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San Francisco 94102-4689

SUNSHINE ORDINANCE TASK FORCE

September 17, 2025

President Rafael Mandelman and Members
Board of Supervisors
1 Carlton B Goodlett Pl., Ste. 244
San Francisco, CA 94102-4689

RE: Board of Supervisors File No. 250192 regarding Public Access to Records and Meetings of Nonprofit Organizations

Dear President Mandelman and Board Members,

At its August 6, 2025 Regular Meeting, the Sunshine Ordinance Task Force discussed Board of Supervisors File No. 250192 regarding Public Access to Records and Meetings of Nonprofit Organizations, and it unanimously authorized a letter expressing the Task Force's concerns.

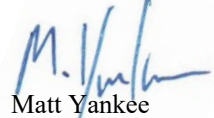
File No. 250192 is a proposed 147-page ordinance which involves various streamlining various City contracting provisions. It would, among other things, increase the threshold for nonprofit organizations subject to Administrative Code Chapter 12L from \$250,000 to \$1 million annually, and reduce the number of required public meetings from two to one. We have seen no analysis or discussion of the impact of these two changes from the legislation; discussion, so far, has been focused on other portions of the proposed ordinance.

While setting the threshold and number of required public meetings is clearly a policy matter for the Board of Supervisors, we should understand the compromise that led us here in the first place. In the late 1990's there was considerable concern about the City contracting with nonprofit organizations, often to provide children's, health, and social service programs and services, and bypassing the public access provisions of the Sunshine Ordinance. As a result, then-Supervisor Tom Ammiano proposed, and got passed, an ordinance that created Chapter 12L. It set a threshold covering nonprofit organizations with more funding from the City (and excluded those with less), imposed small but meaningful burdens (two public meetings a year and access to a financial information packet), and included a process that ultimately has the Sunshine Ordinance Task Force issuing an advisory opinion in some disputes.

What seems missing today is analysis or discussion of these proposed changes. We do not know how many fewer organizations would be subject to Chapter 12L, what their comments might be, what the public thinks about the proposed changes (especially impacted populations), and how and when the changes would be implemented. Once again, at a time when government accountability and transparency seem more needed than ever, this may be another move in the wrong direction. We urge you to ask the City Attorney and Office of Contract Administration how and when the changes would be implemented, and ask the Controller how many nonprofit organizations would be relieved of the Chapter 12L requirements (perhaps with a list of those organizations).

We ask you to consider our views as it relates to Administrative Code Section 12L. We express no opinion on other aspects of the legislation regarding streamlining City contracting provisions. Thank you for considering the views of the Sunshine Ordinance Task Force on this particular proposed ordinance.

Sincerely,



Matt Yankee
Chair, Sunshine Ordinance Task Force

cc: Angela Calvillo, Clerk of the Board, Board of Supervisors
Daniel Lurie, Mayor
David Chiu, City Attorney
Carmen Chu, City Administrator
Greg Wagner, Controller