Holdover. Members may serve past the expiration of their term until they are replaced.

Section 4. Parental Leave Policy. Administrative Code Chapter 67B authorizes members of the Sunshine Ordinance Task Force to take parental leave in certain circumstances. The terms of the parental leave policy are set forth in Administrative Code Section 67B.1. That section is

incorporated by reference into these bylaws. The Task Force Administrator shall provide a copy of Section 67B.1 to each member of the Sunshine Ordinance Task Force when the member assumes office. Any member who intends to take parental leave under this policy must inform the Task Force Administrator and the Chairperson of the Sunshine Ordinance Task Force in writing. To the extent feasible, the member's written notice shall state the beginning and end dates of the leave and whether the member intends to participate in Sunshine Ordinance Task Force meetings remotely during the leave. The notice is not binding on the member and does not limit the member's rights under the parental leave policy, but rather is intended to aid the Task Force Administrator and the Chairperson in planning the work and the meetings of the Sunshine Ordinance Task Force while the member is on parental leave.

ARTICLE III. OFFICERS AND DUTIES.

Section 1. Officers and Duties. The Officers of this Task Force shall be a Chair and a Vice Chair.

Section 2. Duties of the Chair. The Chair shall preside at meetings of the Task Force. The Chair, working with the Administrator and Task Force members, shall oversee the preparation of the agenda for the Task Force meetings. The Chair shall appoint and may remove the chair and members of committees and shall perform all other duties as prescribed by the Task Force or by these By-Laws which are necessary or incident to the office.

Section 3. Duties of the Vice Chair. In the absence or inability of the Chair to act, the Vice Chair shall preside at the meetings and perform the duties of the Chair. In the event of the absence of the Chair and the Vice Chair, the remaining Task Force members shall elect one of the members to act temporarily as Chair.

Section 4. Terms of Office. The Officers shall hold offices for one year and until their successors are elected.

Section 5. Election of Officers. The officers shall be elected at the first regular meeting of the Task Force held after April 27th of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting after April 27th of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs.

ARTICLE IV. MEETINGS.

Section 1. Regular Meetings. Regular meetings of the Task Force shall be held on the first Wednesday of the month at 4:00 p.m. at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 408, San Francisco, California.

Section 2. Special Meetings. The Chair or a majority of the members of the Task Force may call special meetings of the Task Force.

Section 3. Notice of Meetings. The agendas of all meetings shall be posted on the Task Force web site, at the meeting site, the San Francisco Main Library, Government Information Center and the office of the Task Force. Agendas and notices shall be e-mailed or otherwise provided to each Task Force member.

Section 4. Cancellation of Meetings. The Chair may cancel a meeting if ~~they are~~ informed by the Task Force Administrator that a quorum will not be present or for other good cause. Notices of cancellation shall be posted on the Task Force web site, at the meeting site, the San Francisco Main Library, Government Information Center, and the office of the Task Force.

Section 5. Conduct of Meetings.

(a) Meetings of the Task Force shall be conducted in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et. seq.), the San Francisco Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the Task Force's By-Laws. Except where state or local laws or other rules provide to the contrary, meetings shall be governed by Robert's Rules of Order.

(b) When a member of the Task Force desires to address the Task Force, he/she shall seek recognition by addressing the Chair, and when recognized, shall proceed to speak. The member shall confine their comments or remarks to the question before the Task Force.

(c) Sound producing electronic devices shall be silenced during meetings of the Task Force. The Chair may issue a warning to any member of the public whose electronic device disrupts the Task Force meeting. In the event of repeated disruptions caused by pagers, cell phones or any sound producing device, the Chair shall direct the offending member of the public to leave the meeting.

Section 6. Setting Agendas. The Task Force Administrator, at the direction of the Chair, shall prepare the agenda for meetings. The agenda for all regular meetings shall contain an item during which Task Force members may request items for the Task Force to consider at future meetings. The Task Force Administrator, at the direction of the Chair, may also include multiple files to be considered as one item, namely the Consent Calendar, which consists of matters routine in nature and not likely to be subject to debate or inquiry by the Members or ~~or~~ the public and which will typically be adopted in one motion, such as cases where both parties acknowledge specific violations have taken place and there is no dispute over substantive facts or when the Respondent pleads no contest.

Section 7. Action at a Meeting; Quorum and Required Vote. The presence of a majority of the Task Force members (six) shall constitute a quorum. The affirmative vote of a majority of the members of the Task Force (six) shall be required for the approval of all substantive matters. Procedural matters shall require an affirmative vote of a majority of the members present. At committee meetings a quorum shall be a majority of the members of the committee. If a quorum is not present, no official action may be taken, except roll call, recess or adjournment.

Section 8. Voting and Abstention. Task Force members must be present to participate and vote. Each Task Force member present shall vote "Yes" or "No" when a question is posed, unless the member is excused from voting by a motion adopted by a majority of the Task Force members present or the member has a conflict of interest that precludes participation in the discussion and vote. The Task Force shall take action on items by roll call, voice vote or by show of hands. The minutes shall reflect how each Task Force member voted on each question.

Section 9. Order of Business. The Task Force may change the order of agenda items at any meeting. The normal order of business at Task Force meetings shall be:

- Call to Order
- Roll Call and Agenda Changes
- Approval of Meeting Minutes
- Consent Calendar
- Administrator's Report
- General Public Comment (will not be heard until 5:00 PM or later)
- Hearings on the Jurisdiction and Hearings on the merits of Complaints (will not be heard until 5:00 PM or later)
- Committee Reports
- Other Policy Matters
- Future Agenda Items
- Adjournment

Section 10. Consent Calendar Procedures. After the Consent Calendar item is introduced by the Administrator, any Member may request one or more individual files be removed from the Consent Calendar and addressed on the same day's agenda as an independent item. The Administrator shall read into the record each item removed from the Consent Calendar. If Consent Calendar items are removed, they will be discussed immediately after adoption of the balance of the Consent Calendar. After an opportunity for public comment is provided, all matters remaining on the Consent Calendar shall be approved by a single action, with such single action to have the effect of individual action on each matter.

Section 10.11. Hearing Procedures for Complaints

The Task Force shall hold hearings on the merits of complaints pursuant to the following procedure:

1. The Complainant presents his/her facts and evidence. (5 minutes)
Other parties of Complainant present facts and evidence. (Up to 3 minutes each)
2. The Respondent presents his or her facts and evidence. (5 minutes)
Other parties of City respond. (Up to 3 minutes each)
3. The complaint is with the Task Force for discussion and questions to parties.
4. Respondent and Complainant present clarification/rebuttal based on Task Force discussions. (3 minutes)
5. The complaint is with the Task Force for motion and deliberation.
6. Public Comment (Excluding Complainant and City response and witnesses.)

7. The Task Force may vote to take one of the following actions:
 - a) make a motion to find a violation;
 - b) make a motion to find no violation;
 - c) make a motion to take no further action and close the file.

Section 12. Public Comment. Members of the public may comment on each agenda item at the Task Force or committee meeting. The Chair shall permit each person who wishes to speak on an agenda item to be heard once for up to three minutes. Members of the public may address the Task Force on matters within the jurisdiction of the Task Force but not on the agenda once for up to three minutes during general public comment. The Chair shall allot each member of the public the same maximum speaking time at the beginning of each agenda item, excluding persons making presentations requested by the Task Force. The Chair may limit the time permitted for public comment consistent with state and local laws. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes.

ARTICLE V. TASK FORCE RECORDS.

Section 1. Minutes. Minutes shall be taken at all meetings of the Task Force and its committees and shall comply with the provisions of the San Francisco Sunshine Ordinance that apply to Charter boards and commissions. In the event a committee does not meet for a period of six months after its last meeting, the minutes of that meeting shall be agendaized at the full Task Force for review and approval.

Section 2. Public Review File. The Task Force shall maintain a public review file.

Section 3. Records Retention Policy. The Task Force records shall be maintained pursuant to the records retention and destruction policy and scheduled approved by the Board of Supervisors.

Section 4. Audio Recordings. The Task Force shall make and retain audio recordings of all meetings of the Task Force and its committees.

ARTICLE VI. COMMITTEES.

Section 1. Standing Committees. The Task Force may form standing committees to advise the Task Force on its on-going functions, hold hearings, make recommendations, and perform delegated tasks. The standing committees shall be composed of less than a quorum of members of the Task Force. The Chair of the Task Force shall appoint or remove the Chair and members of the Standing Committees. The Task Force shall establish the following Standing Committees: Rules Committee; Education, Outreach and Training Committee; Complaints Committee; and Compliance & Amendments Committee.

(a) Rules Committee. The Rules Committee shall review matters related to amendments to the Task Force by-laws and procedures for Task Force meetings and shall assist the Chair of the Task Force to ensure that all annual objectives enumerated in the Sunshine Ordinance are met by the Task Force. In addition, the Rules Committee shall schedule hearings on complaints to

review jurisdiction and the merits of the complaint in order to provide recommendations to the Full Task Force.

(b) Education, Outreach, and Training Committee. The Education, Outreach and Training Committee may monitor compliance with the Orders of Determination adopted by the Task Force, maintain an ongoing education and training program for City employees and the public, and make recommendations to the Task Force regarding outreach and publicity to the media. In addition, the Education, Outreach and Training Committee shall schedule hearings on complaints to review jurisdiction and the merits of the complaint in order to provide recommendations to the Full Task Force.

(c) Complaint Committee. The Complaint Committee shall monitor the complaint process and make recommendations to the Task Force regarding how the complaints should be handled. The Complaint Committee shall schedule hearings on complaints to review jurisdiction and the merits of the complaint in order to provide recommendations to the Full Task Force.

(d) Compliance & Amendments Committee. The Compliance and Amendments Committee may monitor compliance with the Orders of Determination adopted by the Task Force, monitor changes in state law and court decisions affecting access to public meetings and records, and make recommendations to the Task Force regarding amendments to the Sunshine Ordinance. In addition, the Compliance and Amendments Committee shall schedule hearings on complaints to review jurisdiction and the merits of the complaint in order to provide recommendations to the Full Task Force.

Section 2. Special or Ad Hoc Committees. Upon approval by a majority of the members of the Task Force, the Task Force may form special or ad hoc committees. Special committees shall be formed for a specific purpose and cease to exist after completion of a designated task. Special committees may be composed of members of the Task Force and may include members of the public, city officials or city employees as well.

ARTICLE VII. AMENDMENT TO THE BY-LAWS

The Task Force may amend these by-laws at the next meeting held at least 14 calendar days after an initial meeting at which the proposed amendments were presented. A notice of intent to amend the bylaws shall be posted at the same location as other Task Force notices before the proposed amendments may be adopted.

Adopted 8/22/2000
Amended 8/27/2002
Amended 3/25/2008
Amended 4/28/2009
Amended 4/26/2011
Amended 12/5/2012
Amended 4/1/2015
Amended 12/6/2017

Amended 1/2/2019
Amended 6/5/2019
Amended 7/16/2019
Amended 8/7/2019
Amended 6/1/2022
Amended 10/5/2022

