

CITY AND COUNTY OF SAN FRANCISCO



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TO ALL INTERESTED PARTIES:

Attached is the City Attorney's title and summary entitled by the proponent as "The Sunshine and Open Government Act." In preparing this title and summary, the City Attorney makes no representation regarding the merits or legality of the proposed legislation. Nor does the City Attorney verify or confirm any factual or legal assertion made in the proposal. The title and summary is presented as a "true and impartial statement of the purpose of the proposed measure." Elections Code § 9203.

Very truly yours,

DENNIS J. HERRERA
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/s/ Joshua S. White

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REQUIREMENTS FOR PUBLIC MEETINGS OF LOCAL POLICY BODIES

State law and the Sunshine Ordinance approved by San Francisco voters set rules and procedures for public access to meetings of City “policy bodies.” Those bodies include City boards and commissions, their committees and task forces, advisory bodies, and any other group created by City Charter, ordinance, resolution, or policy body.

Members of the public must have an opportunity to testify on any matter that a policy body discusses at a public meeting. Every public member at the meeting must receive an equal opportunity to speak on the item. Public members cannot testify on an item from remote locations. If public members submit pre-recorded video testimony, policy bodies need not play the video during the meeting.

Each policy body must publicly post an agenda at least 72 hours before a meeting. The agenda must include a meaningful description of each item of business at the meeting. The agenda must state the time that a meeting will start, but the agenda need not state the time that the policy body will begin discussing specific agenda items.

The City broadcasts live on the Internet meetings of the Board of Supervisors and its committees, and some other City boards, commissions, and committees.

The San Francisco Unified School District Board of Education (“School Board”) and the San Francisco Community College District Governing Board (“Community College Board”) follow state public meeting laws but not the City’s Sunshine Ordinance.

This measure would amend the Sunshine Ordinance to allow members of the public to submit pre-recorded video testimony 48 hours or more before a meeting. The measure would require the policy body to play the testimony during the period for public comment. This measure would also allow members of the public to provide live written, video, or audio comments submitted electronically from any location during the meeting. If the testimony is not in English, the City would be required to translate it, either with subtitles or a voice-over.

This measure would allow a member of a policy body or 50 or more members of the public to request in writing, 48 hours or more before a meeting, that a policy body begin discussion of a particular agenda item at a certain time, and that the policy body allot at least a designated amount of time for public comment on that agenda item. The policy body would be required to grant such a request unless it is unreasonable or would interfere with the proper conduct of the meeting.

This measure would require the City to broadcast meetings of all policy bodies live on the Internet.

This measure states that it would apply to the meetings of all City policy bodies as well as to all meetings of the School Board and the Community College Board.

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