



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

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

June 18, 2019
5:30 PM

Regular Meeting

Members: (Chair), Fiona Hinze, Matthew Yankee and Frank Cannata

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

Chair Hinze called the meeting to order at 5:30 p.m. On the call of the roll Chair Hinze and Members Yankee and Cannata were noted present. A quorum was present.

There were no agenda changes.

2. Approval of the March 26, 2019, Rules Committee meeting minutes.

Action: Moved by Member Yankee, seconded by Member Cannata, to approve the March 26, 2018, meeting minutes.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Cannata, Hinze
Noes: 0 - None

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.

Speakers:

None.

4. **File No. 19067:** Review and possible amendments to the Sunshine Ordinance Task Force By-Laws and Complaint Procedures. (00:02:09 – 00:)

- Code of Conduct at SOTF Hearings

Members Cannata and Yankee stated that they have issues with signs being a certain size. Member Cannata stated that he does not support prohibiting profanity as it should be considered freedom of speech. Member Yankee stated that the SOTF does not need a process for restricting profanity or name calling. Member Cannata stated that the Ethics Commission is more draconian. Members Cannata and Yankee stated that they are more comfortable asking members of the audience to turn off their cell phones. Chair Hinze and Members Cannata and Yankee agreed that the By-Laws do not need a code of conduct section and that they are inviting the Chair to not adopt a code of conduct at SOTF meetings. Chair Hinze stated that this matter needs to be referred to the Chair and Vice-Chair and invite those that signed the 12/7/18 code of conduct letter to see if they want further discussion.

Action: Moved by Member Cannata, seconded by Member Yankee, to not adopt a code of conduct at SOTF meetings to the By-Laws and referred the matter to the Chair and Vice-Chair to invite those that signed the 12/7/18 code of conduct letter to see if they want further discussion.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 – Yankee, Cannata, Hinze

Noes: 0 - None

- Procedures for consolidating complaints with similar subjects and/or parties for hearing

The Committee referred to the Complaint Procedures, item no. 10 Combining Petitions/Complaints. Member Yankee stated that matters at the Committee should be reviewed and suggest to the SOTF that the matters be combined under one file number. Member Cannata stated that combined files should be determined at the Committee hearing so that the Petitioner and Respondent know.

Action: Moved by Member Cannata, seconded by Member Yankee, regarding Item 4, sub item 2, be continued to the call of the chair.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Cannata, Yankee, Hinze
Noes: 0 - None

- Review of Section 3, item 5 of the Complaint Procedures re Public Openness and Anonymity

The Committee proposed the following amendments to the Complaint Procedures, Section 3 (strike-thru are deletions and underlining are additions):

“Public openness and anonymity: All submissions are considered public records and are open for public review. The SOTF will accept anonymous complaints. However, please note the SOTF will not redact submitted documents, unless mandated by law. It is the responsibility of the parties to ensure that all submissions do not include confidential information.

If a Complainant wishes to remain anonymous, they should list “Anonymous” as their name, use alternate contact information that does not include their identity and insure that submitted documents do not include their identity.

Complaints using another person’s identity will not be accepted.”

Action: Moved by Member Yankee, seconded by Member Cannata to forward the amended language to the SOTF for consideration at the SOTF hearing.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Cannata, Hinze
Noes: 0 - None

- Including general communications as part of a complaint

Member Cannata stated that if a person wants to have their written comments or submissions included into a case file, it should be placed into the file and marked as Public Comment. Member Yankee inquired if a written statement should be under Public Comment or included under a subsection of the file in the case file. Member Cannata

stated that the written statement cannot be under general Public Comment about a case that his being heard. Members Yankee and Cannata stated that there should be a new section in the complaint packet marked with a slip sheet entitled "Public Comment" before the Order of Determination and that anyone who sends in a public comment about an individual case, this comment should be included in the file.

Action: Moved by Member Cannata, seconded by Member Yankee, amended the Complaint Procedures to include a section regarding Public Comment and that each complaint file provide a section named for Public Comment where submitted written public comments about the case are placed.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Cannata, Yankee, Hinze
Noes: 0 - None

- Vote Recusals at SOTF

The Committee discussed the email submitted by The Legislative Deputy Director Alisa Somera regarding reporting requirements for recusals. Member Yankee stated that the language in Campaign and Governmental Conduct Code, Section 3.209 was passed by the Board of Supervisors. Member Cannata stated that recusals must be reported to the Ethics Commission and Angela Calvillo, Clerk of the Board of Supervisors. Chair Hinze and Member Cannata stated that there is no purpose for including this language in the By-Laws or Complaint Procedures because it is the law.

Action: Moved by Member Cannata, seconded by Member Yankee that vote recusals be shared and discussed at the next SOTF hearing.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 - Cannata, Yankee, Hinze
Noes: 0 – None

5. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Sunshine Ordinance Task Force.**

There were no announcements.

Public Comment:

None.

No actions taken.

6. **ADJOURNMENT**

There being no further business the meeting was adjourned at 6:37 p.m.

APPROVED: 9/24/2019

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.