

SUNSHINE ORDINANCE TASK FORCE



Tel: 415 554-7724
Fax: 415 554-7854
TDD/TTY: 415 554-5227

City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco 94102-4689

TO: City Elected Officials and City Departments Heads
FROM: Matt Yankee, Chair, Sunshine Ordinance Task Force
DATE: November 19, 2024
RE: Preservation of Records and Transition of Officials

A handwritten signature in blue ink, appearing to read "M. Yankee".

The Sunshine Ordinance Task Force (Task Force) writes today to remind each of you that San Francisco Administrative Code sections 67.29-1, 67.29-5, and 67.29-7 provide as follows, in part:

SECTION 67.29-1. RECORDS SURVIVE TRANSITION OF OFFICIALS.

All documents prepared, received, or maintained by the Office of the Mayor, by any elected city and county official, and by the head of any City or County Department are the property of the City and County of San Francisco. The originals of these documents shall be maintained consistent with the records retention policies of the City and County of San Francisco.

SECTION 67.29-5. CALENDARS OF CERTAIN OFFICIALS.

(a) The Mayor, City Attorney, Treasurer, Assessor-Recorder, District Attorney, Public Defender, Sheriff, every member of the Board of Supervisors, and every Department Head shall keep or cause to be kept a daily calendar wherein is recorded the time and place of each meeting or event attended by that official, either in person or by teleconference or other electronic means, with the exclusion of purely personal or social events at which no City business is discussed and that do not take place at City Offices or at the offices or residences of people who do substantial business with or are otherwise substantially financially affected by actions of the City. For meetings not otherwise publicly recorded, the calendar shall include a general statement of issues discussed. Such calendars shall be public records and shall be available to any requester three business days subsequent to the calendar entry date.

SECTION 67.29-7. CORRESPONDENCE AND RECORDS SHALL BE MAINTAINED.

(a) The Mayor and all Department Heads shall maintain and preserve in a professional and businesslike manner all documents and correspondence, including but not limited to letters, e-mails, drafts, memorandum, invoices, reports and proposals and shall disclose all such records in accordance with this ordinance.

We recognize that the recent November 5, 2024 election will result in new City elected officials, and that efforts may be planned or underway to transition offices, officials, records, and staff. Taken together, however, we caution that City records must be maintained and preserved according to these and other applicable laws, and that no general or specific destruction, obscuring, or removal of records is authorized outside existing legal requirements. If you, or your staff, need any legal advice on these matters, please consult your Deputy City Attorney. The Task Force can address any practical concerns that may exist. We are not aware of any complaints in this area at this time, but we want to be proactive in anticipating and avoiding future complaints. Thank you for your time and attention.