



SUNSHINE ORDINANCE TASK FORCE
Rules Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES - DRAFT

REMOTE REGULAR MEETING

June 14, 2022
5:00 PM

Remote Regular Meeting

Members: Laurie Jones Neighbors (Chair), Laura Stein and Chris Hyland,

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES

Chair Neighbors called the meeting to order at 5:07 p.m. On the call of the roll Chair Neighbors, and Members Stein and Hyland were noted present. A quorum was present.

There were no agenda changes.

2. Public Comment: Members of the public may address the Committee on matters that are within the Committee's jurisdiction but not on today's agenda.

None.

3. File No. 22063: Review and possible amendments to pilot Respondent's Packet Instructions and letter.

The Committee discussed the Respondent's Pilot Program process, changes and SOTF approval.

Member Stein noted that people are trying to follow the new changes outlined in the Respondent's Pilot Program document.

Member Hyland stated that the Respondent's Pilot package has been voted for approval by the SOTF, but that certain adjustments need to be made.

Chair Neighbors suggested that the Administrator gather the 10 most recent instances of respondent information provided and update the tracking chart for review at the next committee meeting

Action: Moved by Member Hyland, seconded by Member Stein to continue the matter to the call of the Chair.

Public Comment:

David Pilpel supports the motion including changes to the By-Laws, which are very clear but is less clear on changes to the Complaint Procedures.

The motion PASSED by the following vote.

Ayes: 3 - Hyland, Stein, Neighbors

Noes: 0 - None

4. **File No. 22064:** Development of an Annual Report.

Chair Neighbors stated that this issue of an annual report has been addressed by members of the public and that the last report was submitted in 2016 by Member Hyland. Chair Neighbors stated there has been a pattern of the two-year annual reports, but there has been no report submitted since 2016. Chair Neighbors noted that there are many reasons for completing an annual report.

The Committee discussed the number and variety of reasons for completing an annual report. Some of those reasons include learning which departments are receiving the most complaints and those who consistently do not comply with the Ordinance. Member Stein stated that that information is important to for the SOTF and the City to understand. Chair Neighbors stated that the annual report is not mentioned in the By-Laws

Member Hyland reiterated the importance of having the data to show the volume and pick stories and have that continued support. Member Hyland stated that one of the great things about the Annual Report is when other cities approach the SOTF, something that should be highlighted. Member Hyland reemphasized that if the mayor saw the report, they may decide to not leave them off the budget.

Member Wolfe agreed with Member Hyland. Member Wolfe stated that the matter of the Annual Report is not in the By-Laws, only in the Ordinance. Member Wolfe suggested creating an executive summary to get the ball rolling and combing through Orders of Determination and picking out significant complaints that show the problems with the implementation.

Member Stein wants to reach out to the NextRequest representative as they may have useful information.

Action: Moved by Member Stein, seconded by Member Hyland that the committee take steps to develop a proposal of an annual report and to continue the matter to the next Rules Committee meeting in August.

Public Comment:

David Pilpel stated that the Annual Report should summarize the highly important issues and problems more so than tracking public records requests because the audience for the Report is so small. Mr. Pilpel agreed with Chair Neighbors that the SOTF should consider amending the By-Laws and possibly adding a section which talks about the SOTF reporting to the Board of Supervisors annually.

The motion PASSED by the following vote.

Ayes: 3 - Stein, Hyland, Neighbors
Noes: 0 - None

5. **File No. 22065:** By-law amendment and correct procedure for a SOTF member filing a complaint.

Member Hyland stated that there has only been one instance of a SOTF member bringing a complaint before the Task Force.

Member Stein stated the usual procedure for the SOTF is that, when there is an appearance of a conflict of interest, that member recuses themselves from the discussion and decision-making process. Member Stein stated they were hesitant to develop a process that may take away from the specificity and fairness of the process for anyone making a complaint.

Member Hyland suggested that in such instances of a member complaint, the SOTF could create a special ad hoc committee to hear the complaint, and the department head or secretary of the commission could review how they are responding to the SOTF.

Member Wolfe stated that there are provisions in the Brown Act to invoke a cease-and-desist letter that their action would be like a SOTF injunction where an explanation of what and why they are making a complaint. Member Wolfe further stated that the SOTF Deputy City Attorneys would have to explain if a member could take an action against a city department even though the SOTF is a city entity.

Action: Moved by Member Hyland, seconded by Chair Neighbors to continue the matter to the call of the Chair pending our Deputy City Attorney resolution of a SOTF member bringing a complaint against a city department or a member of the City body through a special SOTF ad hoc committee.

Public Comment:

David Pilpel agrees that this is not an issue or problem that warrants an approval and believes Education, Outreach and Training Committee is the place to

agendize such a complaint. Mr. Pilpel supports continuing this item to the call of the Chair.

The motion PASSED by the following vote.

Ayes: 3 - Hyland, Neighbors, Stein
Noes: 0 - None

6. **Announcements, Comments, Questions, Future Agenda Items, and Pending Calendar by members of the Rules Committee.**

Chair Neighbors stated that, based on her conversations with SOTF Chair Yankee, the Rules Committee should convene every second Tuesday of the month.

Public Comment:

None.

No actions taken.

7. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:28 p.m.

APPROVED: DRAFT
Rules Committee
Sunshine Ordinance Task Force

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.