

1 [Behested Payment Waiver - Economic Revitalization Efforts]

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3 **Resolution authorizing a six-month waiver of the City's Behested Payments Ordinance**
4 **for the Mayor, members of the Mayor's Office, and the Executive Director of the Office**
5 **of Economic and Workforce Development to solicit donations from nonprofits, private**
6 **organizations, grantmakers, foundations, and other persons and entities for the**
7 **purpose of supporting the continued economic revitalization of San Francisco,**
8 **pursuant to Section 3.620(f) of the Campaign and Governmental Conduct Code.**
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10 WHEREAS, San Francisco has a beautiful and historic downtown area that has long
11 been a connective hub for business, culture, and innovation; and

12 WHEREAS, San Francisco's downtown area is vital to the City's overall health and
13 vibrancy – many residents work, transact business, or live in the area, and it remains a
14 popular destination for both domestic and international visitors; and

15 WHEREAS, San Francisco and its downtown area have faced unprecedented
16 challenges resulting in part from the Covid-19 pandemic, including a rise in homelessness, the
17 closure of businesses, an increased number of residents living in or near poverty, a lack of
18 affordable housing, and residents relocating out of the City; and

19 WHEREAS, While the City has in place numerous policies and initiatives aimed at
20 encouraging a thriving economy in the downtown area and beyond, more resources are
21 urgently needed to make sure the downtown area can be clean, safe, and thriving; and

22 WHEREAS, The City is aware of various charitable public benefit corporations, such as
23 the San Francisco Downtown Development Corporation, that aim to help revitalize San
24 Francisco and specifically its downtown area, to ensure that residents, businesses, and
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1 visitors have a safe, clean, dynamic, economically vibrant, and innovative place to live, work,
2 play, and conduct business; and

3 WHEREAS, These nonprofit entities generally intend to accomplish this mission by
4 making the City safer and more welcoming for residents and visitors, ensuring and
5 maintaining clean public spaces, increasing foot traffic for local businesses, enhancing cultural
6 and arts programming, using financial resources to support local businesses and projects, and
7 researching and implementing other measures aimed at revitalizing the City and its downtown
8 area, including projects in partnership with the City and projects that may become owned or
9 maintained by the City; and

10 WHEREAS, These nonprofit entities are fundraising for these efforts, and the City is
11 generally supportive of these efforts and their potential; and

12 WHEREAS, The parties seeking this waiver have not yet identified any specific
13 interested parties who they intend to solicit under this waiver; in the past, the City has
14 collaborated with other nonprofit organizations, private entities, grantmakers, foundations,
15 businesses, and other entities, including through contracts or grants or permits, and the
16 parties seeking this waiver may solicit such entities and individuals affiliated with such entities,
17 who may be interested parties under the Behested Payments Ordinance based on lobbying
18 contacts with the departments in the past 12 months or other grounds; and

19 WHEREAS, The Board of Supervisors has previously waived the Behested Payments
20 Ordinance under Section 3.620(f) to enable the Mayor and relevant officials to support the
21 continued economic revitalization of San Francisco including the downtown area, and the
22 Mayor and relevant officials have committed to transparency and accountability by complying
23 with all applicable reporting requirements; and

1 WHEREAS, More than 50 million dollars have been pledged to support downtown
2 revitalization through the San Francisco Downtown Development Corporation's private
3 fundraising efforts; and

4 WHEREAS, The parties receiving this waiver have agreed to report to the Board of
5 Supervisors donations to the City and any third party that were solicited under this waiver;
6 such reports will identify the donor, the amount of the donation, the party that received the
7 donation, and the interested relationship the donor has with the department that solicited the
8 donation; the departments will submit the reports to the Board within 60 days of the expiration
9 of the six-month period authorized by this waiver; and

10 WHEREAS, This waiver will likewise serve the public interest and does not create an
11 appearance of impropriety; now, therefore, be it

12 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
13 Code, the Board of Supervisors hereby approves the waiver of the Behested Payments
14 Ordinance for six months authorizing the Mayor; the Mayor's Chief of Staff; the Deputy Chief
15 of Staff; the Director of Communications & Public Affairs; the Chief of Protocol; the Director of
16 Strategic Partnerships; and the Policy Chiefs (Health, Homelessness & Family Services,
17 Housing & Economic Development, Infrastructure, Climate & Mobility, and Public Safety), the
18 Executive Director of the City's Office of Economic and Workforce Development (OEWD), and
19 each of their direct reports, to solicit donations from nonprofit organizations, private entities,
20 grantmakers, foundations, businesses, and other entities, and individuals affiliated with such
21 organizations and entities to support the continued economic revitalization of San Francisco
22 including the downtown area; and, be it

23 FURTHER RESOLVED, That this waiver shall expire six months after the effective date
24 of this Resolution; and, be it

1 FURTHER RESOLVED, That this waiver continues to be subject to the City's rules and
2 policies governing transparency and disclosure, including annual reporting to the Board of
3 Supervisors and other applicable requirements.
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