

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

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Jackie Fielder, Chair
Government Audit and Oversight Committee

FROM: Monique Crayton, Assistant Clerk

DATE: February 7, 2025

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, February 11, 2025

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, February 11, 2025. This resolution was acted upon at the regular Government Audit and Oversight Committee meeting on Thursday, February 6, 2025, at 10:00 a.m., by the votes indicated.

Item No. 25 File No. 250047

Resolution authorizing the Office of the Mayor, Office of the City Attorney, and Office of the City Administrator, and the head of each division, office, and department under the supervision of the City Administrator, to solicit donations from various private, nonprofit, philanthropic, and other entities to support 1) the urgent provision of legal services related to the creation and enforcement of immigration laws, regulations, and policies, including litigation and regulatory reform efforts at the local, state, and federal level 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, all notwithstanding the Behested Payment Ordinance.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

Vote: Supervisor Jackie Fielder - Aye
Supervisor Danny Sauter - Aye
Supervisor Stephen Sherrill - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board

Alisa Somera, Legislative Deputy
Brad Russi, Deputy City Attorney

File No. 250047

Committee Item No. 1

Board Item No. 25

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: February 6, 2025

Board of Supervisors Meeting:

Date: February 11, 2025

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution – Ver 2
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract / DRAFT Mills Act Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>FYI Referral 012125</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Comm Rpt Rqst Memo 020425</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>

Prepared by: Monique Crayton

Date: February 7, 2025

Prepared by:

Date:

Prepared by:

Date:

1 [Fundraising for Services Related to Immigration, LGBTQ+ Rights, Environmental Protection,
2 Reproductive Rights, and Racial Equity - Behested Payment Waiver]

3 **Resolution authorizing the Office of the Mayor, Office of the City Attorney, and Office of**
4 **the 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.**

17
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
25

1 efforts 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 residents of the City, the environment, and the fair and equal treatment of all
23 individuals without regard to race; and

24 WHEREAS, While the City Attorney continues these efforts, we know that more
25 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
23 treatment of City residents notwithstanding their immigration status and non-legal services
24 and support for the City's immigrant communities, (2) goods and services, including legal
25 services, related to defending and supporting LGBTQ+ rights, (3) goods and services,

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

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

11 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
12 Code, the Board of Supervisors hereby waives application of the Behested Payment
13 Ordinance as to the Mayor, City Attorney, City Administrator, officers and employees under
14 the supervision of the Offices of the Mayor, City Attorney, and City Administrator, and the
15 heads of each division, office, and department under the City Administrator's supervision so
16 that they may solicit donations from private, nonprofit, and other organizations and
17 philanthropists to support (1) the provision of legal services to ensure the fair and lawful
18 treatment of City residents notwithstanding their immigration status and non-legal services
19 and support for the City's immigrant communities, (2) goods and services, including legal
20 services, related to defending and supporting LGBTQ+ rights, (3) goods and services,
21 including legal services, related to defending and supporting reproductive rights, (4) goods
22 and services, including legal services, related to defending existing environmental protection
23 laws and promoting environmental protection efforts, and (5) goods and services, including
24 legal services, related to racial equity initiatives; and, be it
25

1 FURTHER RESOLVED, That granting this waiver serves the public interest by
2 supporting the Office of the Mayor, Office of the City Attorney, and Office of the City
3 Administrator, and division, office and department heads under the City Administrator in the
4 provision of legal services and other support to ensure fair and lawful treatment of all City
5 residents notwithstanding their immigration status, to support and defend LGBTQ+ rights, to
6 support and defend reproductive freedom, to bolster and defend environmental protection
7 efforts, and to protect initiatives that ensure all people are treated fairly regardless of race, at
8 a time when the provision of such services and support may be more urgently required than
9 ever before; and, be it

10 FURTHER RESOLVED, That granting this waiver does not create an appearance of
11 impropriety.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Adam Thongsavat, Office of the Mayor
Brad Russi, Deputy City Attorney, Office of the City Attorney
Carmen Chu, City Administrator, Office of the City Administrator

FROM: Monique Crayton, Assistant Clerk, Government Audit and Oversight Committee

DATE: January 21, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following Resolution request, introduced by Supervisor Mandelman on January 14, 2025:

File No. 250047

Resolution authorizing the Office of the Mayor, Office of the City Attorney, and Office of the City Administrator, and the head of each division, office, and department under the supervision of the City Administrator, to solicit donations from various private, nonprofit, philanthropic, and other entities to support 1) the urgent provision of legal services related to the creation and enforcement of immigration laws, regulations, and policies, including litigation and regulatory reform efforts at the local, state, and federal level 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, all notwithstanding the Behested Payment Ordinance.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: monique.crayton@sfgov.org.

CC:
Office of Supervisor Mandelman
Sophie Hayward, Office of the City Administrator

Vivian Po, Office of the City Administrator
Angela Yip, Office of the City Administrator

1 [Fundraising for Services Related to Immigration, LGBTQ+ Rights, Environmental Protection,
2 Reproductive Rights, and Racial Equity - Behested Payment Waiver]

3 **Resolution authorizing the Office of the Mayor, Office of the City Attorney, and Office of**
4 **the 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.**

17
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
25

1 efforts 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 residents of the City, the environment, and the fair and equal treatment of all
23 individuals without regard to race; and

24 WHEREAS, While the City Attorney continues these efforts, we know that more
25 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
23 treatment of City residents notwithstanding their immigration status and non-legal services
24 and support for the City's immigrant communities, (2) goods and services, including legal
25 services, related to defending and supporting LGBTQ+ rights, (3) goods and services,

1 including legal services, related to defending and supporting reproductive rights, (4) goods
2 and services, including legal services, related to defending existing environmental protection
3 laws and promoting environmental protection efforts, and (5) goods and services, including
4 legal services, related to racial equity initiatives; now, therefore, be it

5 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
6 Code, the Board of Supervisors hereby waives application of the Behested Payment
7 Ordinance as to the Mayor, City Attorney, City Administrator, officers and employees under
8 the supervision of the Offices of the Mayor, City Attorney, and City Administrator, and the
9 heads of each division, office, and department under the City Administrator's supervision so
10 that they may solicit donations from private, nonprofit, and other organizations and
11 philanthropists to support (1) the provision of legal services to ensure the fair and lawful
12 treatment of City residents notwithstanding their immigration status and non-legal services
13 and support for the City's immigrant communities, (2) goods and services, including legal
14 services, related to defending and supporting LGBTQ+ rights, (3) goods and services,
15 including legal services, related to defending and supporting reproductive rights, (4) goods
16 and services, including legal services, related to defending existing environmental protection
17 laws and promoting environmental protection efforts, and (5) goods and services, including
18 legal services, related to racial equity initiatives; and, be it

19 FURTHER RESOLVED, That granting this waiver serves the public interest by
20 supporting the Office of the Mayor, Office of the City Attorney, and Office of the City
21 Administrator, and division, office and department heads under the City Administrator in the
22 provision of legal services and other support to ensure fair and lawful treatment of all City
23 residents notwithstanding their immigration status, to support and defend LGBTQ+ rights, to
24 support and defend reproductive freedom, to bolster and defend environmental protection
25 efforts, and to protect initiatives that ensure all people are treated fairly regardless of race, at

1 a time when the provision of such services and support may be more urgently required than
2 ever before; and, be it

3 FURTHER RESOLVED, That granting this waiver does not create an appearance of
4 impropriety.

DATE: February 4, 2025

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Jackie Fielder, Chair, Government Audit and Oversight
Committee

RE: Government Audit and Oversight Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of Government Audit and Oversight Committee, I have deemed the following matter is of an urgent nature and request that it be considered by the full Board on Tuesday, February 11, 2025, as a Committee Report:

1. **File No. 250047** - [Fundraising for Services Related to Immigration, LGBTQ+ Rights, Environmental Protection, Reproductive Rights, and Racial Equity - Behested Payment Waiver]

This matter will be heard in the Government Audit and Oversight Committee at a regular Meeting on Thursday, February 6, 2025, at 10:00 a.m.

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:

[Fundraising for Services Related to Immigration, LGBTQ+ Rights, Environmental Protection, Reproductive Rights, and Racial Equity - Behested Payment Waiver]

Long Title or text listed:

Resolution authorizing the Office of the Mayor, Office of the City Attorney, and Office of the City Administrator, and the head of each division, office, and department under the supervision of the City Administrator to solicit donations from various private, nonprofit, philanthropic, and other entities to support 1) the urgent provision of legal services related to the creation and enforcement of immigration laws, regulations, and policies, including litigation and regulatory reform efforts at the local, state, and federal level 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, all notwithstanding the Behested Payment Ordinance.

Signature of Sponsoring Supervisor:

