



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

REMOTE REGULAR MEETING

October 11, 2022
SCHEDULED START TIME 5:00 PM

Remote Regular Meeting

Members: Laurie Jones Neighbors, Laura Stein, Chris Hyland,

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

Chair Neighbors called the meeting to order at 5:11 p.m. On the call of the roll Chair Neighbors and Member Stein were noted present. Member Hyland was noted absent. A quorum was present.

There were no agenda changes.

2. Approval of the June 14, 2022, Rules Committee meeting minutes.

Action: Moved by Member Stein, seconded by Chair Neighbors, to approve the June 14, 2022, meeting minutes.

Public Comment:

David Pilpel stated that nothing in the minutes is troubling and thinks that they characterize the meeting of four months ago.

The motion PASSED by the following vote:

Ayes: 2 - Stein, Neighbors

Noes: 0 - None

Absent: 1 - Hyland

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:

David Pilpel commented on Task Force by-laws and complaint procedures.

4. **File No. 22090:** Annual Report Proposal.

Member Stein summarized the last discussion and looked at a previous report done by the City on what the SOTF was doing.

Chair Neighbors noted that Member Stein’s report was full of details. Chair Neighbors asked the SOTF City Attorney to report back that it would be within the Brown Act and that links are provided. Chair Neighbors requested that Member Stein formulate an Ad Hoc Committee of SOTF members to change the deadline of the proposal because it has passed.

Member Stein agreed as long as the links are public for the purposes of public comment feedback.

Action: Moved by Member Neighbors, seconded by Member Stein, to request that Member Stein form an Annual Report Ad Hoc Committee composed of less than a quorum of members of the full SOTF, with the charge of developing the process for, completing, and disseminating a 2022 Annual Report and accompanying press release for distribution to the BOS, the general public, and local media no later than January 31, 2023.

Public Comment:

David Pilpel stated that the Annual Report has always had a limited audience. Mr. Pilpel stated that he read the proposal and noted that it seems ambitious and may be more so than time allows.

The motion PASSED by the following vote.

Ayes: 2 - Neighbors, Stein
Noes: 0 - None
Absent: 1 - Hyland

5. File No. 22108: Review and Consider Proposed Efficiency Edits to the Complaint Process.

Member Hyland was noted present at 5:45 PM.

Chair Neighbors stated that the Rules Committee is to advise and make recommendations and go through the process of amending the By-Laws and came up with four points for change. Chair Neighbors stated that the Committee is in agreement with the process and Rules needs to think of how this would look in the By-Laws.

Action: Moved by Chair Neighbors, seconded by Member Stein that the Rules Committee make the following SOTF By-Law change recommendations to the full Task Force: 1) In Section 6, Setting Agendas, this sentence be added to the end of the paragraph: "The Task Force Administrator, at the direction of the Chair, may also include multiple files to be considered as one item, namely the Consent Calendar, which consists of matters routine in nature and not likely to be subject to debate or inquiry by the Members or or the public and which will typically be adopted in one motion, such as cases where both parties acknowledge specific violations have taken place and there is no dispute over substantive facts or when the Respondent pleads no contest." 3) Create a new section 10, Consent Calendar Procedures, and renumber all following sections. 4) Under the new section 10, Consent Calendar Procedures, add the following text: "After the Consent Calendar item is introduced by the Administrator, any Member may request one or more individual files be removed from the Consent Calendar and addressed on the same day's agenda as an independent item. The Administrator shall read into the record each item removed from the Consent Calendar. If Consent Calendar items are removed, they will be discussed immediately after adoption of the balance of the Consent Calendar. After an opportunity for public comment is provided, all matters remaining on the Consent Calendar shall be approved by a single action, with such single action to have the effect of individual action on each matter."

Chair Neighbors withdrew their motion and presented a new motion.

Action: Moved by Chair Neighbors, seconded by Member Stein, that the Rules Committee make the following SOTF By-Law change recommendations to the full Task Force: 1) In Section 6, Setting Agendas, this sentence be added to the end of the paragraph: "The Task Force Administrator, at the direction of the Chair, may also include multiple files to be considered as one item, namely the Consent Calendar, which consists of matters routine in nature and not likely to be subject to debate or inquiry by the Members or or the public and which will typically be adopted in one motion, such as cases where both parties acknowledge specific violations have taken place and there is no dispute over substantive facts or when the Respondent pleads no contest." 2) In Section 9, Order of Business, after Approval of the Meeting Minutes, add the bulleted item Consent Calendar. 3) Create a new section 10, Consent Calendar Procedures, and renumber all following sections. 4) Under the new section 10, Consent Calendar Procedures, add the

following text: "After the Consent Calendar item is introduced by the Administrator, any Member may request one or more individual files be removed from the Consent Calendar and addressed on the same day's agenda as an independent item. The Administrator shall read into the record each item removed from the Consent Calendar. If Consent Calendar items are removed, they will be discussed immediately after adoption of the balance of the Consent Calendar. After an opportunity for public comment is provided, all matters remaining on the Consent Calendar shall be approved by a single action, with such single action to have the effect of individual action on each matter."

Public Comment:

David Pilpel stated that this item was captioned on this agenda as efficiency edits to complaint process and in the packet materials there are a number of communications from Chair Schmidt which include a notice on by-law changes to come back in June and does not imply there are changes to the by-laws.

The motion PASSED by the following vote.

Ayes: 3 - Neighbors, Stein, Hyland

Noes: 0 - None

6. File 22109: Proposed Amendment of By-Laws: Prohibiting presentations from political organizations and endorsements by the SOTF.

Chair Neighbors expressed concern about hearing time when there is a backlog of cases and that staying up until midnight is an ethical problem.

Member Stein stated that presentations from political organizations when there is a pending issue that a specific organization might want to speak on the issue.

Member Hyland stated that in the past other Sunshine groups have come in and spoken for information purposes and that rather than putting down a hard rule, this issue should be left to the call of the Chair and that a black and white rule can be trouble.

Action: Moved by Chair Neighbors, seconded by Member Hyland that the following statement to the full SOTF as a potential by-law addition: "invitations to political parties to make presentations at SOTF meetings require a SOTF majority vote."

Public Comment:

David Pilpel stated that this is solving a problem that doesn't really exist and that he has said before if someone wants to talk about Sunshine the discussion should be open.

Chair Neighbors rescinded their motion.

No action taken.

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

Chair Neighbors stated that the Committee would be revisiting the Pilot to the Respondents packet on December 13, 2022.

Member Stein is looking for a SOTF member to be part of an Ad Hoc Committee to finish drafting the Annual Report. Chair Neighbors will work with Member Stein.

Public Comment:

David Pilpel cautioned about ad hoc committees.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:06 p.m.

APPROVED: August 22, 2023
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.