

File No. 241209

Committee Item No. 2

Board Item No. 5

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date April 7, 2025

Board of Supervisors Meeting

Date April 22, 2025

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Information/Vacancies (Boards/Commissions)
- Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date April 3, 2025

Completed by: _____

Date _____

[Administrative Code – ~~Nonprofit Reporting Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations~~]

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Ordinance amending the Administrative Code to change the Annual Economic Statement of City-Funded Organizations requirements to limit the application of nonprofit reporting requirements to organizations receiving more than \$1,000,000 annually, reduce required information types, and permit, for reasons that may compromise personal safety, redaction of information to avoid personal harm. otherwise required in the Annual Economic Statement of City-Funded Organizations.

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. Article I of Chapter 10 of tThe Administrative Code is hereby amended by revising Section 10.1, to read as follows:

SEC. 10.1. ANNUAL ECONOMIC STATEMENT – CITY-FUNDED ORGANIZATIONS.

(a) Every nonprofit corporation, organization, or other legal entity, receiving funding in excess of \$1,000,000 annually from or through the City and County to provide direct services to the public (except local, State, or federal governmental entities) shall file with the City Administrator, or otherwise make publicly available in a manner authorized by the City Administrator, an annual economic statement that includes the following information:

(1) ~~Name of the chief executive officer, employee, or other person possessing daily managerial responsibilities;~~

1 ~~—(2) Name of all officers and directors and the names of all other boards of~~
2 ~~directors on which they serve;~~

3 ~~—(3) Total expenditures during calendar or fiscal year, whichever is applicable; and~~
4 ~~budget for current calendar or fiscal year, whichever is applicable, setting forth the source of~~
5 ~~all monies received or budgeted and a program-by-program description of all monies~~
6 ~~expended or budgeted.~~

7 ~~—(4) A letter from the Internal Revenue Service establishing the current valid~~
8 ~~nonprofit status of the organization or its fiscal sponsor, if applicable;~~

9 ~~—(5) A public copy of the most recent federal tax return filed under Section 990;~~

10 ~~—(6) Verification of current valid registration with the State of California’s Registry of~~
11 ~~Charitable Trusts;~~

12 ~~(7~~2~~)~~ For organizations required by federal, state, or City law to prepare audited
13 financial statements, a copy of the most recent audited financial statement; and

14 ~~(8~~3~~)~~ Such other information or documentation as the City Administrator from
15 time to time determines would be necessary to evaluate and ensure that organizations are
16 qualified to receive City funds.

17 (b) Information and documentation submitted under subsections (a)(1)-~~(2~~8~~3)~~ may be
18 redacted by the organization:

19 ~~(1)~~ to ensure that personal private information is not disclosed in violation of
20 applicable privacy-related laws; *or*

21 ~~(2) to protect personal safety where an organization has a reasonable basis to~~
22 ~~believe disclosure may lead to harm to their~~ whose agents, employees, or officers have received
23 ~~threats of violence in the past year or where an organization performs similar work to other~~
24 ~~organizations whose agents, employees, or officers have received threats of violence in the~~
25 ~~past year.~~

1 (c) The Controller shall periodically review compliance with the requirements of this
2 Section 10.1, and shall report any findings of non-compliance by an organization to the City
3 Administrator, the Mayor, and the Board of Supervisors. The City shall not enter into any new
4 contracts with non-compliant organizations, as determined by the Controller, absent a written
5 finding of public interest and necessity issued jointly by the Controller and the City
6 Administrator.

7 (d) The City Administrator shall ensure that the information received under this
8 Section 10.1 is made publicly accessible.

9 (e) The City Administrator, in consultation with the Controller, may adopt rules and
10 regulations to implement this Section 10.1., including but not limited to, rules establishing a
11 deadline for submission of the annual economic statement, the form of such submission, the
12 manner in which reported information shall be made publicly accessible, and guidelines for
13 the Controller's review of compliance and notice of non-compliance. The amount of
14 \$1,000,000 in subsection (a) is based upon the Federal Single Audit standard found in 2 CFR
15 200.501(b). Should the Federal Single Audit standard threshold amount change, the
16 \$1,000,000 application threshold in this Section 10.1 shall be administratively adjusted to
17 match the revised threshold. Final rules and regulations shall be published on the City
18 Administrator's website and sent to the Clerk of the Board of Supervisors and the Mayor upon
19 adoption.

20
21 Section 2. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
24 of Supervisors overrides the Mayor's veto of the ordinance.
25

1 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the “Note” that appears under
6 the official title of the ordinance.

7

8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: /s/ Gus Guibert
11 Gustin R. Guibert
 Deputy City Attorney

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LEGISLATIVE DIGEST
(Revised 3/24/2025)

[Administrative Code - Nonprofit Reporting]

Ordinance amending the Administrative Code to change the Annual Economic Statement of City-Funded Organizations requirements to limit the application of nonprofit reporting requirements to organizations receiving more than \$1,000,000 annually, reduce required information types, and permit, redaction of information to avoid personal harm.

Existing Law

All nonprofits receiving in excess of \$100,000 in funding from the City to provide direct services to the public must annually provide information relating to the organizations' structure, leadership, and finances, to the City Administrator or to a City Department that awards or monitors the contract or grant.

Amendments to Current Law

The proposed amendment would 1) increase the application threshold to \$1,000,000, 2) remove five types of documentation from the public posting requirements, and 3) create a justification for redacting information from the required documents if the release of information is may lead to personal harm.

Background Information

In 1981, the City adopted in Section 10.1 reporting requirements for nonprofits providing services to the public, which usually are in the form of a grant. These annual reporting requirements, sent to the Board of Supervisors, allowed greater transparency into the operations of nonprofits receiving City funds. In 2000, Section 10.1 was altered to direct the reports to a predecessor of the City Administrator's Office. In 2011, Section 10.1 was changed to allow reports to be sent to awarding departments instead. In 2023, Section 10.1 was modified to allow nonprofits to post reports on websites, add additional required documents, and increase enforcement efforts. An exception for disclosure was added, where nonprofits may redact information if disclosure would violate laws protecting personal privacy.

In 2025, nonprofit representatives voiced concern that the public posting of personal information required under 10.1 could be misused and cause harm to nonprofit personnel. To ameliorate this, the scope of the ordinance has been reduced by monetary threshold and information required, and a personal safety redaction justification has been added.

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Annual Economic Statement Redaction for Personal Safety

Presented to the Board of Supervisors
File 24-1209



CITY & COUNTY OF SAN FRANCISCO

Office of the City Administrator

Background on Annual Economic Statement

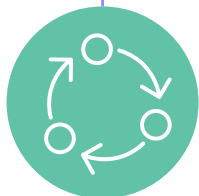
2

Legislative amendments passed in 2023



In 2023, the Board of Supervisors passed amendments to Administrative Code Section 10.1 (Annual Economic Statement – City-Funded Organizations) which required nonprofits who receive more than \$100,000 from the City to make certain information publicly available.

New process implemented in 2024



The Office of the City Administrator, in partnership with the Controller's Office, developed a new process to implement this requirement which asked nonprofits to:

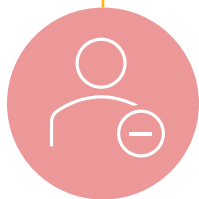
- 1) Post the required information on their public website, and
- 2) Report back to the City that they completed this posting.

Concerns raised from nonprofit community



Several nonprofits contacted the City to report that certain information required by the legislation could compromise personal safety of the organization and their staff.

Redaction legislation introduced



President Mandelman introduced legislation allowing for redaction of information that could compromise public safety, which is here for your consideration today.

Legislation overview & purpose

3

If passed, this legislation would allow nonprofit organizations to **redact** the required Annual Economic Statement information in certain situations:

- “to protect personal safety where an organization whose agents, employees, or officers have **received threats of violence** in the past year”
- “or where an organization performs **similar work to another organization** whose agents, employees, or officers have received threats of violence in the past year.”

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

MEMORANDUM

TO: All City Departments through Adam Thongsavat, Mayor's Office
Carmen Chu, City Administrator, Office of the City Administrator

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: Jan 13, 2024

SUBJECT: LEGISLATION INTRODUCED

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

File No. 241209

Ordinance amending the Administrative Code to permit, for reasons that may compromise personal safety, redaction of information otherwise required in the Annual Economic Statement of City-Funded Organizations.

If you have comments or reports to be included with the file, please forward them to Victor Young 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.

- c. Sophie Hayward, Office of the City Administrator
Vivian Po, Office of the City Administrator
Angela Yip, Office of the City Administrator



City and County of San Francisco

Master Report

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

File Number: 241209 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations **Date Introduced:** 12/17/2024

Requester: _____ **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Ordinance amending the Administrative Code to permit, for reasons that may compromise personal safety, redaction of information otherwise required in the Annual Economic Statement of City-Funded Organizations.

Sponsor: Mandelman

History of Legislative File 241209

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	12/17/2024	ASSIGNED UNDER 30 DAY RULE	Rules Committee	01/16/2025	

1 [Administrative Code - Redacting Information from Annual Economic Statements]

2

3 **Ordinance amending the Administrative Code to permit, for reasons that may**
4 **compromise personal safety, redaction of information otherwise required in the Annual**
5 **Economic Statement of City-Funded Organizations.**

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12 subsections or parts of tables.

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13 revising Section 10.1, to read as follows:

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17 to the public (except local, State, or federal governmental entities) shall file with the City
18 Administrator, or otherwise make publicly available in a manner authorized by the City
19 Administrator, an annual economic statement that includes the following information:

20 (1) Name of the chief executive officer, employee, or other person possessing
21 daily managerial responsibilities;

22 (2) Name of all officers and directors and the names of all other boards of
23 directors on which they serve;

24 (3) Total expenditures during calendar or fiscal year, whichever is applicable;
25 and budget for current calendar or fiscal year, whichever is applicable, setting forth the source

1 of all monies received or budgeted and a program-by-program description of all monies
2 expended or budgeted.

3 (4) A letter from the Internal Revenue Service establishing the current valid
4 nonprofit status of the organization or its fiscal sponsor, if applicable;

5 (5) A public copy of the most recent federal tax return filed under Section 990;

6 (6) Verification of current valid registration with the State of California’s Registry of
7 Charitable Trusts;

8 (7) For organizations required by federal, state, or City law to prepare audited
9 financial statements, a copy of the most recent audited financial statement; and

10 (8) Such other information or documentation as the City Administrator from time to
11 time determines would be necessary to evaluate and ensure that organizations are qualified
12 to receive City funds.

13 (b) Information and documentation submitted under subsections (a)(1)-(8) may be
14 redacted by the organization;

15 (1) to ensure that personal private information is not disclosed in violation of applicable
16 privacy-related laws; or

17 (2) to protect personal safety where an organization whose agents, employees, or officers have
18 received threats of violence in the past year or where an organization performs similar work to another
19 organization whose agents, employees, or officers have received threats of violence in the past year.

20 * * * *

21
22 Section 2. Effective Date. This ordinance shall become effective 30 days after
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
25 of Supervisors overrides the Mayor’s veto of the ordinance.

LEGISLATIVE DIGEST

[Administrative Code - Redacting Information from Annual Economic Statements]

Ordinance amending the Administrative Code to permit, for reasons that may compromise personal safety, redaction of information otherwise required in the Annual Economic Statement of City-Funded Organizations.

Existing Law

All nonprofits receiving in excess of \$100,000 in funding from the City to provide direct services to the public must annually provide information relating to the organizations' structure, leadership, and finances, to the City Administrator or to a City Department that awards or monitors the contract or grant.

Amendments to Current Law

The proposed amendment would create a justification for redacting information from the required documents if the release of information could lead to endangering personal safety.

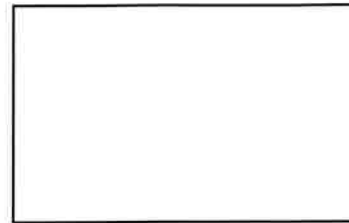
Background Information

In 1981, the City adopted in Section 10.1 reporting requirements for nonprofits providing services to the public, which usually are in the form of a grant. These annual reporting requirements, sent to the Board of Supervisors, allowed greater transparency into the operations of nonprofits receiving City funds. In 2000, Section 10.1 was altered to direct the reports to a predecessor of the City Administrator's Office. In 2011, Section 10.1 was changed to allow reports to be sent to awarding departments instead. In 2023, Section 10.1 was modified to allow nonprofits to post reports on websites, add additional required documents, and increase enforcement efforts. An exception for disclosure was added, where nonprofits may redact information if disclosure would violate laws protecting personal privacy.

The new system was rolled out in 2024, and as the deadline approached, certain nonprofits became aware of the scope of the disclosure and public nature. Nonprofits were concerned that disclosure of individual information could lead to harm to such individuals, as employees working in family planning services and LGBT rights groups have been targeted in the past. To ameliorate this potential harm, the personal privacy redaction justification has been expanded to include redaction to protect personal safety.

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):

Mandelman

Subject:

[Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations]

Long Title or text listed:

Ordinance amending the Administrative Code to permit, for reasons of personal safety, redaction of information otherwise required in the Annual Economic Statement of City-Funded Organizations.

Signature of Sponsoring Supervisor:

From: [Thongsavat, Adam \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Cc: [GUIBERT, GUS \(CAT\)](#); [RUSSI, BRAD \(CAT\)](#); [DeRuff, Henry \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Hayward, Sophie \(ADM\)](#)
Subject: Mandelman Intro [Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations]
Date: Tuesday, December 17, 2024 11:51:47 AM
Attachments: [Legislation - Annual Economic Statement - Nonprofit Reporting Safety Exemption.DOCX](#)
[Legislative Digest.DOCX](#)
[0135_001.pdf](#)

Hi Team,

Today Supervisor Mandelman is introducing an ordinance amending the Administrative Code exempting information that may compromise personal safety from disclosure in annual economic statements.

The following items are attached:

- Legislation as to form
- Legislative digest
- Introduction form

DCA Gus Guibert can confirm the legislation is as to form.

Adam

Adam Thongsavat
Legislative Aide
Office of Supervisor Rafael Mandelman, District 8

From: [Guibert, Gus \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Cc: [RUSSI, BRAD \(CAT\)](#); [DeRuff, Henry \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Hayward, Sophie \(ADM\)](#)
Subject: RE: Mandelman Intro [Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations]
Date: Wednesday, December 18, 2024 11:26:55 AM

Hi Arthur,

I haven't had a short and long title rewritten before. I usually think of clerical edits as things like punctuation or misspellings. I'm guessing this was rewritten because the character count was 3 too many? Apologies. Can we just remove "of Organizations" at the end of the short title instead? See below for preferred short title. This change would also be for the leg digest.

[Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements]

With that change, confirming e-signature and approval as to form.

Gus

Gustin R. Guibert, Deputy City Attorney (he/his)
Office of City Attorney David Chiu
(415) 554-4213 (email preferred)
Gus.Guibert@sfcityatty.org

Please note that I am intermittently working remotely and email is the best way to reach me; if the matter is urgent please indicate the urgency in the subject line of the email. I check only occasionally any voicemail messages left on my direct work line above.

CONFIDENTIAL - ATTORNEY CLIENT PRIVILEGE

The information contained in this email may be confidential and may be subject to the attorney-client privilege and/or the attorney work product doctrine. It is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, dissemination or copying of this communication is strictly prohibited. If you have received this email in error, please delete the original message from your email system. Thank you.

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Wednesday, December 18, 2024 9:45 AM
To: Thongsavat, Adam (BOS) <adam.thongsavat@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>
Cc: Guibert, Gus (CAT) <Gus.Guibert@sfcityatty.org>; Russi, Brad (CAT) <Brad.Russi@sfcityatty.org>; DeRuff, Henry (BOS) <henry.deruff@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Hayward, Sophie (ADM) <sophie.hayward@sfgov.org>

Subject: RE: Mandelman Intro [Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations]

Hello,

Please see attached proof for clerical edits made to the legislation. Kindly confirm if these corrections are acceptable.

We are also seeking e-signature and approval as to form from DCA Guibert.

Regards,

Arthur Khoo

Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-4447 | (415) 554-5163
arthur.khoo@sfgov.org | www.sfbos.org

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: Thongsavat, Adam (BOS) <adam.thongsavat@sfgov.org>

Sent: Tuesday, December 17, 2024 11:52 AM

To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>

Cc: GUIBERT, GUS (CAT) <Gus.Guibert@sfcityatty.org>; RUSSI, BRAD (CAT) <Brad.Russi@sfcityatty.org>; DeRuff, Henry (BOS) <henry.deruff@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Hayward, Sophie (ADM) <sophie.hayward@sfgov.org>

Subject: Mandelman Intro [Administrative Code - Redacting Information That May Compromise Personal Safety From Annual Economic Statements of Organizations]

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Code exempting information that may compromise personal safety from disclosure in annual economic statements.

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Legislative Aide

Office of Supervisor Rafael Mandelman, District 8

[Administrative Code - Redacting Information ~~That May Compromise Personal Safety From~~
Annual Economic Statements ~~of Organizations~~]

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daily managerial responsibilities;

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directors on which they serve;

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2 and budget for current calendar or fiscal year, whichever is applicable, setting forth the source
3 of all monies received or budgeted and a program-by-program description of all monies
4 expended or budgeted.

5 (4) A letter from the Internal Revenue Service establishing the current valid
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21 organization whose agents, employees, or officers have received threats of violence in the past year.

22 * * * *

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2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10

11 APPROVED AS TO FORM:
12 DAVID CHIU, City Attorney

13 By: /s/
14 GUSTIN R. GUIBERT
15 Deputy City Attorney

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