

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Matt Dorsey, Chair
Rules Committee

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: October 16, 2023

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, October 17, 2023

The following file should be presented as a **COMMITTEE REPORT** at the Board Meeting on Tuesday, October 17, 2023. This item was acted upon at the Rules Committee Meeting on Monday, October 16, 2023, at 10:00 a.m., by the votes indicated.

Item No. 46 **File No. 231020**

[Amending the Rules of Order - Limiting Remote Public Comment Opportunities]

Motion amending the Board of Supervisors' Rules of Order by revising Rule 1.3.3 (In-Person and Remote Public Comment) to discontinue remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Shamann Walton - Aye
Supervisor Ahsha Safai - Aye
Supervisor Matt Dorsey - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy Director
Anne Pearson, Deputy City Attorney

File No. 231020

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Oct 16, 2023

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Information/Vacancies (Boards/Commissions)
- Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Victor Young Date October 12, 2023

Completed by: _____ Date _____

1 [Amending the Rules of Order - Limiting Remote Public Comment Opportunities]

2

3 **Motion amending the Board of Supervisors’ Rules of Order by revising Rule 1.3.3 (In-**
4 **Person and Remote Public Comment) to discontinue remote public comment by**
5 **members of the public at meetings of the Board and its committees, except as legally**
6 **required to enable people with disabilities to participate in such meetings.**

7

8 MOVED, That the Board amends the Rules of Order of the Board of Supervisors to
9 revise Rule 1.3.3, to read as follows:

10

11 **1.3.3. In-Person and Remote Public Comment.**

12 Where opportunity for public comment is required under Rules 3. 8 (Public Testimony
13 in Committee), 4.19 (Public Hearings on Appeals), and 4.22 (General Public Comment Before
14 the Full Board of Supervisors), members of the public shall be given the option to comment in-
15 person at a meeting of the Board or a committee-or-remotely.

16 The Clerk of the Board of Supervisors shall offer opportunities to provide remote public
17 comment to members of the public as necessary to enable the participation of people with disabilities,
18 to the extent required by law. For purposes of this Rule 1.3.3, "remotely" means telephonically
19 or otherwise electronically, as determined by the Clerk of the Board of Supervisors.

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24

25

SUNSHINE ORDINANCE TASK FORCE



Tel: 415 554-7724
Fax: 415 554-7854
TDD/TTY: 415 554-5227

City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco 94102-4689

President Aaron Peskin and Members
Board of Supervisors
1 Carlton B Goodlett Pl Ste 244
San Francisco CA 94102-4689

October 4, 2023

Re: **Oppose Eliminating Remote Public Comment at Board of Supervisors Meetings (File #231020)**

Dear President Peskin and Members:

By unanimous agreement at its October 4, 2023 regular meeting, the Sunshine Ordinance Task Force writes today regarding the anti-Semitic and racist remarks made at the Tuesday, September 26, 2023 Board of Supervisors meeting during Item 26, General Public Comment, and the Board's proposed response to those remarks.

First, we condemn the remarks made, in the strongest possible way, and completely disassociate from the ideas or views expressed. We believe that a local government public meeting should allow for reasonable dialogue and discourse on matters under the jurisdiction of that local government agency. Comments related to legislative or administrative matters, or other actions, by City departments, whether commendatory, constructively critical, or simply observations, should be welcome, but comments that violate the law or City policy, including anti-Semitic, discriminatory, harassing and racist language or threats, should be avoided or ended as soon as possible. We should not tolerate such remarks.

However, we recognize the general importance that public comment plays in our civic process, and the specific value that remote public comment has added since the COVID emergency began in 2020. We believe that more people, reflecting diverse communities and views, have been able to engage in public meetings, and provide testimony, without having to travel to City Hall or elsewhere to attend meetings in person. Those benefits are significant and tangible. While the opportunity for inappropriate comments has always been available to in-person speakers, remote public comment has added a new way for anonymous people to disrupt and distract from necessary public business. Indeed, it was not long ago that comments were made at an in-person meeting of the Building Inspection Commission, with a speaker suggesting that a previous Director of Building Inspection might be unable to perform her job duties due to being pregnant. That comment prompted Mayor Gavin Newsom to issue the Mayor's policy on discriminatory or harassing remarks made at public meetings in 2005, which is included in the City Attorney's Good Government Guide starting on page 197.

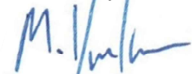
While we agree that anti-Semitic and racist remarks should be avoided, and immediately cut off if they are made, **we reject the idea that the only way to do so is to eliminate all remote public comment** at Board of Supervisors meetings, presumably Board committees, and perhaps other City Boards and Commissions, policy bodies, advisory bodies, and administrative hearings. The harm that would cause, by restricting public comment to only in-person speakers, would return to pre-2020

practices, reduce public participation, and limit public engagement to those with the ability, means, and time to attend meetings at City Hall or elsewhere.

Instead, we suggest that a balance be sought, to continue allowing, indeed encouraging, more civic engagement in public meetings through civil discourse on matters before City policy bodies, whether in-person or remote, with regular cautions about avoiding discriminatory or threatening remarks and clear guidance about what to do to isolate and remove such comments immediately. In particular, heightened concern should be anticipated regarding controversial items, including certain land use matters, litigation and personnel decisions (usually in closed session, with public comment in advance), and occasionally other items. Other than that, it appears to us that the most common venue for odd and sometimes off-topic comments comes during General Public Comment at regular Board of Supervisors meetings on Tuesdays. We are not aware of that happening during Board of Supervisors committee meetings on specific legislation or topical hearings. Thus, we suggest that additional measures be considered for your full Board meetings, including additional staff to moderate speakers or an added time delay.

We believe that further legal, policy and technology research is needed here, with possible budget implications as well, and so we suggest that City staff be asked to fully explore this issue, with all due speed, and recommend a workable approach that is at once targeted, Citywide, and adaptable. Further, guidance and training for Board and Commission members, as well as clerks and secretaries, should be refreshed. To that end, we are sending copies of this letter to certain City officials who we think should have an interest in this matter. We take this issue very seriously and would like to be involved further in the complexities here as you wish. Please do not hesitate to contact either me or Task Force Member David Pilpel for further information or assistance. Thank you in advance for your time and attention.

Sincerely,



Matt Yankee, Chair
Sunshine Ordinance Task Force

cc: Angela Calvillo, Clerk of the Board, Board of Supervisors
Carmen Chu, City Administrator
Jillian Johnson, Committee on Information Technology Director, Office of the City Administrator
Nicole Bohn, Mayor's Office on Disability Director, Office of the City Administrator
Jorge Rivas, Civic Engagement and Immigrant Affairs Director, Office of the City Administrator
David Chiu, City Attorney
Ben Rosenfield, Controller
Gayathri Thaikkendiyil, Acting Executive Director, Ethics Commission
Carol Isen, Human Resources Director
Sheryl Davis, Executive Director, Human Rights Commission
London Breed, Mayor
Linda Gerull, Executive Director, Department of Technology

From: [Board of Supervisors \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS-Operations](#); [BOS-Legislative Services](#)
Subject: FW: About Motion 231020, A Motion of Appeasement
Date: Thursday, October 12, 2023 3:11:06 PM

Hello,

Please see attached for additional communication from Joe Kunzler regarding File No. 231020.

File No. 231020 - Amending the Rules of Order - Limiting Remote Public Comment Opportunities (Peskin)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From: Board of Supervisors (BOS)
Sent: Friday, October 6, 2023 2:39 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Ng, Wilson (BOS) <wilson.l.ng@sfgov.org>; De Asis, Edward (BOS) <edward.deasis@sfgov.org>; Entezari, Mehran (BOS) <mehran.entezari@sfgov.org>
Subject: FW: About Motion 231020, A Motion of Appeasement

From: Joe A. Kunzler <growlernoise@gmail.com>
Sent: Friday, October 6, 2023 12:06 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Cc: Young, Victor (BOS) <victor.young@sfgov.org>; Calvillo; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Dorsey, Matt (BOS) <matt.dorsey@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Mandelman; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>
Subject: About Motion 231020, A Motion of Appeasement

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors;

I'm no Stefani but I'm gonna try. So tighten the seat belts, ok?

We know Motion 231020 is brought about with the best of intentions. To join the horde running away from the Nazi attackers.

But in 1940, Winston Churchill stood and fought - helped by American arms programs until America could get into The War. We know the rest.

In 2019, Catherine Stefani stood and fought like a mother. The NRA started to go back on their heels like the bullying, terroristic cowards they are.

In 2022, Voldomir Zelensky was offered a ride out of Ukraine and said famously, "I need ammunition, not a ride. The fight is here."

Zelensky went on to say,

"I am here. We are not putting down arms. We will be defending our country, because our weapon is truth, and our truth is that this is our land, our country, our children, and we will defend all of this."

In 2023, Catherine Stefani stood and fought like a Zelensky. Our weapons are truth, courage and some tech stuff. Simple resolve is stopping the Nazis. Washington State would be more than happy to help The State of Stefani. It's our obligation? WHY? Freedom is not free. We all wanna be Catherine Stefani and make our mark on the nation.

So I call upon you to repeal this motion of appeasement. This motion has enjoyed the sponsorship of only one Supervisor. This motion will signal clearly: You can close the skies to all over California if you spew hate. I thought THIS was also the personification of a great state in California:



This motion puts my Washington State at risk. This motion puts the entire open government community at risk.

So imagine if one city just said... NO. NO, we will *not* submit. NO, rather we will stand like a Stefani. That city is yours. The road to restoring SF's honor and luster starts on Van Ness Avenue. Not Union Street. Not California Street. Not Judah Street. Van Ness Avenue at Clerk Angela's in Supervisor Stefani's command bunker. *Thanks as you can guess WHO I stand with:*



Americans who remember WWII - and what led up to it - don't appease. Because what's next? In-person oral public comment? Worse? I must say, I must say you give a bully a victory they'll want another and another.

Remember, I've fought Alex Tsimerman and won, including a historic \$30,000 fine for campaigning without public disclosure. I know how, when and where to fight. Because somebody's gotta stand like a Stefani against the dark up here.

Literally, that's what I'm asking this Board to do:

VETO MOTION 231020 AS WELL INTENDED BUT THE WRONG DIRECTION.

STAND UP AGAINST THE NAZIS AND LEAD AS SAN FRANCISCO USED TO.

STAND LIKE A STEFANI AGAINST THE DARK AND SEND SOMEONE STEFANI-ESQUE TO SACRAMENTO TO FIX THE BROWN ACT, STOP THE

HATE AND UNLOCK THE ZELENSKY & STEFANI WITHIN.

WE CAN DO THIS;

Joe A. Kunzler

growlernoise@gmail.com

From: [Joe A. Kunzler](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Comments re Motion 231020
Date: Friday, September 29, 2023 1:51:33 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SFBOS;

Joe Kunzler here. My comments re Motion 231020 are as follows:

1) With a disability-only hookup what defines, "As necessary to enable the participation of people with disabilities, to the extent required by law"? The Brown Act does not address this. Perhaps it should.

2) This is clearly something that was enacted in haste. Meanwhile, Supervisor Stefani was seemingly able to keep control on the anti-Semites at her 28 Sept 2023 committee meeting. We should not take away fundamental freedoms of the air without some debate because of a few evildoers. If President Peskin cannot keep control of the air, then a President Stefani can.

3) I really think you guys better start thinking about how you're going to legally verify disability and if you're going to legally geo-fence this. I'd rather see a new remote testimony policy: Pre-registration with a signature agreeing to the rules. Failure to comply means a 1-year ban unless a judge overrules.

4) Enough already. Enough of the profanity from the trans bully. Enough of the racism. Enough of the lies about 9/11 and 1/6. Enough.

Strategically;

Joe A. Kunzler
growlernoise@gmail.com

From: [Mchugh, Eileen \(BOS\)](#)
To: [Young, Victor \(BOS\)](#)
Subject: FW: Strongly OPPOSING BOS Agenda Item #46 [Amending the Rules of Order - Limiting Remote Comment Opportunities] File #231020
Date: Monday, October 16, 2023 10:05:36 AM

For the file

From: aeboken <aeboken@gmail.com>
Sent: Sunday, October 15, 2023 6:36 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: FW: Strongly OPPOSING BOS Agenda Item #46 [Amending the Rules of Order - Limiting Remote Comment Opportunities] File #231020

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: BOS President and members

FROM: Eileen Boken,
President
Sunset-Parkside Education and Action Committee (SPEAK)

Position: Strongly opposed

Please refer to the original email below sent to the Rules Committee.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: aeboken <aeboken@gmail.com>
Date: 10/15/23 10:00 AM (GMT-08:00)
To: matt.dorsey@sfgov.org, dorseystaff@sfgov.org, shamann.walton@sfgov.org,
waltonstaff@sfgov.org, ahsha.safai@sfgov.org, safaistaff@sfgov.org, "Aaron Peskin (BOS)"
<aaron.peskin@sfgov.org>, peskinstaff@sfgov.org
Subject: Strongly OPPOSING Rules Committee Agenda Item #4 [Amending the Rules of Order - Limiting Remote Comment Opportunities] File #231020

TO: Rules Committee members and Board President Peskin

FROM: Eileen Boken,
President
Sunset-Parkside Education and Action Committee (SPEAK)

Position: Strong opposition

As SPEAK stated when previous restrictions were proposed for remote public comment, it doesn't need to be an either/or situation.

The solution could be a remote public comment card which would be similar to a library card.

A resident, local NGO, local business could apply for a remote public comment card through the BOS.

A card would be issued with a remote public comment id.

When public comment is called, the remote public commenter would not only raise their hand but also input their remote public comment id.

Sent from my Verizon, Samsung Galaxy smartphone

From: Regina Sneed
Subject: Rules of Order.pdf
Attachments:

Monday, October 16, 2023 5:30:15 PM

[regina.sneed](#)

https://url.gomg.clicks?_https://bos.org/sites/default/files/rules_of_order.pdf_-_YXAeOnSmZHOzQmE6boSYTOINsmFY2HNGMZZTBSZYINTeSMTOYyZuM2V3NDpS0s-1MDM6Yz8Ziar3Tc2MGV3Y2Q4YTZmYW0sM4USZDM6ZTM2NDAsMGO2INsmRmM4U0ZDR6ZTI2SDQ1Ys1Y2Y0ZGR6ZDU1Yzpm010

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Peskin:

I reviewed the current BOS Rules. The current version does not include prior language that would have been in the document for testimony by persons with disabilities because that provision has been unnecessary. Your legislation does not give any information about how a person with a disability would request to testify. I recall having seen this information when the Board opened up public comment. I recall commenting at the time that the rules would make it difficult for me to meet the criteria and to even decide by the deadline for the request whether I would want to make comments. I was glad that the change would allow me to testify up to the last minute remotely.

I urge you to pull this from the agenda because the options that might address misbehavior of the privilege of speech like a delay in broadcasting like they do on TV and radio have not been considered. I also would want a much better process for any limitations placed on participation. There are many people who can't come to city hall such as parents providing childcare, people who work who can take a few minutes to testify remotely but who won't be able to take several hours to testify in person. These people deserve consideration too.

Thank you for considering this request. A delay to work out a more participatory approach will probably head off what I would anticipate are the most certain legal challenges.

Regina Sneed
District two resident

From: regina.sneed
To: sfbos@sfgov.org; [Peskin, Aaron \(BOS\)](#); [Stefani, Catherine \(BOS\)](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Young, Victor \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Subject: Item 231020: limiting remote public comment
Date: Friday, October 13, 2023 10:30:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

I endorse the comments made by the Sunshine Taskforce to table this legislation until the City and its citizens can develop a better solution than limiting public comment to persons with disabilities to the extent provided by law. What exactly is the standard access supposedly provided to disabled persons. It is obviously too limited as there are many other citizens who work, who care for children or others who now have access who would not under this legislation.

Please do not limit public remote access based on one flash point anti Semitic incident when there are technology solutions available that have not been explored or presented to the public and Board for consideration.

Sincerely

Regina Sneed
District Two
Sent from my iPad

From: [lgpetty](#)
To: [Young, Victor \(BOS\)](#)
Cc: [Peskin, Aaron \(BOS\)](#)
Subject: Keep Remote Public Comment /Oppose 231020/ Add to File and Distribute to Rules Committee Members
Date: Sunday, October 15, 2023 9:14:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Dorsey, Walton, Safai and Pres. Peskin,

I oppose Pres. Peskin's proposal to eliminate remote public comment at Supervisors' Board and Committee meetings.

It would be a complete overreaction and an anti-democratic move, to end all general remote call-ins in an attempt to stop occasional hate-filled calls.

Such a ban would allow the haters to win. It would exclude genuinely civic-minded, issue-concerned residents, including myself, from expressing their full First Amendment rights to participate in government meetings where local life-affecting decisions are made.

I believe the solution lies in designating a staff person for each meeting to instantly cut off abhorrent disruptors.

I have myself heard some callers-- I can recognize in the first 5 to 10 seconds that they are a hate-caller-- being allowed to go on for a full minute or more, before they are cut off. In some cases they've been allowed to rant uninterrupted for a full 2-minute period.

Please—set some rules and strongly enforce them: no religious, racial, ethnic, sexual orientation, gender, age, class, or cultural slurs, no name-calling or Supervisor name calling-out; maybe no obscenities, no yelling. These are rules generally-accepted as reasonable. And don't give warnings during the comment-- that just allows the hater extra "air" time.

As to imposing a pre-registration process on people with disabilities: that would be discriminatory, as well as unworkable. Consider that it is widely predicted that by the year 2030, seniors (half of whom have disabilities) and younger folks with disabilities will comprise 30 per cent of San Francisco's population. Declaring themselves publicly as disabled is to mandate prejudicial forced-self-labeling. And such a mandate would result in exclusion for many.

The way forward is to continue allowing remote public comment... and issue a blanket warning that spells out the rules at the beginning of each meeting. I believe this will work quickly to eliminate the hater-trolls. These calls come in cycles. A firmly-enforced policy will get the message out right away so that haters will move on to targeting another town that,

alas, doesn't have, or enforce, clear rules.

Please don't punish all remote participants. Remote call-in technology has enabled 20th century full democratic participation at local government meetings. It must not be reversed.

You would not, indeed you could not, ban all in-person public comment because of occasional disruptors or haters. It is just as unthinkable to do it now for remote public comment.

Thanks for your consideration,

Lorraine Petty

Advocate for seniors and people with disabilities

D2 Resident and Voting Senior



13 October 2023

Chair of the Rules Committee, Supervisor Dorsey
Rules Committee Members, Supervisors Walton and Safai

Re: [File #231020](#), "Amending the Rules of Order - Limiting Remote Public Comment Opportunities"

Dear Rules Committee Chair Dorsey and Supervisors Walton and Safai:

The Race & Equity in all Planning Coalition of San Francisco (REP-SF) strongly condemns the abusive, misogynistic, and anti-Semitic remarks directed at members of the Board of Supervisors through remote public comment during public meetings of the Board. Hate speech, in any form, is unacceptable. As a City, we must take a strong stand against allowing hate speech in any public forum and implement the necessary steps to ensure safety to both our elected officials and our communities, who have the right to voice their concerns and participate in important discussions during public meetings.

While REP-SF shares concerns about hateful and discriminatory remarks shared during remote public comment, we also have experienced that increased access has led to greater participation from historically marginalized communities throughout the City. Remote public comment has provided a critical opportunity for our communities to be involved and directly participate in the decision-making around important policies and issues that impact our daily lives. Allowing remote public comment promotes accessibility, equity, and the core values of a participatory democracy. Many disabled people, seniors, and low-income and working-class communities often are unable to travel to City Hall or cannot take time off from their day jobs to provide in-person public comment. Remote public comment allows our most vulnerable communities to have the same access to our decision-makers as those who have the time and ability to attend meetings in-person.

Therefore, we urge the Rules Committee to explore and implement solutions that screen out disruptors while retaining remote public comment to allow our communities access to these important discussions at the Board.

REP-SF recommends exploring the following solutions:

- Develop a system to register and submit caller information and phone numbers prior to public meetings, and maintain this registration list for future public meetings. Only people who have previously registered their numbers with the Clerk of the Board would be allowed to call in for remote public comment.

- Designate City staff members to immediately cut off members of the public who share hateful or discriminatory remarks; and limit or deny their future access to remote public comment (via the registration list).
- Implement a 1 minute delay on streaming to ensure ample time to cut out speech from disruptors.

Thank you for your consideration of this request.

Respectfully submitted,

Jeantelle Laberinto

on behalf of the Race & Equity in all Planning Coalition, San Francisco

Patrick Monette-Shaw

975 Sutter Street, Apt. 6
San Francisco, CA 94109
Phone: (415) 292-6969 • e-mail: pmonette-shaw@earthlink.net

October 17, 2023

San Francisco Board of Supervisors

The Honorable Aaron Peskin, Board President
The Honorable Connie Chan, Supervisor, District 1
The Honorable Catherine Stefani, Supervisor, District 2
The Honorable Joel Engardio, Supervisor, District 4
The Honorable Dean Preston, Supervisor, District 5
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

The Honorable Matt Dorsey, Supervisor, District 6
The Honorable Myrna Melgar, Supervisor, District 7
The Honorable Rafael Mandelman, Supervisor, District 8
The Honorable Hillary Ronen, Supervisor, District 9
The Honorable Ahsha Safai, Supervisor, District 11

Agenda Item #46, Board File 231020: **Opposition to Amending the Rules of Order — Limiting Remote Public Comment Opportunities**

Dear Board President Peskin, and Members of the Board of Supervisors,

This is expressly **NOT** to be misconstrued a *quid pro quo* threat. Instead it's a simple statement of my intent. A promise of simple math.

To the extent the Motion to eliminate remote public comment passes by the Board of Supervisors on Tuesday, October 17 depriving non-disabled San Franciscans from being able to utilize remote call-in public comment, and making in more cumbersome on disabled citizens, I will have to seriously consider stopping making more political campaign contributions for the foreseeable future. You take away my and our rights. I'll take away making campaign contributions. After all, I'm sure my heirs might prefer that when I die I leave them a higher balance in my checking account. Here's a recap of my campaign donations since the 2019 – 2022 election cycles:

Patrick Monette-Shaw Political Campaign Contributions

<u>Election Cycle</u>	<u>Candidate</u>	<u>Amount</u>	<u>Running Total</u>
2020	Joe Biden 2020 Victory Fund (U.S. President)	\$ 200	
2019 – 2020	Mayor Pete for U.S. President	\$ 725	
	U.S. President Contributions	\$ 925	\$ 925
2019 – 2020	Jaime Harrison for U.S. Senate	\$ 2,000	
2020 – 2022	Reverend Raphael Warnock for U.S. Senate	\$ 750	
2020 – 2022	Mandela Barnes (Wisconsin) for U.S. Senate	\$ 750	
2019 – 2020	Amy McGrath for U.S. Senate	\$ 2,600	
2022	Katie Porter for U.S. Senate	\$ 1,000	
	U.S. Senate Contributions	\$ 7,100	\$ 7,100
2020	Katie Porter for U.S. Congress 2020	\$ 1,000	
2022	Katie Porter for U.S. Congress	\$ 1,500	
2022	Adam Schiff for Congress 2022	\$ 500	
2020	Eric Swalwell for Congress — 2020	\$ 200	
2022	Eric Swalwell for Congress — 2022	\$ 500	
	U.S. Congress Contributions	\$ 3,700	\$ 3,700
2021 – 2022	David Campos for Assembly	\$ 1,000	
	California Assembly Contributions	\$ 1,000	\$ 1,000
2019 – 2020	Dean Preston for Supervisor 2019	\$ 200	
2020	John Avalos for Supervisor 2020	\$ 251	
2020	Aaron Peskin for Supervisor 2020	\$ 251	
2022	Gordon Mar for Board of Supes 2022	\$ 500	
2023	Connie Chan for Board of Supes 2024	\$ 100	
	San Francisco Board of Supervisors Contributions	\$ 1,302	\$ 1,302
	Total:	\$	\$ 14,027

October 17, 2023

Opposition to Amending the Rules of Order — Limiting Remote Public Comment Opportunities

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As a retiree on a limited income, I felt compelled to participate in our Democracy, knowing I'm fortunate to be able to afford making campaign donations.

But if this Board of Supervisors prefers to gut our Democracy and restrict my and others' ability to participate in it without having to go through the hassle of seeking and obtaining "*reasonable accommodation*" as a disabled person to participate remotely in our Democracy, then I have to conclude you really aren't interested in what we have to say, you're only interested in our campaign contributions. So why then should I be interested in making campaign donations in the face of your hubris?

That includes Joe Biden's reelection campaign, and Katie Porter's run for the U.S. Senate, along with upcoming Board of Supervisor elections.

I may just go to my "Plan B."

The Board already has the ability to cut off the microphone of public speakers attending in person. And there's already a substantial built-in delay broadcasting meetings on SFGOV-TV and over Web-ex.

A total of 34 remote public speakers offered public comments by phone during the Rules Committee rushed hearing on Monday, October 16 regarding Supervisor Peskin's Motion before you on Tuesday. All 34 spoke eloquently opposing the Motion to eliminate remote public comment — however temporarily. Not one speaker today supported eliminating remote public comment was justified to curb hate speech.

Supervisor Peskin's Motion before you today to now eliminate taking remote public comment at Board of Supervisors meetings flies in the face of the recommendations Ms. Jennifer Johnston developed back in February when the Board of Supervisors agreed to adopt. Pekin's Motion before you today was introduced on September 26, 2023 and here we are three weeks later with his Motion being rushed through the Rules Committee without any substantial time for members of the public to weigh in on the wisdom of eliminating remote public comment. The claim \$10 million is needed for broadcast delay is nuts.

San Francisco voters have NOT ceded to the Board of Supervisors the authority to so restrict our public voices at your whim, or your annoyance with serial public comment violators, or at your pleasure. That's NOT why we elected you, and we retain the right to provide public comment on what our City government is doing on our behalf.

Importantly, Peskin's proposed Motion does NOT describe how members of the public are to go about requesting to use remote public comment, and there are no details on how far in advance a member of the public would have to place such a request for a reasonable accommodation, particularly given that the San Francisco's Sunshine Ordinance requires policy bodies to post their meeting agendas only 72 hours in advance.

How would a member of the public even be able to request and secure special "*reasonable accommodation*" permission and approval within a 72-hour period, particularly over a weekend?

This Motion would essentially rob all San Franciscans of their ability to provide remote public comment and force us into attending Board meetings in person — a daunting two- to three-hour jaunt to City Hall just to gain a paltry one- or two-minute opportunity to speak at a microphone, in person. Whether for disabled people, or able-bodied citizens, this poses an excessive time burden in order to participate in our experiment in Democracy!

The full Board of Supervisors need to reject the Recommendation rushed through the Rules Committee today. You should reject Peskin's anti-democratic mealy-mouthed "fix" by rejecting it completely.

Respectfully submitted,

Patrick Monette-Shaw

Columnist,

Westside Observer Newspaper

October 17, 2023

Opposition to Amending the Rules of Order — Limiting Remote Public Comment Opportunities

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cc: Angela Calvillo, Clerk of the Board

Alisa Somera, Legislative Deputy Director to the Clerk of the Board