## AMENDED IN COMMITTEE 10/16/25 RESOLUTION NO.

FILE NO. 250902

1	[Behested Payment Waiver - Fundraising for Services Related to Immigration, LGBTQ+ Rights, Environmental Protection, Reproductive Rights, and Racial Equity]
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3	Resolution authorizing the Office of the Mayor, Office of the City Attorney, Office of the
4	City Administrator, and the head of each division, office, and department under the
5	supervision of the City Administrator to solicit donations from various private,
6	nonprofit, philanthropic, and other entities to support 1) the urgent provision of legal
7	services related to the creation and enforcement of immigration laws, regulations, and
8	policies, including litigation and regulatory reform efforts at the local, state, and federal
9	level and non-legal services and support for the City's immigrant communities, 2)
10	goods and services, including legal services, related to defending and supporting
11	LGBTQ+ rights, 3) goods and services, including legal services, related to defending
12	and supporting reproductive rights, 4) goods and services, including legal services,
13	related to defending existing environmental protection laws and promoting
14	environmental protection efforts, and 5) goods and services, including legal services,
15	related to racial equity initiatives, all notwithstanding the Behested Payment
16	Ordinance.
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18	WHEREAS, The City and County of San Francisco ("the City") has a longstanding
19	commitment to advocate for the fair and lawful treatment of all City residents, including hard
20	working people and families, notwithstanding their immigration status; and
21	WHEREAS, The City has long led the country in legal advocacy for the rights of
22	LGBTQ+ individuals and support for the community in a variety of ways, creating a place
23	where LGBTQ+ people feel safe and able to live their lives without fear of violence and
24	discrimination, and making the City home to a large and vibrant LGBTQ+ community; these
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ı	enons include securing equal benefits and marriage equality, and providing health and
2	housing services targeted to support the community; and
3	WHEREAS, The City's laws and policies have made San Francisco a place where
4	people have the freedom to make their own reproductive healthcare decisions without
5	intrusion from the government; the City has advocated for these legal rights through litigation
6	as well as provided financial and other support to promote reproductive freedom; and
7	WHEREAS; The City has numerous policies and initiatives aimed at reducing the City's
8	impact on the environment, including policies to reduce greenhouse gas emissions, conserve
9	water, and reduce solid waste; and the City has pursued legal action to enforce the City's
10	environmental laws and goals; and
11	WHEREAS; The City has a legal framework and numerous programs and policies to
12	remedy the effects of past racial discrimination and to eliminate such discrimination and
13	ensure racial equity for all City residents, including the efforts of the City's Office of Racial
14	Equity, and other initiatives and policies targeted to help underserved communities; and
15	WHEREAS, Consistent with the authority and duty of that office, the City Attorney
16	monitors federal, state, and local laws, regulations, and policies impacting the health, safety,
17	and day-to-day lives of San Franciscans including those related to immigration, LGBTQ+
18	rights, reproductive rights, environmental protection, and racial equity and, as necessary,
19	engages in advocacy and litigation regarding these issues; and
20	WHEREAS, San Francisco's private, nonprofit, and philanthropic community, including
21	members of the legal community, have a proud history of supporting the City in protecting the
22	rights of City residents, the environment, and the fair and equal treatment of all individuals
23	without regard to race; and
24	WHEREAS, While the City Attorney continues these efforts, we know that more

resources will be urgently needed in the near future to ensure that City residents are treated

1	fairly, with dignity, and consistently with local, state, and federal law, and that the City's efforts
2	to protect the environment and promote fair and equal treatment for all people are not
3	undermined; and
4	WHEREAS, In the past, the City Attorney has established successful and innovative
5	public-private partnerships to pursue these aims; and
6	WHEREAS, The City Attorney, Office of the Mayor, and Office of the City Administrator
7	from time to time partner and engage with philanthropic organizations, nonprofits, and private
8	entities including law firms and legal service organizations; and
9	WHEREAS, The Office of the City Attorney, Office of the Mayor, Office of the City
10	Administrator, and the head of each division, office, and department under the City
11	Administrator's supervision may seek to fundraise or engage in philanthropic partnerships with
12	law firms and other entities yet to be identified that may be considered interested parties to
13	one or more of these departments for the purposes identified herein; and
14	WHEREAS, The Office of the Mayor, Office of the City Attorney, Office of the City
15	Administrator, and the head of each division, office, and department under the City
16	Administrator's supervision seek a waiver of the City's Behested Payment Ordinance
17	(Campaign and Governmental Conduct Code, Section 3.600 et seq.) to the extent it restricts
18	the Mayor, City Attorney, City Administrator and employees under the supervision of the
19	Offices of the Mayor, City Attorney, and City Administrator, and the head of each division,
20	office, and department under the City Administrator's supervision from soliciting financial
21	support or in-kind goods or services, from persons or entities that would be considered
22	interested parties, to support (1) the provision of legal services to ensure the fair and lawful

treatment of City residents notwithstanding their immigration status and non-legal services

and support for the City's immigrant communities, (2) goods and services, including legal

services, related to defending and supporting LGBTQ+ rights, (3) goods and services,

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including legal services, related to defending and supporting reproductive rights, (4) goods and services, including legal services, related to defending existing environmental protection laws and promoting environmental protection efforts, and (5) goods and services, including legal services, related to racial equity initiatives; and

WHEREAS, The Board previously granted a 6-month waiver for the purposes described herein (File Nos. 250047), and the need for such waiver persist; and

WHEREAS, The parties receiving this waiver have agreed to report to the Board of Supervisors donations to the City that were solicited under this waiver; such reports will identify the donor, the amount of the donation, and the interested relationship the donor has with the department that solicited the donation; the departments will submit the reports to the Board within 60 days of the expiration of the 6-month period authorized by this waiver; now, therefore, be it

RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct Code, the Board of Supervisors hereby waives application of the Behested Payment Ordinance for a period of six months from the effective date of this Resolution as to the Mayor, City Attorney, City Administrator, officers and employees under the supervision of the Offices of the Mayor, City Attorney, and City Administrator, and the heads of each division, office, and department under the City Administrator's supervision so that they may solicit donations from private, nonprofit, and other organizations and philanthropists to support (1) the provision of legal services to ensure the fair and lawful treatment of City residents notwithstanding their immigration status and non-legal services and support for the City's immigrant communities, (2) goods and services, including legal services, related to defending and supporting LGBTQ+ rights, (3) goods and services, including legal services, related to defending and supporting reproductive rights, (4) goods and services, including legal services, related to defending existing environmental protection laws and promoting environmental

protection efforts, and (5) goods and services, including legal services, related to racial equity initiatives; and, be it FURTHER RESOLVED, That granting this waiver serves the public interest by supporting the Office of the Mayor, Office of the City Attorney, Office of the City Administrator, and the heads of each division, office and department under the City Administrator in the provision of legal services and other support to ensure fair and lawful treatment of all City residents notwithstanding their immigration status, to support and defend LGBTQ+ rights, to support and defend reproductive freedom, to bolster and defend environmental protection efforts, and to protect initiatives that ensure all people are treated fairly regardless of race, at a time when the provision of such services and support may be more urgently required than ever before; and, be it FURTHER RESOLVED, That granting this waiver does not create an appearance of impropriety.