

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Interim Director Carla Short, Public Works

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: April 4, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

**File No. 220315**

**Ordinance amending the Administrative Code to require the Department of Public Works to provide the new Department of Sanitation and Streets with administrative support, including human resources, performance management, finance, budgeting, technology, emergency planning, training, and employee safety services; and amending the Campaign and Governmental Conduct Code to require Public Works Commissioners, Sanitation and Streets Commissioners, and the Director of Sanitation and Streets to file Form 700 (Statement of Economic Interests).**

If you have 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: [victor.young@sfgov.org](mailto:victor.young@sfgov.org).

cc: Vivian Po, Office of the City Administrator  
Rachel Alonso, Office of the City Administrator  
David Steinberg, Public Works  
Bryan Dahl, Public Works  
Lena Liu, Public Works

1 [Administrative, Campaign and Governmental Conduct Codes - Administrative Support for  
 2 Sanitation and Streets Department; Form 700 Filing Requirements for Public Works  
 Commission, Sanitation and Streets Commission, and Director of Sanitation and Streets]

3  
 4 **Ordinance amending the Administrative Code to require the Department of Public**  
 5 **Works to provide the new Department of Sanitation and Streets with administrative**  
 6 **support, including human resources, performance management, finance, budgeting,**  
 7 **technology, emergency planning, training, and employee safety services; and**  
 8 **amending the Campaign and Governmental Conduct Code to require Public Works**  
 9 **Commissioners, Sanitation and Streets Commissioners, and the Director of Sanitation**  
 10 **and Streets to file Form 700 (Statement of Economic Interests).**

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. Background and Findings.

20 (a) On November 3, 2020, the voters approved Proposition B, which amended the  
 21 Charter to create a Department of Sanitation and Streets (“Department”) to succeed to  
 22 specific duties then and presently performed by the Department of Public Works, and a  
 23 Sanitation and Streets Commission (“Commission”) to oversee the Department, as well as a  
 24 Public Works Commission to oversee the Department of Public Works.

25 (b) On December 14, 2021, the Board of Supervisors approved Motion No. M21-181  
 establishing July 1, 2022, as the “Transition Date,” which, according to Charter Section

1 4.139(d), added by Proposition B, dictates various deadlines relating to the establishment of  
2 the Commission and the Department.

3 (c) Pursuant to Charter Section 4.138(a), the Department “shall come into existence  
4 three months after the Transition Date for the Sanitation and Streets Commission in Section  
5 4.139(d).”

6 (d) Pursuant to Charter Section 4.138(d), also added by Proposition B, no later than  
7 the Transition Date, the Board of Supervisors shall, by ordinance, require “the City  
8 Administrator, the Department of Public Works, and/or any other City department to provide  
9 administrative support for the Department, which shall include but need not be limited to  
10 human resources, performance management, finance, budgeting, technology, emergency  
11 planning, training, and employee safety services.” In addition, Section 4.138(d) states that  
12 “any time more than two years and three months after the Transition Date, the Board of  
13 Supervisors may adopt ordinances requiring the Department ... to assume responsibility for  
14 some or all of that administrative support.”

15  
16 Section 2. Chapter 2A of the Administrative Code is hereby amended by adding Article  
17 XXVIII, consisting of Section 2A.440, to read as follows:

18 **ARTICLE XXVIII: DEPARTMENT OF SANITATION AND STREETS**

19 **SEC. 2A.440. DEPARTMENT OF SANITATION AND STREETS.**

20 (a) In accordance with Charter Section 4.138, there shall be a Department of Sanitation and  
21 Streets, which shall come into existence on October 1, 2022. The Department shall be headed by the  
22 Director of Sanitation and Streets, in accordance with Charter Section 4.138.

23 (b) In accordance with Charter Section 4.138(d), starting July 1, 2022, and notwithstanding  
24 any contrary provisions of the Municipal Code, the Department of Public Works shall provide  
25 administrative support for the Department of Sanitation and Streets, which shall include human

1 resources, performance management, finance, budgeting, technology, emergency planning, training,  
 2 and employee safety services. Nothing herein shall preclude the Director of Sanitation and Streets from  
 3 exercising the powers of a department head as specified in Administrative Code Section 2A.30 and  
 4 Charter Section 4.126, or from negotiating or implementing agreements with other City departments to  
 5 provide, receive, or share administrative support services, including those described in the preceding  
 6 sentence, unless otherwise prohibited by the Charter or the Municipal Code.

7  
 8 Section 3. Article III, Chapter 1 of the Campaign and Governmental Conduct Code is  
 9 hereby amended by revising Section 3.1-252 and renumbering that section as Section 3.1-  
 10 370, and adding Section 3.1-412, to read as follows:

11 ~~SEC.3.1-252.~~ SEC. 3.1-370. GENERAL SERVICES AGENCY— PUBLIC WORKS.

<b><i>Designated Positions</i></b>	<b><i>Disclosure Categories</i></b>
<b><i>Commission</i></b>	
<i>Public Works Commission, Member</i>	<u>1</u>

15 ***Department-wide***  
 16 \* \* \* \*

17 SEC. 3.1-412. SANITATION AND STREETS.

<b><i>Designated Positions</i></b>	<b><i>Disclosure Categories</i></b>
<b><i>Commission</i></b>	
<i>Sanitation and Streets Commission, Member</i>	<u>1</u>
<b><i>Department-wide</i></b>	
<i>Director</i>	<u>1</u>

23  
 24 Section 4. Effective Date. This ordinance shall become effective 30 days after  
 25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
2 of Supervisors overrides the Mayor's veto of the ordinance.

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4 Section 5. Operative Date. This ordinance shall become operative on July 1, 2022, or  
5 on its effective date, whichever is later. If the ordinance becomes operative on its effective  
6 date, it shall be retroactive to July 1, 2022.

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8 APPROVED AS TO FORM:  
9 DAVID CHIU, City Attorney

10 By: /s/ \_\_\_\_\_  
11 CHRISTOPHER TOM  
12 Deputy City Attorney

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