

File No. 200672

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date August 17, 2020

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- xx Ordinance
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- xxx Department/Agency Cover Letter and/or Report
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OTHER (Use back side if additional space is needed)

- Charter Amendment _____
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Completed by: Victor Young Date August 6, 2020

Completed by: _____ Date _____

1 [Administrative Code - Sunshine Ordinance Task Force Member Nominations]

2

3 **Ordinance amending the Administrative Code to designate the Northern California**
4 **Chapter of the Society of Professional Journalists as the nominating body with**
5 **authority to recommend to the Board of Supervisors nominees to hold the seat on the**
6 **Sunshine Ordinance Task Force designated for a journalist from a racial/ethnic-**
7 **minority-owned news organization, and to modify the qualifications for that seat.**

8

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

12

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Findings.

15 (a) In November 1999, San Francisco voters passed Proposition G to amend
16 Administrative Code Chapter 67, commonly known as the Sunshine Ordinance.
17 Administrative Code Section 67.1 sets forth the findings and purpose of the Sunshine
18 Ordinance, as amended by the voters. That section provides that government has an
19 obligation to “serve the public, reaching its decisions in full view of the public,” and that the
20 purpose of the Sunshine Ordinance is to “assure that the people of the City remain in control
21 of the government they have created.”

22 (b) Administrative Code Section 67.30 establishes the Sunshine Ordinance Task
23 Force, consisting of eleven voting members appointed by the Board of Supervisors at the
24 recommendation of various organizations with established interests in government
25 transparency. Section 67.30(a) requires, in pertinent part, “One member shall be a journalist

1 from a racial/ethnic-minority-owned news organization and shall be appointed from individuals
2 whose names have been submitted by New California Media.”

3 (c) In 2005, New California Media became New America Media (“NAM”), and over
4 the following years, the organization continued to be recognized as one of the most diverse
5 media organizations in the country. And it continued to submit journalists’ names to the Board
6 of Supervisors for possible appointment to the Task Force, fulfilling the role designated in
7 Section 67.30(a) for New California Media. But in 2017, NAM ceased all operations. NAM is
8 no longer an active organization and is therefore unable to submit names of journalists to the
9 Board for possible appointment to the Task Force.

10 (d) In light of these developments, in 2017, NAM’s Executive Director sent a letter to
11 the City seeking to relinquish NAM’s nominating authority and requesting that the City transfer
12 that authority to the Northern California Chapter of the Society of Professional Journalists
13 (“SPJ Nor Cal”). After receiving the letter, and obtaining input from SPJ Nor Cal, the League
14 of Women Voters of San Francisco, and others, the Task Force, on November 6, 2019, voted
15 unanimously to recommend that the Board of Supervisors amend the Sunshine Ordinance to
16 make SPJ Nor Cal the nominating authority for the seat previously nominated by New
17 California Media and then by NAM.

18 (e) Founded in 1909, the Society of Professional Journalists is the nation’s most
19 broad-based journalism organization, dedicated to encouraging the free practice of journalism
20 and high standards of ethical behavior. SPJ Nor Cal, a chapter of the national Society, is a
21 longstanding institution that works to support journalists based in the Bay Area, Sacramento,
22 and cities and towns throughout northern California.

23 (f) The Board of Supervisors finds that assigning to SPJ Nor Cal the nominating
24 authority previously assigned to New California Media and NAM is consistent with the purpose
25 and intent of the voters in adopting Proposition G. This amendment will ensure that the Task

1 Force may continue to have eleven members, including a journalist from a racial/ethnic-
2 minority-owned news organization. Because of its stature, reputation, and reach, SPJ Nor Cal
3 is an appropriate entity to nominate members to the seat.
4

5 Section 2. Chapter 67 of the Administrative Code is hereby amended by revising
6 Section 67.30, to read as follows:

7 **SEC. 67.30. THE SUNSHINE ORDINANCE TASK FORCE.**

8 (a) There is hereby established a task force to be known as the Sunshine Ordinance
9 Task Force consisting of eleven voting members appointed by the Board of Supervisors. All
10 members must have experience and/or demonstrated interest in the issues of citizen access
11 and participation in local government. ~~Two~~Three members shall be ~~appointed from individuals~~
12 ~~whose names have been submitted~~ nominated by the local chapter of the Society of
13 Professional Journalists, one of whom shall be an attorney, ~~and~~ one of whom shall be a local
14 journalist, and one of whom shall be either a journalist from a racial/ethnic-minority-owned
15 news organization, a journalist whose work focuses on issues impacting minority racial or
16 ethnic communities, or a journalist who works with a media organization or publication whose
17 target audience is a minority racial or ethnic community. For purposes of this subsection (a),
18 the term "journalist" shall be interpreted broadly, including but not limited to freelance
19 journalists, photographers, and videographers. One member shall be appointed from the
20 press or electronic media. One member shall be ~~appointed from individuals whose names~~
21 ~~have been submitted~~ nominated by the local chapter of the League of Women Voters. Four
22 members shall be members of the public who have demonstrated interest in or have
23 experience in the issues of citizen access and participation in local government. Two
24 members shall be members of the public experienced in consumer advocacy. ~~One member~~
25 ~~shall be a journalist from a racial/ethnic-minority-owned news organization and shall be~~

1 ~~appointed from individuals whose names have been submitted by the local chapter of the~~
2 ~~Society of Professional Journalists *New California Media*.~~ At all times the task force shall
3 include at least one member who shall be a member of the public who is physically
4 handicapped and who has demonstrated interest in citizen access and participation in local
5 government. The Mayor or his or her designee, and the Clerk of the Board of Supervisors or
6 his or her designee, shall serve as non-voting members of the task force. The City Attorney
7 shall serve as legal advisor to the task force. The Sunshine Ordinance Task Force shall, at its
8 request, have assigned to in an attorney from within the City Attorney's Office or other
9 appropriate City Office, who is experienced in public-access law matters. This attorney shall
10 serve solely as a legal advisor and advocate to the Task Force and an ethical wall will be
11 maintained between the work of this attorney on behalf of the Task Force and any person or
12 Office that the Task Force determines may have a conflict of interest with regard to the
13 matters being handled by the attorney.

14 * * * *

15
16 Section 2. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.

20
21 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25 //

LEGISLATIVE DIGEST
(Revised in Committee 8/10/20)

[Administrative Code - Sunshine Ordinance Task Force Member Nominations]

Ordinance amending the Administrative Code to designate the Northern California Chapter of the Society of Professional Journalists as the nominating body with authority to recommend to the Board of Supervisors nominees to hold the seat on the Sunshine Ordinance Task Force designated for a journalist from a racial/ethnic-minority-owned news organization, and to modify the qualifications for that seat.

Existing Law

The City's Sunshine Ordinance establishes the Sunshine Ordinance Task Force, which advises the Board of Supervisors and other City departments on implementation of the Sunshine Ordinance. The Task Force consists of 11 voting members appointed by the Board of Supervisors at the recommendation of various organizations with established interests in government transparency. One member of the Task Force must be a journalist from a racial/ethnic-minority-owned news organization. That member must be nominated by an organization called New California Media.

In 2005, New California Media became New America Media ("NAM"), and NAM it continued to nominate members for possible appointment to the Task Force over the next 12 years. In 2017, NAM ceased all operations. NAM is no longer an active organization and is therefore unable to submit names of journalists to the Board for possible appointment to the Task Force.

Amendments to Current Law

The proposed ordinance would authorize the Northern California Chapter of the Society of Professional Journalists to nominate journalists for the seat described above that was previously nominated by New California Media and then by NAM. The ordinance would also modify the qualifications for the seat so it could be held by either a journalist from a racial/ethnic-minority-owned news organization, a journalist whose work focuses on issues impacting minority racial or ethnic communities, or a journalist who works with a media organization or publication whose target audience is a minority racial or ethnic community. The ordinance would broadly define the word "journalist" to include freelance journalists, photographers, and videographers.

BOARD of SUPERVISORS



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MEMORANDUM

TO: Cheryl Leger, Sunshine Ordinance Task Force

Victor Young, Assistant Clerk
Rules Committee

A handwritten signature in cursive script that reads "Victor Young".

DATE: July 7, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation on May 12, 2020:

File No. 200672

Ordinance amending the Administrative Code to designate the Northern California Chapter of the Society of Professional Journalists as the nominating body with authority to recommend nominees to the Board of Supervisors to hold the seat on the Sunshine Ordinance Task Force designated for a journalist from a racial/ethnic-minority-owned news organization.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.