

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: Carol Isen, Director, Department of Human Resources

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*
Board of Supervisors

DATE: March 20, 2024

SUBJECT: Meet and Confer Referral -Campaign and Governmental Conduct Code -
Form 700 (Statement of Economic Interests) Filers

The Board of Supervisors' Rules Committee has received the following substitute Ordinance pending before the Rules Committee. This matter is being **re-referred** to you as it may require the Department of Human Resources to fulfill "**Meet and Confer**" requirements. Please review, assess the impact, provide proper noticing as required, and report back to on the status of the "Meet and Confer" requirement.

File No. 240016 (Ver2)

Ordinance amending the Campaign and Governmental Conduct Code to update and clarify the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for "Proposition Q Filers" (Departmental Purchaser Initiators and Approvers); add the Children and Families First Commission and the Enhanced Infrastructure Financing District Public Financing Authority No. 1 to the list of filers who file with the Ethics Commission; and make non-substantive corrections to the Conflict of Interest Code sections for the Department of Public Works and the Public Utilities Commission.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Mawuli Tugbenyoh, Department of Human Resources



City and County of San Francisco

Master Report

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

File Number: 240016 **File Type:** Ordinance **Status:** Pending Committee Action

Enacted: _____ **Effective:** _____

Version: 2 **In Control:** Rules Committee

File Name: Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filers **Date Introduced:** 03/05/2024

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

Comment: _____ **Title:** Ordinance amending the Campaign and Governmental Conduct Code to update and clarify the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for "Proposition Q Filers" (Departmental Purchaser Initiators and Approvers); add the Children and Families First Commission and the Enhanced Infrastructure Financing District Public Financing Authority No. 1 to the list of filers who file with the Ethics Commission; and make non-substantive corrections to the Conflict of Interest Code sections for the Department of Public Works and the Public Utilities Commission.

Sponsor: Chan

History of Legislative File 240016

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	01/09/2024	ASSIGNED UNDER 30 DAY RULE	Rules Committee	02/08/2024	
1	Clerk of the Board	01/25/2024	REFERRED TO DEPARTMENT <i>Referred to Ethics Commission for informational purposes.</i>			
2	President	03/05/2024	SUBSTITUTED AND ASSIGNED <i>Supervisor Chan introduced a substitute Ordinance bearing a new title.</i>	Rules Committee		

1 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests)
2 Filers]

3 **Ordinance amending the Campaign and Governmental Conduct Code to update and**
4 **clarify the Conflict of Interest Code’s Form 700 (Statement of Economic Interests) filing**
5 **requirements for “Proposition Q Filers” (Departmental Purchaser Initiators and**
6 **Approvers); add the Children and Families First Commission and the Enhanced**
7 **Infrastructure Financing District Public Financing Authority No. 1 to the list of filers**
8 **who file with the Ethics Commission; and make non-substantive corrections to the**
9 **Conflict of Interest Code sections for the Department of Public Works and the Public**
10 **Utilities Commission.**

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

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

19 Section 1. Article III, Chapter 1 of the Campaign and Governmental Conduct Code is
20 hereby amended by revising Sections 3.1-103, 3.1-365, 3.1-370; and adding new Sections
21 3.1-109 and 3.1-219, to read as follows:

22 **SEC. 3.1-103. FILING OFFICERS.**

23 Persons holding designated positions shall file the specified statements, declarations,
24 and certificates with the filing officers designated in this Section 3.1-103.

25 (a) **MEMBERS OF BOARDS AND COMMISSIONS.**

1 (1) Members of the following boards and commissions shall file their Form 700
2 Statements of Economic Interests, Sunshine Ordinance Declarations, and Certificates of
3 Ethics Training with the Ethics Commission:

4 Access Appeals Commission

5 * * * *

6 Building Inspection Commission

7 Children and Families First Commission

8 Children, Youth and Their Families, Oversight and Advisory Committee

9 * * * *

10 Elections Commission

11 Enhanced Infrastructure Financing District Public Financing Authority No. 1

12 Entertainment Commission

13 * * * *

14 **SEC. 3.1-109. ~~REPEALED-DELEGATED DEPARTMENTAL PURCHASER (PROP Q)~~**
15 **INITIATORS AND APPROVERS.**

16 Disclosure Category Q. Unless otherwise specified in this Chapter 1, Persons designated by
17 their department as a Delegated Departmental Purchase Initiator or Approver under Proposition Q
18 (November 1993) (“Prop Q”) shall disclose all investments and business positions in any business
19 entity, as well as income or gifts received from any business entity, which does business subject to Prop
20 Q with the Person’s department, or has done business subject to Prop Q with the Person’s department
21 within the reporting period covered by the disclosure statement.

22
23 **SEC. 3.1-219. ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC**
24 **FINANCING AUTHORITY NO. 1.**

25 Designated Positions

Disclosure Categories

1 ~~Public Information Officer, Outreach and~~
2 ~~Enforcement~~ †
3 ~~Public Relations Assistant, Outreach and~~
4 ~~Enforcement~~ †
5 * * * *

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

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

19 APPROVED AS TO FORM:
20 DAVID CHIU, City Attorney

21 By: _____
22 ANA FLORES
23 Deputy City Attorney

23 n:\legana\as2024\2300353\01739819.docx

24
25

LEGISLATIVE DIGEST
(Substituted, 03/05/2024)

[Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filers]

Ordinance amending the Campaign and Governmental Conduct Code to update and clarify the Conflict of Interest Code’s Form 700 (Statement of Economic Interests) filing requirements for “Proposition Q Filers” (Departmental Purchaser Initiators and Approvers); add the Children and Families First Commission and the Enhanced Infrastructure Financing District Public Financing District No. 1 to the list of filers who file with the Ethics Commission; and make non-substantive corrections to the Conflict of Interest Code sections for the Department of Public Works and the Public Utilities Commission.

Existing Law

The Political Reform Act of 1974, California Government Code section 87300, et seq., requires that San Francisco adopt a Conflict of Interest Code and review and update the Code every two years. The City’s Conflict of Interest Code is set forth in Article III, Chapter 1 of the Campaign and Governmental Conduct Code. The Code designates those City officials and employees who periodically must file public statements disclosing their personal financial interests. The Code also specifies the types of financial interests – i.e., disclosure categories – that designated officials and employees must disclose.

Amendments to Current Law

The proposed amendments to the Conflict of Interest Code update and clarify the Conflict of Interest Code’s Form 700 requirements for Proposition Q Filers (Departmental Purchaser Initiators and Approvers). The proposed amendments add a new section of filers for the Enhanced Infrastructure Financing District Public Financing District No. 1. The proposed amendments also add the Children and Families First Commission and the Enhanced Infrastructure Financing District Public Financing District No. 1 to the list of filers who file with the Ethics Commission and make non-substantive corrections to the Conflict of Interest Code sections for the Department of Public Works and the Public Utilities Commission.

The proposed amendments amend the sections of the Conflict of Interest Code governing the following local agencies:

- Public Utilities Commission
- Public Works

Background Information

The City's Conflict of Interest Code must list those employees and officers who make or participate in the making of governmental decisions on behalf of the City. Cal. Gov. Code §§ 87300, 87302(a).

A City employee or officer "makes a governmental decision" when she: (1) votes on a matter; (2) appoints a person; (3) obligates or commits his or her agency to any course of action; or (4) enters into any contractual agreement on behalf of his or her agency. Cal. Code Regs. § § 18704(a). A City employee or officer "participates in making a governmental decision" when she directly, without significant substantive review, provides information, an opinion, or a recommendation for the purpose of affecting a government decision. *Id.* at § 18704(b). The City's Conflict of Interest Code should not include employees who carry out solely clerical or ministerial tasks. *Id.* at § 18704(d)(1).

From: [Hsieh, Frances \(BOS\)](#)
To: [Young, Victor \(BOS\)](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [BOS Legislation, \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: RE: Revision to File No. 240016 Question
Date: Tuesday, March 5, 2024 12:58:32 PM

That's the plan!

Frances Hsieh | 謝令宜
Office of Supervisor Connie Chan
San Francisco Board of Supervisors, District 1
(415) 554-7410

From: Young, Victor (BOS) <victor.young@sfgov.org>
Sent: Tuesday, March 5, 2024 12:54 PM
To: Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>
Cc: PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>
Subject: RE: Revision to File No. 240016 Question

Frances:

Can I assume that the substitute will be introduced at today's BOS meeting? thanks.

Victor Young
Assistant Clerk
Board of Supervisors
phone 415-554-7723 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org

From: Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>
Sent: Tuesday, March 5, 2024 12:48 PM
To: Young, Victor (BOS) <victor.young@sfgov.org>
Cc: PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; Canning, Michael (ETH) <michael.a.canning@sfgov.org>; RUSSI, BRAD (CAT) <Brad.Russi@sfcityatty.org>; FLORES, ANA (CAT) <Ana.Flores@sfcityatty.org>
Subject: FW: Revision to File No. 240016 Question

Hello Mr. Clerk,

Attached, please find substitute legislation for file 240016. Please let me know if you have any questions or need anything further.

Thanks,
Frances

Frances Hsieh | 謝令宜
Office of Supervisor Connie Chan
San Francisco Board of Supervisors, District 1
(415) 554-7410

From: [Flores, Ana \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Young, Victor \(BOS\)](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [BOS Legislation, \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: RE: Revision to File No. 240016 Question
Date: Tuesday, March 5, 2024 1:20:14 PM

Hello – This is approved.

Ana Flores (she/her)
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4661 Direct
Ana.flores@sfcityatty.org

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, March 5, 2024 1:03 PM
To: Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>
Cc: Pearson, Anne (CAT) <Anne.Pearson@sfcityatty.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Flores, Ana (CAT) <Ana.Flores@sfcityatty.org>
Subject: RE: Revision to File No. 240016 Question

Hi Frances,

We are seeking the approval from Deputy City Attorney Ana Flores for use of her electronic signature of the attached substitute, 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.

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: Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>
Sent: Tuesday, March 5, 2024 12:58 PM
To: Young, Victor (BOS) <victor.young@sfgov.org>
Cc: PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>
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Frances Hsieh | 謝令宜

Office of Supervisor Connie Chan

San Francisco Board of Supervisors, District 1

(415) 554-7410

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21 Q with the Person's department, or has done business subject to Prop Q with the Person's department
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23
24 **SEC. 3.1-219. ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC**
25 **FINANCING AUTHORITY NO. 1.**

1 ~~Apprentice Programs Section Manager~~ ±
2 ~~Public Information Officer, Outreach and~~
3 ~~Enforcement~~ ±
4 ~~Public Relations Assistant, Outreach and~~
5 ~~Enforcement~~ ±
6 * * * *

8 Section 2. Effective Date. This ordinance shall become effective 30 days after
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
11 of Supervisors overrides the Mayor's veto of the ordinance.

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14 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17 additions, and Board amendment deletions in accordance with the "Note" that appears under
18 the official title of the ordinance.

20 APPROVED AS TO FORM:
21 DAVID CHIU, City Attorney

22 By: _____
23 ANA FLORES
24 Deputy City Attorney

25 n:\legana\as2024\2300353\01739819.docx