



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

Date: March 6, 2023

To: Civil Service Commission

Through: Sandra Eng
Executive Officer

From: Lavena Holmes
Deputy Director

Subject: **Discussion of Citywide Guidance from the City Administrator for City Policy Bodies beginning March 1st**

The following provides Citywide guidance for City Policy Bodies (Policy Bodies) for the March 1st full sunset of Emergency Order provisions that suspended certain local meeting laws.

Commissioner or Policy Body Member Remote Participation

In general, Commissioners and other Policy Body Members are required to attend meetings in-person. However, under very limited circumstances, state and local laws allow for remote attendance for Commissioners and other Policy Body Members.

Commissioners and other Policy Body Members with disabilities, however, may also request remote attendance under the federal Americans with Disabilities Act (“ADA”) as a reasonable accommodation. To ensure consistency across City Policy Bodies, the Department of Human Resources (“DHR”) is responsible for processing these requests. Please contact DHR’s Medical Leave Program representative, Heather Kittel, with questions. Heather.Kittel@sfgov.org with questions.

Remote Public Comment for Members of the Public under the ADA

All Policy Bodies must generally allow remote public comment for members of the public who are unable to provide public comment in person due to a disability. To ensure that Policy Bodies provide reasonable access with minimal burden to persons with disabilities, Policy Bodies are advised to set up public meetings in hybrid format by default to ensure that requests for remote public comment can be easily and readily accommodated with reasonable notice. Policy Bodies are advised to publicly notice the procedures and deadlines for requesting ADA accommodations for public meetings in advance so that staff or Commissioners and other Policy Body Members can plan and facilitate the public meeting.

Remote Public Comment for General Members of the Public (Requests NOT under the ADA)

City Policy Bodies provide for public comment for individuals who attend meetings in-person in accordance with state and local public meeting laws. While not required by state or local public meeting laws, Policy Bodies are advised to provide additional time-limited remote public comment for members of the public who are not requesting an accommodation under federal ADA laws. This additional time-limited allowance facilitates civic participation while considering possible administrative and staffing challenges.

Please note that the amount of additional time allowed should be set by the Policy Body in advance of any meeting and be publicly noticed. The amount of additional time should also be consistently applied to all agenda items for which public comment is required. It is reasonable for Policy Bodies to notice the

procedures, including any deadlines, for how the Policy Body will administer the additional remote-public comment period. Understanding that staffing and administrative challenges may arise as the City transitions back to in-person meetings following the expiration of Emergency Order provisions on March 1st, the City intends to re-evaluate this guidance in the coming months based on implementation experience.

If a City Policy Body is holding a quasi-adjudicatory hearing regarding an appeal, that Policy Body should not impose a time limit on remote public comment. For more guidance on whether your proceeding is a quasi-adjudicatory hearing and the requirements for those hearings, please consult with the City Attorney's Office.

Recommendation: Open for Discussion