

1 [Non-Profit Organizations]
2 AMENDING THE RULES OF ORDER OF THE BOARD OF SUPERVISORS BY ADDING
3 SECTION 2.35 REGARDING PROCEDURES TO BE USED FOR APPEALS TO THE
4 BOARD OF SUPERVISORS CONCERNING PUBLIC ACCESS TO RECORDS AND
5 MINUTES OF BOARD OF DIRECTORS OF NON-PROFIT ORGANIZATIONS.

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7 WHEREAS, Chapter 12L of the Administrative Code provides for public access to
8 records and minutes of the Board of Directors of certain non-profit organizations; and,

9 WHEREAS, Section 12L.5(b) provides for the resolution of disputes concerning
10 access; and

11 WHEREAS, Section 12L.5(b) states: "The member of the public or the non-profit
12 organization may request that the Board of Supervisors review the recommendation of the
13 City agency or department, which review shall be conducted in accordance with procedures
14 established by the Board of Supervisors, provided that such request is made in writing to the
15 Clerk of the Board of Supervisors within ten days of the issuance of the City agency or
16 department's recommendation or the Sunshine Ordinance Task Force's advisory opinion,
17 whichever is later. Subject to Section 12L.7 herein, the recommendation of the City agency
18 or department, or the determination of the Board of Supervisors, with respect to any request
19 or complaint by a member of the public shall be non-binding upon the non-profit organization,"
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22 now, therefore, be it

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24 MOVED, That the Rules of the Board be amended to add Rule 2.35 to read as follows:
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1 Rule 2.35 Non-Profit Organizations. The following procedures are to be used for
2 appeals to the Board of Supervisors concerning public access to records and minutes of
3 board of directors of non-profit organizations:

- 4 a) A request for review by the Board of Supervisors shall be made in writing.
- 5 b) The request shall be filed with the Clerk within ten calendar days of the issuance of
6 the City agency or department's recommendation or the Sunshine Ordinance Task
7 Force's advisory opinion, whichever is later.
- 8 c) The requester shall attach to the request a copy of the City agency or department's
9 recommendation or the Sunshine Ordinance Task Force's advisory opinion.
- 10 d) The request shall clearly state the remedy sought.
- 11 e) The Clerk of the Board shall schedule a hearing to be held on the request before
12 an appropriate committee of the Board of Supervisors at the next available regular
13 meeting.
- 14 f) The Board Committee shall recommend to the Board of Supervisors an appropriate
15 determination.
- 16 g) The determination of the Board of Supervisors with respect to any request or
17 complaint by a member of the public shall be non-binding upon the non-profit
18 organization.
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Tails

Motion

File Number: 981469

Date Passed: December 14, 1998

Motion amending Rules of Order of the Board of Supervisors by adding Section 2.35 regarding procedures to be used for appeals to the Board of Supervisors concerning public access to records and minutes of Board of Directors of non-profit organizations.

December 14, 1998 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

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I hereby certify that the foregoing Motion was APPROVED on December 14, 1998 by the Board of Supervisors of the City and County of San Francisco.

Glora L. Young
Glora L. Young
Clerk of the Board

Ms Marie MacKechnie
Deputy Clerk
01 Board of Supervisors
Clerk's Office Mail Slot

File No. 981469 continued...