

City and County of San Francisco
Sunshine Ordinance Task Force
By-Laws
(08/07/2019)

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: soft@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.

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.

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
- General Public Comment
- Hearings on the Jurisdiction and Hearing on the merits of Complaints
- Committee Reports
- Other Policy Matters
- Administrator’s Report
- Future Agenda Items
- Adjournment

Section 10. 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 11. 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 agendized 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