



SUNSHINE ORDINANCE TASK FORCE CITY AND COUNTY OF SAN FRANCISCO MINUTES - DRAFT REMOTE MEETING

August 12, 2020 - 4:00 PM

Special Meeting

Seat 1	Vacant	Seat 7	Vacant
Seat 2	Lila LaHood	Seat 8	Vacant
Seat 3	Josh Wolf - Vice Chair	Seat 9	Chris Hyland
Seat 4	Vacant	Seat 10	Matthew Yankee
Seat 5	Leuwam Tesfai	Seat 11	Fiona Hinze
Seat 6	Bruce Wolfe - Chair		

Ex-officio (*non-voting*) Clerk of the Board of Supervisors or his or her designee

Ex-officio (*non-voting*) Mayor or his or her designee

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference.

Members of the public may participate by phone or may submit their comments by email to: Cheryl.Leger@sfgov.org; all comments received will be made a part of the official record. Sunshine Ordinance Task Force agendas and their associated documents are available at <https://sfbos.org/sunshine>.

As the COVID-19 disease progresses, please visit the Sunshine Ordinance Task Force website regularly to be updated on the current situation as it affects the legislative process.

Meeting Decorum: Any member of the Sunshine Ordinance Task Force may call for decorum due to disorderly conduct of meeting participants. Persons who engage in threatening and/or menacing behavior may be asked to leave.

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

Chair B. Wolfe called the meeting to order at 4:09 PM. On the call of the roll Chair B. Wolfe and Members LaHood, Yankee, J. Wolf, Tesfai and Hinze were noted present. Member Hyland was noted not present. A quorum was present.

There were no agenda changes.

Public Comment:

None.

2. Approval of minutes from the Sunshine Ordinance Task Force June 23, 2020 and July 1, 2020, meetings. (00:03:25 – 00:05:06)

Action: Moved by Member Yankee, seconded by Member Hyland, to approve the June 23, 2020, and July 1, 2020, meeting minutes.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 6 - Yankee, J. Wolf, Tesfai, LaHood, Hinze, B. Wolfe

Noes: 0 - None

Absent: 1 - Hyland

3. Public Comment: Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. Public comment shall be taken at 5:00 p.m. or as soon thereafter as possible. (00:05:10 – 00:06:19)

Speakers:

None.

4. File No. 20072: Per Board of Supervisors File No. 200552 – Authorizing Sunshine Ordinance Task Force to meet in July 2020 and inclusive of Administrative Code, Chapter 67 et al. but not limited to Administrative Code 67.30(c) - SF Sunshine Ordinance: Hearing to consider the impact of emergency orders, due to COVID 19, which resulted in the temporary suspension of various provisions of the California Public Records Act, Ralph M. Brown Open Meetings Act, San Francisco Sunshine Ordinance and other related laws and statutes that may apply within the jurisdiction of Sunshine Ordinance Task Force. (00:06:20 - 00:50:40)

- Public records request delayed during the emergency
- Issues related to lack of meeting postings
- Lack of access to the meetings during the emergency
- Planning and standards for future emergencies

Member Tesfai stated that she met with Alison Washburn, a former SOTF member, to continue discussions on the one-stop-shop idea. Member Tesfai stated that the idea is to have one place for locating meetings linking each department's website. Member Tesfai stated that each department should be linked back to their website with a scroll bar to meetings provided and include a link for each day and provide a dropdown menu of scheduled meetings based on departments and areas of interest. Member Tesfai stated that she would draft a letter, with the help of Vice-Chair J. Wolf, to the Department of Technology to request that they implement software and links.

Chair Wolfe stated that he will review the process and work with Member Tesfai to make certain that the Brown Act is complied with and that Board of Supervisors is aware of the changes. Chair Wolfe noted that this would allow for more visibility and would make reference to meetings that are taking place despite the pandemic.

Public Comment:

None

Action: Moved by Member LaHood, seconded by Member Yankee to authorize the one-stop-shop concept in principle and create a platform to support and monitor public meetings and department information.

Public Comment:

Commenter No. 1 stated that they regularly use sfgov calendar to check when a meeting is scheduled. Commenter No. 1 also stated that it would be helpful for each department to have an electronic mailing list so that members of the public could have access to agendas, information and minutes.

The motion PASSED by the following vote:

Ayes: 6 - Yankee, LaHood, J. Wolf, Tesfai, Hinze, B. Wolfe

Noes: 0 - None

Absent: 1 - Hyland

5. **Administration of regular Sunshine Ordinance Task Force remote hearings.**
(00:50:45 - 01:20:50)

Chair B. Wolfe stated that he plans to have remote meeting to address cases soon and will work to make that happen. Chair B. Wolfe stated that many boards and commissions are already meeting and taking measures to address their agenda items. Chair B. Wolfe opined that a platform is necessary to see committee members so that members of the public can be assured of quorum. Chair B. Wolfe noted that specific features and functions are needed to conduct a complaint hearing so that the Brown Act is complied with.

Member Tesfai stated that the Public Utilities Commission uses WebEx for their meetings.

Vice-Chair J. Wolf noted that not all board or commissions have a working camera. Vice Chair J. Wolf also stated that there is no function available to the public that allows a document to be displayed during testimony.

Member Tesfai suggested adding closed captioning.

Public Comment:

Commenter No. 2 stated that they find it very disconcerting that every committee uses their own video conferencing system, that keeping track is difficult and some people have incurred long distance charges. Commenter No. 2 also added that the City needs a standard policy for conferencing.

Commenter No. 3 stated support the need for platform unity and that Webex is the most successful one. Commenter No. 3 noted that all call-in numbers should include the 415 area code.

Chair B. Wolfe opined that it is the recommendation of the SOTF that meetings and hearings use one single platform.

No actions taken.

6. **Complaints received from members of the public regarding commission meetings.**
(01:20:54 - 01:28:28)

Chair B. Wolfe stated that he has received many complaints during the last six months due to Covid-19. Chair B. Wolfe noted that it is the responsibility of the SOTF to make sure that the CPRA and Brown Act are followed and work for the public. Chair B. Wolfe stated that he received a complaint about an agenda item before the Police Commission before a meeting took place. Chair B. Wolfe learned three reports were to be discussed in one agenda item and in response to this error he quoted the Ordinance to them. Chair B. Wolfe noted the importance of educating commissions on how to make their meetings run better and stated in his response to the Police Commission that they are on notice. Chair B. Wolfe stated that he was leaving the issue open and not closed to hearing.

Public Comment:

None.

No actions taken.

7. **File No. 20102: Review amendments to Sunshine Ordinance, Administrative Code Section 67, regarding adjustment of nominating organizations from NAM to SPJNorcal.** (01:28:32 – 01:39:36)

Chair B. Wolfe provided an updated on the rules Committee hearing regarding adjustment of the nominating organization.

Administrator Young stated that this matter was continued to the Call of the Chair. This matter will be scheduled before the Rules Committee for final recommendation next week and will go before the Board of Supervisors the following week.

Member LaHood stated that SPJNorcal will be taking on the issue of diversity. Member LaHood stated that the Sunshine Task Force nominations are managed by the Freedom of Information Committee and they are working to seek out candidates who reflect the spirit and intention of the way the Ordinance was originally worded. Member LaHood noted that because New American Media (NAM) no longer exists, SPJNorcal wanted to make certain that the mission and intention of NAM was carried out and is committed with following through with this.

Member Tesfai stated that she is resigning from the SOTF and wished to express gratitude for her experience and the Task Force's commitment to diversity. Member Tesfai stated that she has served over four years and is committed to following through with the one-stop-shop idea.

Public Comment:
None.

No actions taken.

8. **Administrator's Report, Complaint and Communications.** (01:39:52 – 01:49:02)

SOTF Administrator presented the report.

Chair B. Wolfe stated that the Complaint Committee will be reactivated and begin to hear cases again soon due to the back log. Chair B. Wolfe also asked the SOTF Administrator to draft an email/letter addressed to all parties asking if they are willing to waive the 45-day rule.

Public Comment:
None.

No actions taken.

9. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force.** (01:49:47 – 01:50:22)

Public Comment:
None.

No actions taken.

10. **ADJOURNMENT**

There being no further business the meeting was adjourned at 5:59 pm.

APPROVED: DRAFT
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.