

Date: April 9, 2009

Item No. 4

File No. _____

SUNSHINE ORDINANCE TASK FORCE

Education, Outreach and Training Committee

AGENDA PACKET CONTENTS LIST*

- Brochure: revised language
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Completed by: Chris Rustom

Date: April 8, 2009

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

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Procedures for Petitions for Hearings (continued)

Where requested by the petition, the Sunshine Ordinance Task Force may conduct a public hearing concerning the records request. An authorized representative of the custodian of the public records requested shall attend any hearing and explain the basis for the decision to withhold the records requested.

Upon determination that the record is public, the Sunshine Ordinance Task Force shall immediately order the custodian of the public records to comply.

If the custodian refuses or fails to comply within five days, the Sunshine Ordinance Task Force shall notify the District Attorney or the Attorney General who may take whatever measures are deemed necessary to insure compliance.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the peoples' business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail, telephone, fax or email, to Sunshine Ordinance Task Force.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet at <http://www.ci.sf.ca.us/bdsuprvr/sunshine>

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6/01

*Brochure printed in
English, Chinese, Vietnamese, Spanish**



SUNSHINE ORDINANCE TASK FORCE

Meets 4th Tuesdays, 4:00 p.m., City Hall

Section 67 San Francisco
Administrative Code

- **History**
- Sunshine Ordinance adopted by Board of Supervisors 8/93
- Nonprofit public access requirements added by Board of Supervisors 6/98
- Proposition G approved by citizens 11/99, effective 1/2000

- **Membership (11 members)**
- Attorney submitted from local chapter of Society of Professional Journalists
- Journalist submitted from local chapter of Society of Professional Journalists
- From press or electronic media
- Journalist from racial/ethnic-minority-owned news organization submitted by New CA Media
- Submitted by local chapter of League of Women Voters

*The City and County of San Francisco encourages public outreach. This brochure is translated into several languages to provide better public access. No liability is assumed for the City and County of San Francisco for errors or omissions.

Membership (continued)

- From public experienced in consumer advocacy
- From public who demonstrate interest or have experience in issues of citizen access and participation in local government
- At all times the Task Force shall include at least one member who shall be a member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government.
- The Mayor or his/her designee, and the Clerk of the Board of Supervisors or his/her designee shall serve as non-voting members of the task force.
- The City Attorney shall serve as legal advisor to the Task Force. The Task Force shall be assigned an attorney who is experienced in public access law matters.

Responsibilities

- Propose to the Board of Supervisors amendments to the Sunshine Ordinance. (67.30 (c))
- Report to the Board of Supervisors at least once annually on any practical or policy problems encountered in the administration of the Sunshine Ordinance. (67.30 (c))
- Receive and review the annual report of the Supervisor of Public Records (City Attorney) and request additional reports or information as it deems necessary. (67.30 (c))
- Make referrals to a municipal office with enforcement power under the Sunshine Ordinance or under the California Public Records Act and the Brown Act, whenever it concludes that any person has violated any provisions of the Sunshine Ordinance or the Acts. (67.30 (c))
- From time to time issue public reports evaluating compliance with the Sunshine Ordinance and related California laws by the City or any Department Office, or official. (67.30 (c))
- Approve by-laws specifying a general schedule for meeting, requirements for attendance and procedures and criteria for removing members for non-attendance. (67.30 (e))
- Hear report from City Administrator at least semi-annually on progress of index. (67.29)

Responsibilities (continued)

- Provide assistance to City Attorney's Office for annual Sunshine Ordinance training for all persons required to sign an affidavit of financial interest with the Ethics commission.
 - In addition, the Task Force shall possess such powers as the Board of Supervisors may confer upon it by ordinance or as the people of San Francisco shall confer upon it by initiative. (67.30 (d))
- Procedures for Petitions for Hearings (67.21 (e))**
- If custodian refuses, fails to comply or incompletely complies with a records request within ten days following receipt of a request for inspection or copy of a public record, or if a request is denied or not acted upon, the person making the request may petition the Sunshine Ordinance Task Force for a determination whether the record requested is public. (Petition forms are available from the Office of the Sunshine Ordinance Task Force.) The Sunshine Ordinance Task Force shall inform the petitioner, as soon as possible and within two days after its next meeting, but in no case later than 45 days from when a petition in writing is received, of its determination. The determination shall be in writing.