

Date: January 22, 2008

Item No. 13

File No. .

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

Ordinance regarding audio and video recordings of public meetings in City Hall

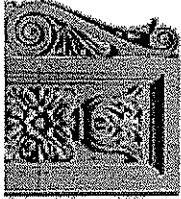
Completed by: Chris Rustom

Date: January 16, 2008

***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.



Rick Galbreath/BOS/SFGOV

01/08/2008 02:58 PM

To Aaron Peskin/BOS/SFGOV@SFGOV, Tom
Ammiano/BOS/SFGOV@SFGOV
SOTF/SOTF/SFGOV@SFGOV, Zach
cc Tuller/BOS/SFGOV@SFGOV, Gail
Johnson/BOS/SFGOV@SFGOV, David

bcc

Subject Refer File 071596 to Sunshine Ordinance Task Force

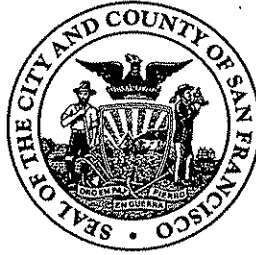
President Peskin, Chair Ammiano:

Supervisor Mirkarimi requests that file #071596 (Audio/ Video Recording)--currently pending before the Rules Committee-- be referred to the Sunshine Ordinance Task Force for Comment and/or recommendations as to amendments or other changes as they may deem advisable.

Thank you.

Rick Galbreath, Legislative Aide
Supervisor Ross Mirkarimi
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BOARD of SUPERVISORS



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MEMORANDUM

TO: Sunshine Ordinance Task Force
FROM: Angela Calvillo, Clerk of the Board
DATE: January 9, 2008
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Rules Committee

The Rules Committee has received the following, which is being referred to the Sunshine Ordinance Task Force for comment and/or recommendations as to amendments or other changes that the Task Force may deem advisable.

File: 071596

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Please return this cover sheet with the Task force's response to **Gail Johnson, Committee Clerk, Rules Committee.**

RESPONSE FROM SOTF - Date: _____

No Comment
 Recommendation Attached

Chairperson, Sunshine Ordinance Task Force

1 [Audio or video recording of public meetings held in City Hall hearing rooms.]

2
3 **Ordinance amending Section 67.14 of the Administrative Code to require that any**
4 **public meeting held in a City Hall hearing room that is equipped with audio or video**
5 **recording facilities be audio or video recorded and to further require that such audio or**
6 **video recording be made available for review on the City's web site.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Administrative Code is hereby amended by amending
12 Section 67.14, to read as follows:

13 Sec. 67.14. TAPEVIDEO AND AUDIO RECORDING, FILMING AND STILL
14 PHOTOGRAPHY.

15 (a) Any person attending an open and public meeting of a policy body shall have
16 the right to record the proceedings with an audio or video recorder or a still or motion picture
17 camera, or to broadcast the proceedings, in the absence of a reasonable finding of the policy
18 body that the recording or broadcast cannot continue without such noise, illumination or
19 obstruction of view as to constitute a persistent disruption of the proceedings.

20 (b) Each board and commission enumerated in the Charter shall audio record each
21 regular and special meeting. Each such audio recording, and any audio or video recording of
22 a meeting of any other policy body made at the direction of the policy body shall be a public
23 record, subject to inspection pursuant to the California Public Records Act (Government Code
24 Section 6250 et seq.), and shall not be erased or destroyed. Inspection of any such recording
25

1 shall be provided without charge on an appropriate play back device made available by the
2 City.

3 (c) Every City policy body, agency or department shall audio or video record every regular
4 meeting, special meeting, or hearing open to the public held in a City Hall hearing room that is
5 equipped with audio or video recording facilities, except to the extent that such facilities may not be
6 available for technical or other reasons. Each such audio or video recording shall be a public record
7 subject to inspection pursuant to the California Public Records Act (Government Code Section 6250 et
8 seq.), and shall not be erased or destroyed. The City shall make such audio or video recording
9 available in digital form at a centralized location on the City's web site (www.sfgov.org) within forty-
10 eight hours of the date of the meeting or hearing and for a period of at least two years after the date of
11 the meeting or hearing. Inspection of any such recording shall also be provided without charge on an
12 appropriate play back device made available by the City. This subsection (c) shall not be construed to
13 limit or in any way modify the duties created by any other provision of this article, including but not
14 limited to the requirements for recording closed sessions as stated in Section 67.8-1 and for recording
15 meetings of boards and commissions enumerated in the Charter as stated in subsection (b) above.

16
17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19
20 By:


21 William K. Sanders
22 Deputy City Attorney
23
24
25

Supervisor Mirkarimi
BOARD OF SUPERVISORS

LEGISLATIVE DIGEST

[Audio or video recording of public meetings held in City Hall hearing rooms.]

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Existing Law

Under existing law, the City and County of San Francisco ("City") is required to audio record the meetings of those boards and commissions enumerated in the Charter. Furthermore, under existing law, such recordings are public records that the City must make available to the public without charge.

Amendments to Current Law

The proposed ordinance would require the City to audio or video record any public meeting that is held in City Hall hearing rooms that are equipped with audio or video recording facilities. The proposed ordinance would also require the City to make such recordings available in digital form at a centralized location on the City's web site (www.sfgov.org) within forty-eight hours of the date of the meeting or hearing and for a period of at least two years after the date of the meeting or hearing.

Background Information

As part of the renovation of City Hall, the City equipped many of the hearing rooms with state-of-the-art audio and video recording equipment. Numerous City boards, commissions, agencies and departments use these hearing rooms to hold public meetings.

The City Hall Media Services Department routinely audio or video records all public meetings held in these hearing rooms. At the present time, however, only video recordings of meetings of certain City boards, commissions, and agencies are both broadcast on SFGTV and made available for "on demand" viewing on the City's web site. They include meetings of: (1) the Board of Supervisors (including committees); (2) other boards (i.e. the Board of Appeals and the Board of Education); (3) certain commissions (i.e. the Public Utilities Commission and the Police Commission); (4) certain agencies (i.e. the Municipal Transportation Agency); and (5) certain councils (i.e. the Disaster Council).

The Board of Supervisors and the people of San Francisco have long been supporters of a policy of open government. The proposed ordinance would foster that policy by requiring the City to make audio recordings of all public meetings held in adequately equipped City Hall hearing rooms available on the City's web site.