

City and County of San Francisco



Sugary Drinks Distributor Tax Advisory Committee

Rules and Regulations:

I. Name and Membership:

In accordance with the provisions of San Francisco Business and Tax Regulations Code, Article 8, there shall be a Sugary Drinks Distributor Tax Advisory Committee ("Committee") composed of 16 members, appointed as follows:

The 16 members are appointed by different bodies within the City and County of San Francisco, representing the following backgrounds or expertise.

Seats 1, 2, and 3 shall be held by representatives of nonprofit organizations that advocate for health equity in communities that are disproportionately impacted by diseases related to the consumption of Sugar-Sweetened Beverages, as defined in Business and Tax Regulations Code Section 552, appointed by the Board of Supervisors. (3 Members)

Seats 4 and 5 shall be held by individuals who are employed at medical institutions in San Francisco and who have experience in the diagnosis or treatment of, or in research or education about, chronic and other diseases linked to the consumption of Sugar-Sweetened Beverages, appointed by the Board of Supervisors. (2 Members)

Seat 6 shall be held by a person who is under 19 years old at the time of appointment and who may be a member of the Youth Commission, nominated by the Youth Commission and appointed by the Board of Supervisors. If the person is under legal voting age and unable to be an elector for that reason, the person may hold this seat, but upon reaching legal voting age, the person shall relinquish the seat unless he or she becomes an elector, in which case the person shall retain the seat. (1 Member)

Seat 7 shall be held by a person appointed by the Director of the Office of Economic and Workforce Development or any successor office. (1 Member)

Seats 8 and 9 shall be held by persons appointed by the Board of Education of the San Francisco Unified School District. If at any time the Board of Education declines to appoint a member to Seat 8 or 9 and leaves the seat vacant for 60 days or longer, the Board of Supervisors may appoint a member of the public to fill the seat until such time as the Board of Education appoints a member. (2 Members)

Seat 10 shall be held by an employee of the Department of Public Health who has experience or expertise in the field of chronic disease prevention or treatment, appointed by the Director of Health. (1 Member)

Seat 11 shall be held by a person with experience or expertise in the field of oral health, appointed by the Director of Health. (1 Member)

Seat 12 shall be held by a person with experience or expertise in the field of food security or access, appointed by the Director of Health. (1 Member)

Seat 13 shall be held by an employee of the Department of Children, Youth & Their Families, appointed by the Director of that Department. (1 Member)

Seat 14 shall be held by an employee of the Recreation and Park Department, appointed by the General Manager of that Department. (1 Member)

Seat 15 shall be held by a parent or guardian of a student enrolled in the San Francisco Unified School District at the time of appointment, nominated by the San Francisco Unified School District's Parent Advisory Council, and appointed by the Board of Supervisors. If at any time the Parent Advisory Council declines to nominate a member to a vacant seat for 60 days or longer, the Board of Supervisors may appoint a member of the public to fill the seat until the seat becomes vacant again. (1 Member)

Seat 16 shall be held by a person with experience or expertise in services and programs for children five years old and under, appointed by the Board of Supervisors. (1 Member)

II. Mission

The Committee's mission and goal is to make recommendations to the Mayor and the Board of Supervisors on the effectiveness of the Sugary Drinks Distributor Tax in Business Tax and Regulations Code Article 8. Starting in 2018, by March 1 of each year, the Advisory Committee shall submit to the Board of Supervisors and the Mayor a report that (a) evaluates the impact of the Sugary Drinks Distributor Tax on beverage prices, consumer purchasing behavior, and public health, and (b) makes recommendations regarding the potential establishment and/or funding of programs to reduce the consumption of Sugar-Sweetened Beverages in San Francisco. Within 10 days after the submission of the report, the City Administrator shall submit to the Board of Supervisors a proposed resolution for the Board to receive the report.

III. Attendance

If any member cannot attend a meeting of the Committee, he or she should notify the Committee Staff from the Office of the City Administrator no later than 72-hours in advance of the meeting about the absence.

Any request for an excused absence must be submitted in writing to the Committee, c/o Department of Public Health (DPH) staff, stating good cause. Any request for an excused absence shall be placed before the Committee at its next meeting for review and possible action.

As of January 2019, members may have up to four combined excused and unexcused absences at full SDDTAC meetings over the course of a twelve-month period. Any member who misses more than this number of full SDDTAC meetings shall be deemed to have resigned from the Advisory Committee and the Advisory Committee shall inform the appointing authority of any such resignation.

IV. Election of Officers and Terms of Offices

The Committee shall elect Co-Chairs annually at the first regularly scheduled meeting of the calendar year.

The election of Co-Chairs may be held at a regular or special meeting of the Committee. The Co-Chairs or any two members may call a special meeting for the election of officers, if needed, or call for such an election at a regular Committee meeting.

In the event that both elected Co-chairs complete their terms of office without reappointment, the Committee shall elect two returning committee members as interim Co-Chairs during the final meeting of the term. Interim Co-Chairs will preside over the subsequent meeting, which will be the first seating of the newly appointed committee, and facilitate the election of permanent Co-Chairs for that 12-month term.

V. Duties of the Co-Chairs

The duties of the Co-Chairs are:

Shall preside at all meetings of the Committee, and shall perform all other duties necessary to ensure a productive body that is engaged in all facets of the Committee's work; and,

The Co-Chairs are to set the agenda for Committee meetings in consultation with other members and with DPH.

Prior to each meeting the chairs will decide who will facilitate and lead the meeting.

VI. Committee Meetings

a. Regular Meetings

Regular Meetings of the Committee shall be open and public. If a recommendation is made by DPH that a Regular Meeting be canceled or changed, the Committee or the Co-Chairs may cancel the Regular Meeting or fix another time thereof. Written notice of cancellation or of a change in a Regular Meeting time must be given at least seventy-two (72) hours before the scheduled time of such Regular Meeting. The Committee must hold a minimum of 4 meetings per year.

b. Special Meetings

Special Meetings of the Committee shall be open and public. Special Meetings shall be held at such times as the Committee may determine, or may be called by the Co-Chairs at any time. Written notice of a Special Meeting must be given at

least seventy-two hours before the scheduled time of such Meeting. Special Meetings shall be held at the regular meeting place except that the Committee may designate an alternate meeting place provided that the notice designating the alternate meeting place is issued 15 days prior to the date of the Special Meeting.

c. Public Testimony

Members of the public shall be allowed to give testimony at Committee meetings on any item on the agenda prior to or during the consideration of that item by the Committee. Except where the limit is waived by the Co-Chairs, public testimony shall be limited to up to three minutes per speaker. Where reasonable under the circumstances, the Co-Chairs may limit public testimony to less than three minutes per person.

d. Public Comment

At each meeting, there shall be an opportunity for members of the public to directly address the Committee on items of interest to the public that are within the subject matter jurisdiction of the Committee but that do not appear on the agenda. Except where the limit is waived by the Co-Chairs, public testimony shall be limited to three minutes per speaker. Where reasonable under the circumstances, the Co-Chairs may limit public comment to less than three minutes per person.

e. Recording of the Meetings

Regular or Special Meetings of the Committee shall be recorded. Such recordings shall be a public record and made available for inspection for at least thirty calendar days.

f. Minutes of Meetings

DPH shall maintain written minutes of Committee meetings. Draft minutes of each meeting shall be available for inspection and copying upon request no later than ten working days after the date of the meeting.

VII. Subcommittees

a. Standing Committees

Upon approval by a majority of the members of the Committee, standing subcommittees may be formed to advise the Committee. The standing subcommittees shall be composed of members of the Committee and DPH staff as deemed appropriate. The Chair of the Committee shall name the Chair and members of each subcommittee.

b. Special Subcommittees

Upon approval by a majority of the members of the Committee, special or ad-hoc subcommittees may be formed. Special subcommittees shall be formed for a specific purpose and cease to exist after completion of that purpose. Special subcommittees shall be composed of members of the Committee, DPH staff, and other stakeholders as deemed appropriate.

VIII. Rules and Regulations

The Sugary Drinks Distributor Tax Advisory Committee shall conduct a public meeting prior to the adoption, amendment or repeal of any rule or regulation, with at least ten days public notice of the proposed text.

IX. Quorum

Nine (9) members shall constitute a quorum. The only official business that can be transacted in the absence of a quorum is: (1) to take measures to obtain a quorum; (2) to fix the time to which to adjourn; (3) to take a recess; or (4) to adjourn.

X. Rules of Order

All meetings shall be conducted in accordance with Robert's Rules of Order, except as otherwise required by these Rules and Regulations or applicable state or local law.

XI. Compliance with Applicable City Charter, Public Meeting and Public Records Laws

The Committee and its subcommittees shall perform its duties in compliance with all applicable provisions of the San Francisco Charter, California's Ralph M. Brown Act (California Government Code §§54950 et seq.), and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Chapter 67). (San Francisco Business and Tax Regulations Code §906.3-1(i).)

XII. Voting

Each member present at the meeting must vote on all motions and questions put before the Committee by voting "for," "against," or "abstain." Members may be also be excused from voting by a motion adopted by a majority of the members present or if the member has a conflict that legally precludes participation in the vote.

Each member shall determine whether he or she has a conflict of interest that precludes participation in a vote and may consult with the City Attorney in making this determination.

XIII. Technical Assistance

Under Chapter 5 of the Administrative Code, DPH shall provide administrative and clerical support for the Advisory Committee, and the Controller's Office shall provide technical support and policy analysis for the Advisory Committee upon request. All City officials and agencies shall cooperate with the Advisory Committee in the performance of its functions.

XIV. Order of Business

The order of business at any Regular Meeting shall be as follows:

- a. Call to Order/Roll Call
 - Approval of Excused Absences
- b. Approval of Minutes
- c. Review and Consideration of Regular Agenda
- d. General Public Comment
- e. DPH Staff Report
- f. Funding Update

- g. New Business
- h. Subcommittee Update
- i. Committee Members' Proposed Future Agenda Items
- j. Announcements
- k. Adjournment

These Rules and Regulations were adopted by the Sugary Drinks Distributor Tax Advisory Committee, on _____

DRAFT