

1 [Authorizing the Sunshine Ordinance Task Force to Meet in June 2020]

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3 **Motion authorizing the Sunshine Ordinance Task Force to schedule up to two meetings**  
4 **via teleconference during June 2020.**

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6 WHEREAS, On February 25, 2020, Mayor London N. Breed declared a local  
7 emergency to exist in connection with the spread of the novel coronavirus COVID-19; and

8 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the  
9 Existence of a Local Emergency to the Board of Supervisors (the "Proclamation"), and on  
10 March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions  
11 taken by the Mayor to meet the emergency; the Proclamation and the Board's concurring  
12 motion are on file with the Clerk of the Board of Supervisors in File No. 200228; and

13 WHEREAS, On March 23, 2020, the Mayor issued the Fifth Supplement to the  
14 Proclamation that was concurred by the Board of Supervisors, which suspended certain  
15 provisions of City law governing policy body meetings to allow flexibility in meetings and  
16 suspended provisions in the Administrative Code on deadlines for complying for requests for  
17 public records under the Sunshine Ordinance; and

18 WHEREAS, On April 1, 2020, the Mayor issued the Eighth Supplement to the  
19 Proclamation that was concurred by the Board of Supervisors, which included a measure not  
20 allowing City policy and advisory bodies to hold public meetings unless the Board of  
21 Supervisors acts by written motion or the Mayor or Mayor's designee directs otherwise, based  
22 on a determination that a policy body has a urgent need to take action to ensure public health,  
23 safety, or essential government operations; and

24 WHEREAS, On April 30, 2020, the Mayor issued the Twelfth Supplement to the  
25 Proclamation that was concurred by the Board of Supervisors, which extended the previous

1 restriction on City policy and advisory bodies holding public meetings from March 18, 2020  
2 through May 31, 2020, unless the Board of Supervisors acts by written motion or the Mayor or  
3 Mayor's designee directs otherwise, based on a determination that a policy body has a urgent  
4 need to take action to ensure public health, safety, or essential government operations; and

5 WHEREAS, The Sunshine Ordinance Task Force was established by Chapter 67 of  
6 the San Francisco Administrative Code to protect the public's interest in open government and  
7 to advise the Board of Supervisors and provide information to other City departments on  
8 appropriate ways in which to implement the Sunshine Ordinance; and

9 WHEREAS, Open access and transparency in government are fundamental to the  
10 function of democracy, especially during a time of crisis; and

11 WHEREAS, Due to State of Emergency, there are more limitations to the ability for the  
12 public to engage with government agencies and to receive access to information; and now,  
13 therefore, be it

14 MOVED, That the Board of Supervisors determines that the Sunshine Ordinance Task  
15 Force serves a purpose in providing guidance on transparency and open governance, which  
16 are essential government operations; and, be it

17 FURTHER MOVED, That the Board of Supervisors authorizes the Sunshine Ordinance  
18 Task Force to schedule up to two meetings via teleconference during the month of June 2020  
19 to hold a discussion on the adherence of government entities to the California Public Records  
20 Act, California Brown Act, and Sunshine Ordinance during the COVID-19 Health Emergency;  
21 and to hold further discussion to provide written recommendations to the Mayor and the Board  
22 of Supervisors on protecting public's right to access records and information in light of legal  
23 provisions that may have been lifted during the health emergency; and

24 FURTHER MOVED, That the Sunshine Ordinance Task Force shall meet with the  
25 following conditions:

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- The meetings must comply with all rules governing public meetings; including allowing public observation and participation;
- The meetings will be scheduled in coordination with the Clerk of the Board's office to ensure adequate staffing and to avoid scheduling conflicts with other Board of Supervisors' meetings;
- The meetings shall not consider any other business other than noted in this Motion; and
- The Sunshine Ordinance Task Force shall not unreasonably require the time of Clerk staff or other City staff that are deployed in response to the COVID-19 Health Emergency Response.