



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

June 29, 2016

Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place Room 244
San Francisco, CA 94102-4689

RE: File 160583 – Charter amendment establishing an elected Office of the Public Advocate

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, it would result in a significant increase in the cost of government.

Beginning in fiscal year 2017-18, there would be a new cost of approximately \$2.4 million annually under a budget set-aside required to fund a new Office of the Public Advocate, and this cost would increase or decrease at the same rate as the City budget going forward.

The proposed amendment would also move three existing functions from other City departments and place them under the Public Advocate. These are; the Office of Citizen Complaints which investigates citizen complaints regarding the Police, the Office of Labor Standards Enforcement which enforces and investigates complaints regarding violations of the City's wage and other labor laws, and the Controller's Whistleblower Program which investigates complaints regarding any misuse of public resources. Taken together, these functions are now budgeted at approximately \$12.8 million. The overall budget for the Office of the Public Advocate including the new set-aside and the budget requirements based on existing functions would be approximately \$15.2 million annually.

The proposed amendment requires a citywide special election in November 2017 at which the Public Advocate would be elected for an initial two year term. Thereafter, the Office of the Public Advocate would be included in the citywide four year election cycle beginning in November 2020 and would serve four year terms. The additional citywide special election would have a one-time cost of approximately \$4 million in the fiscal year 2017-18 budget.

The new required budget set-aside for the Public Advocate is set at three one-hundredths of one percent (0.03%) of the City budget, approximately \$2.4 million as of fiscal year 2016-2017. The amendment also reduces the existing budget set-aside of the Controller's City Services Auditor approved by voters in 2003 from two tenths of one percent (0.2%) to (0.1914%), a change equal to approximately \$688,000 as of the current budget.

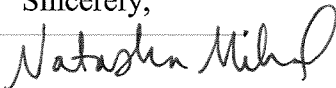
The proposed new Office of the Public Advocate would have a variety of powers to review, investigate and make recommendations regarding the City's public information programs, complaint resolution processes, and its management, contracting and employment practices. The authority and responsibility to perform these functions currently exists in various City departments. The proposed amendment does not substantially change these existing responsibilities. The Public Advocate would have the authority to introduce legislation.

The salary for the new Public Advocate would be set at the average of the other citywide elected officials—approximately \$216,000 annually based on current rates.

This proposed amendment is not in compliance with a non-binding, voter-adopted city policy regarding set-asides. The policy seeks to limit set-asides which reduce General Fund dollars that could otherwise be allocated by the Mayor and the Board of Supervisors in the annual budget process.

Note that the proposed amendment would change the budget, powers and duties of the Controller's Office, which has prepared this statement.

Sincerely,



for Ben Rosenfield
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.