

Key Proposed Amendments to the Sunshine Ordinance

Article II: Public Access to Meetings

- Policy bodies meeting in City Hall must real-time stream or broadcast meetings on SFGOV TV.
- Audio recordings of policy bodies, boards, and commissions meetings to be retained indefinitely.
- Policy body chairpersons may permit organizations a “designated speaker” to express a 15-minute opposing view of the public in response to City agency presentations during an agenda item.
- City Attorney to appoint a Supervisor of Public Forums to determine violations of access to public meetings as companion to existing Supervisor of Records for public disclosure of records.

Article III: Public Information and Public Records

- Members of the public to receive searchable electronic documents in any format the documents were produced including PDF files.
- Requests for contracts, bids, and proposals to be posted on the City’s web site from date of issuance and kept in a central repository.
- Tightens elected officials’ and department heads’ calendar keeping and disclosure requirements; will keep searchable logs of meetings
- Strengthens record-keeping requirements on digitally based communications that occur in the conduct of city business, and ***prohibits the use of media, devices and applications causing self-deletion or otherwise preventing retention of the contents of those communications.***
- Tightens requirements for retention of all public records by incorporating the destruction limitations and prohibitions set forth in state Government Code Sections 34090-34095.

Article IV: Policy Implementation

- Sunshine Task Force renamed “Sunshine Commission” as an independent body.
- Broadens community participation in appointing Sunshine Ordinance Task Force (SOTF) members by increasing from 4 to 9 the number of members to be nominated by outside public-interest organizations.
- Increases from 1 to 2 the number of voting-member attorneys on the SOTF. The Society of Professional Journalists, Northern California chapter, continues as nominator of one attorney, and the First Amendment Coalition nominates the other.
- Empowers the Sunshine Commission to hire its own dedicated, full-time staff (“including but not limited to and executive director/legal counsel to perform administrative duties . . . and a clerk”) to ensure competency and sunshine-law familiarity of legal counsel and administrator. This also eliminates the conflict of interest inherent in the current system of having the City Attorney assign a deputy to work with the SOTF.
- City Attorney Sunshine training materials shall be approved by the Sunshine Commission annually.
- Orders of Determination issued by the Sunshine Commission shall be evidence of a violation of the Sunshine Ordinance in any other administrative or judicial proceeding.
- Provisions of this Sunshine Ordinance supersede other local laws, including the [City] Charter, to the extent State law preempts the Charter provision in question

Maintains severability so that no invalidation of a specific provision results in invalidation of the entire ordinance.