



**SUNSHINE ORDINANCE TASK FORCE  
Compliance and Amendments Committee  
CITY AND COUNTY OF SAN FRANCISCO  
AGENDA**

**REMOTE MEETING VIA VIDEOCONFERENCE**

**<https://bit.ly/3GmlCSY>**

**Password: sunshine**

**Public Comment Call-in:**

**1 (415) 655-0001 / Meeting ID: 2483 310 8544 # #**

**(press \*3 to enter the speaker line)**

**December 27, 2022 - 4:30 PM**

**Members:** Lila LaHood (Chair), Jennifer Wong and Bruce Wolfe

**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 videoconference.

Members of the public may participate by phone or may submit their comments by email to: [soft@sfgov.org](mailto:soft@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.**
2. **Approval of the October 25, 2022, Compliance and Amendments Committee meeting minutes.** (*Discussion and action*) (*attachments*)
3. **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. (*No Action*)
4. **File No. 22012:** Complaint filed by Anonymous (SFT) against Director Greg Colfax and the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a public records request in a timely and/or complete manner. (*attachments*)  
*(On September 7, 2022, the SOTF moved to find that Greg Colfax and the Department of Public Health violated, Administrative Codes, Sunshine Ordinance, Sections 67.21(b) by failing to provide records in a complete manner and 67.26 for not keeping withholding to a minimum, and orders Director Grant Colfax and the Department of Public Health to continue to turn over requested records and forward to the Compliance and Amendments Committee for continued monitoring. On October 25, 2022, the Compliance and Amendments Committee moved to request the Respondent to submit a letter detailing their retention policy regarding MS Teams chats by November 8 2022.)*
  - a) Hearing on the complaint. (*Discussion and Action*)
5. **File No. 22092:** Hearing to review the Behavioral Health Commission's compliance with the Sunshine Ordinance (Sections listed below) for meetings that occurred after April 13, 2021.

On April 6, 2022, the SOTF referred the matter to the Compliance and Amendments Committee to monitor future Behavioral Health Commission's meetings for compliance with the following sections of the sunshine Ordinance:

- 67.7(a) providing an adequate description of the agenda items;
- 67.7(a) posting Agenda 72 hours in advance of the meeting;
- 67.7(b) providing a clear description of the agenda matters;
- 67.7(b) posting supporting documents on-line or making them available as soon as they are available;
- 67.7(g) including notices of rights under the Sunshine Ordinance on the agenda;
- 67.9(a) posting supplementary documents for the meeting on the internet;
- 67.15(a) allowing public comment for each item on the agenda.

In addition, the SOTF requests that the Behavioral Health Commission provide their manual or description of their procedure/practices implemented to address the code

sections listed. In an effort to document compliances with posting requirements of the Sunshine Ordinance, the SOTF requests that the Behavioral Health Commission maintain a log of when agendas and supporting documents are posted along with any other relevant data. (*attachments*)

*On October 25, 2022, the Compliance and Amendments Committee moved to continue the matter to the call of the chair and continue to monitor the Behavioral Health Commission for compliance with the Order of Determination specifically the Committee will be keeping a close eye on notice of meetings and in the event meetings are not noticed 72-hours in advance, how the Commission handles that and make sure that public comment is called every time it is required and that staff provide the Committee a description of their procedures and practices with regard to the Ordinance, which the Committee recommended that they use as the basis for a public document describing their procedures and practices or be incorporated into their by-laws.*

- a) Hearing on the complaint. (*Discussion and Action*)

Part 1 of 6

Part 2 of 6

Part 3 of 6

Part 4 of 6

Part 5 of 6

Part 6 of 6

- 6. **File No. 22120:** The members of the Compliance and Amendments Committee continue to invite members of the public who wish to propose amendments to the Sunshine Ordinance to present their proposals at this meeting. Each person who makes a presentation will be given equal speaking time of five minutes. The Committee will take public comment once all the presentations are complete. (*Discussion and No Action*)
- 7. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Compliance and Amendments Committee.** (*Discussion and Action*)
- 8. **ADJOURNMENT**

The Sunshine Ordinance Task Force was established by [the San Francisco Administrative Code](#), Chapter 67. The purpose of the Task Force is to protect the public's interest in open government and to carry out the duties enumerated in [Chapter 67 of the San Francisco Administrative Code](#). For additional information concerning Sunshine Ordinance Task Force please contact the Task Force by e-mail [sotf@sfgov.org](mailto:sotf@sfgov.org) or by calling (415) 554-7724.

### **Agenda Item Information**

Each item on the agenda may include the following documents:

- 1) Department or Agency cover letter and/or report;
- 2) Public correspondence;
- 3) Other explanatory documents.

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### **Meeting Procedures**

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. 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 official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the agenda items. These comments will be made a part of the official public record. Written communications should be submitted to the SOTF at:

1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102.

AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, or on the internet at: <http://www.sfbos.org/sunshine>.

AUDIO RECORDINGS: Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: <http://www.sfbos.org/sunshine>.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Wilson Ng at (415) 554-5184.

Paunawa: Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求  
請電 (415) 554-7719

### **Disability Access**

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-5163; or email [sotf@sfgov.org](mailto:sotf@sfgov.org).

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67 on the Internet at <http://www.sfbos.org/sunshine>.

### **Cell Phones, Pagers and Similar Sound-Producing Electronic Devices**

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).