

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

September 22, 2025

Ethics Commission
Attn: Patrick Ford, Executive Director
25 Van Ness Ave, Suite 220
San Francisco, CA 94102

Dear Commissioners:

The Board of Supervisors' Rules Committee received the following proposed legislation:

File No. 250947

Ordinance amending the Campaign and Governmental Conduct Code to permit the Board of Supervisors to waive by Resolution the requirements of the behested payment Ordinance for the Board itself.

The proposed ordinance is being transmitted to the Ethics Commission pursuant to Campaign and Governmental Conduct Code, Sections 1.103 and 3.204, for public hearing and recommendation. A four-fifths votes of the Ethics Commission is required in advance prior to consideration by the Board of Supervisors.

The ordinance is pending before the Rules Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Clerk
Rules Committee

Attachment

c. Michael Canning, Ethics Commission



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 250947	File Type: Ordinance	Status: 30 Day Rule
Enacted:	Effective:	
Version: 1	In Control: Rules Committee	
File Name: Campaign and Governmental Conduct Code - Behested Payments	Date Introduced: 09/16/2025	
Requester:	Cost:	Final Action:
Comment:	Title: Ordinance amending the Campaign and Governmental Conduct Code to permit the Board of Supervisors to waive by Resolution the requirements of the behested payment Ordinance for the Board itself.	
Sponsor: Mandelman		

History of Legislative File 250947

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	09/16/2025	ASSIGNED UNDER 30 DAY RULE	Rules Committee	10/16/2025	

[Campaign and Governmental Conduct Code - Behested Payments]

Ordinance amending the Campaign and Governmental Conduct Code to permit the Board of Supervisors to waive by Resolution the requirements of the behested payment Ordinance for the Board itself.

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

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

Section 1. Chapter 6 of the Campaign and Governmental Conduct Code is hereby amended by revising Section 3.620, to read as follows:

SEC. 3.620. PROHIBITING ELECTED OFFICIALS, DEPARTMENT HEADS, COMMISSIONERS, AND DESIGNATED EMPLOYEES FROM SOLICITING BEHESTED PAYMENTS FROM INTERESTED PARTIES.

* * * *

(f) **EXCEPTION – WAIVER.** ~~Upon request by a City department, t~~The Board of Supervisors may waive the requirements of this Section 3.620 by resolution, ~~but may not waive it for itself.~~ A proposed resolution that seeks a waiver shall identify the City employees and officers to whom the waiver will apply, summarize the purpose of the solicitation(s), ~~and shall~~ identify the type of interested parties or the specific interested parties, when the identity is known, to whom the solicitation(s) would be directed, and include a statement as to why the

1 ~~department parties that would be solicited~~ believes the parties are interested parties. The
2 resolution must include a finding that the waiver would not create an appearance of
3 impropriety and would be in the public interest. Waivers granted under this subsection (f)
4 shall apply prospectively for six months, unless the approving resolution specifies a shorter
5 duration, and shall have no effect as to past solicitations and may not be approved
6 retroactively after the solicitations have occurred. Within 30 days of the enactment of such a
7 resolution, the Clerk of the Board shall publish information regarding the resolution to a
8 dataset of all approved waiver resolutions on DataSF.

9
10 Section 2. Prerequisites for Enactment; Super-Majority Vote Requirement. The
11 enactment of Section 1 of this ordinance is subject to provisions of the Campaign and
12 Governmental Conduct Code that require the amendments to be approved by the Ethics
13 Commission by a supermajority vote of at least four members of the Commission, and
14 approved by a supermajority vote of at least eight members of the Board of Supervisors.

15
16 Section 3. 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 4. 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

1 additions, and Board amendment deletions in accordance with the “Note” that appears under
2 the official title of the ordinance.

3
4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ Kathleen Vermazen Radez
7 KATHLEEN VERMAZEN RADEZ
8 Deputy City Attorney

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LEGISLATIVE DIGEST

[Campaign and Governmental Conduct Code - Behested Payments]

Ordinance amending the Campaign and Governmental Conduct Code to permit the Board of Supervisors to waive by Resolution the requirements of the behested payment Ordinance for the Board itself.

Existing Law

Local law prohibits elected officials, department heads, commissioners, and designated employees from soliciting behested payments from “interested parties,” as defined in the Campaign and Governmental Conduct Code. Current law permits the Board of Supervisors to waive the rule by resolution upon request by a City department, but prohibits the Board of Supervisors from waiving the rule for itself. A proposed resolution must summarize the purpose of the solicitation(s), identify the type of interested parties or the specific interested parties, when the identity is known, to whom the solicitation(s) would be directed, and state why the department believes the parties are interested parties

Amendments to Current Law

The amendments will allow the Board of Supervisors to waive the behested payments prohibition for itself, and will modify the required elements of any waiver resolution to require that the proposed resolution identify the City employees and officers to whom the waiver will apply and state why the parties that would be solicited are interested parties.

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor:



From: [Mathewson, Melanie \(BOS\)](#)
To: [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Ho, Calvin \(BOS\)](#); [RADEZ, KATHLEEN \(CAT\)](#)
Subject: Mandelman Introduction 9/16 Ordinance
Date: Tuesday, September 16, 2025 1:54:34 PM
Attachments: [ORD v2 - Behested Payments BOS.DOCX](#)
[LegDigest - Behested Payments BOS.DOCX](#)
[Introduction Form Mandelman Behested 9-16-25.pdf](#)

Hi Alisa,

Please see attached an ordinance for introduction today - [Ordinance amending the Campaign and Governmental Conduct Code to permit the Board of Supervisors to waive by resolution the requirements of the behested payment ordinance for the Board itself.]

I am cc'ing City Attorney Kathleen Radez to confirm this is approved as to form. Please let me know if you need anything else.

Best,
Melanie

Melanie Mathewson (she/her)

Legislative Aide

Office of Board President Rafael Mandelman, District 8
415-554-7753

From: [Radez, Kathleen \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [Mathewson, Melanie \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Ho, Calvin \(BOS\)](#)
Subject: RE: Mandelman Introduction 9/16 Ordinance
Date: Tuesday, September 16, 2025 2:02:15 PM
Attachments: [image001.png](#)

Hi Jocelyn,

Yes, this is approved as to form and OK to use my electronic signature.

Thanks,

Kathy



Kathleen Vermazen Radez (she/her)

Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-6549 Direct

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Attorney-Client Communication - Do Not Disclose
Confidential Attorney Work Product - Do Not Disclose

This email may contain privileged or confidential information. If you are not the intended recipient, please reply to this email to inform me of your receipt and then destroy all copies.

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, September 16, 2025 1:59 PM
To: Mathewson, Melanie (BOS) <melanie.mathewson@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Ho, Calvin (BOS) <calvin.ho@sfgov.org>; Radez, Kathleen (CAT) <Kathleen.Radez@sfcityatty.org>
Subject: RE: Mandelman Introduction 9/16 Ordinance

We are seeking the approval from Deputy City Attorney Kathleen Vermazen Radez for use of her electronic signature and approval as to form for the attached proposed Ordinance, by reply to this email. Thank you.

Jocelyn Wong

Legislative Clerk

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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From: Mathewson, Melanie (BOS) <melanie.mathewson@sfgov.org>
Sent: Tuesday, September 16, 2025 1:55 PM
To: Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Ho, Calvin (BOS) <calvin.ho@sfgov.org>; RADEZ, KATHLEEN (CAT) <Kathleen.Radez@sfcityatty.org>
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7 KATHLEEN VERMAZEN RADEZ
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