

File No. 220315

Committee Item No. 1

Board Item No. 5

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date May 9, 2022

Board of Supervisors Meeting

Date May 24, 2022

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
xx <input type="checkbox"/>	<input type="checkbox"/>	Ordinance
xx <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 type="checkbox"/>	<input type="checkbox"/>	Introduction Form
x <input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	Memorandum of Understanding (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/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"/>	Form 700
<input type="checkbox"/>	<input type="checkbox"/>	Information/Vacancies (Boards/Commissions)
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Completed by: Victor Young Date May 5, 2022

Completed by: _____ Date _____

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

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).

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

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

Section 1. Background and Findings.

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

(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

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

Section 3. Article III, Chapter 1 of the Campaign and Governmental Conduct Code is hereby amended by revising Sections 3.1-103, and 3.1-252, and renumbering Section 3-1.252 as Section 3.1-370, and adding Section 3.1-412, to read as follows:

SEC. 3.1-103. FILING OFFICERS.

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

(a) MEMBERS OF BOARDS AND COMMISSIONS.

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

* * * *

Port Commission

Public Works Commission

* * * *

San Francisco Public Utilities Commission

Sanitation and Streets Commission

* * * *

(b) DEPARTMENT HEADS.

(1) The following department heads of City agencies shall file their Form 700 Statements of Economic Interests, Sunshine Ordinance Declarations, and Certificates of Ethics Training with the Ethics Commission:

* * * *

San Francisco Public Utilities Commission, General Manager

Sanitation and Streets, Director

* * * *

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

Designated Positions ***Disclosure Categories***

Commission

Public Works Commission, Member 1

Department-wide

* * * *

SEC. 3.1-412. SANITATION AND STREETS.

Designated Positions **Disclosure Categories**

Commission

Sanitation and Streets Commission, Member 1

Department-wide

Director 1

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
CHRISTOPHER TOM
Deputy City Attorney

n:\legana\as2022\2100488\01595176.docx

REVISED LEGISLATIVE DIGEST

(Substituted, 4/26/2022)

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

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).

Existing Law

On November 3, 2020, the voters approved Proposition B, which amended the Charter to create a Department of Sanitation and Streets ("Department") to succeed to specific duties then and presently performed by the Department of Public Works, and a Sanitation and Streets Commission ("Commission") to oversee the Department, as well as a Public Works Commission to oversee the Department of Public Works. Proposition B added Charter sections 4.138, 4.139, 4.140, and 4.141.

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 4.139(d), dictates various deadlines relating to the establishment of the Commission and the Department. Pursuant to Charter Section 4.138(a), the Department "shall come into existence three months after the Transition Date for the Sanitation and Streets Commission in Section 4.139(d)." Based on the Transition date, this is October 1, 2022.

Pursuant to Charter Section 4.138(d), no later than the Transition Date, the Board of Supervisors shall, by ordinance, require "the City Administrator, the Department of Public Works, and/or any other City department to provide administrative support for the Department." The Board may direct the Department to take on these administrative support obligations "any time more than two years and three months after the Transition Date."

Under the Campaign and Governmental Conduct Code, every elected official and public employee who makes or influences governmental decisions is required to submit a Statement of Economic Interest, also known as the Form 700.

Amendments to Current Law

This ordinance would provide that the Department of Public Works shall provide administrative support for the Department of Sanitation and Streets.

This ordinance would also require that commissioners on the Sanitation and Streets Commission, and Public Works Commission file a Form 700. It would also require the Director of Sanitation and Streets to file a Form 700.

n:\legana\as2022\2100488\01591421.docx



San Francisco Office of the City Administrator

Proposition B Administrative Services Ordinance

Administrative, Campaign and Governmental Conduct Codes -
Administrative Support for Sanitation and Streets Department;
Form 700 Filing Requirements for Public Works Commission,
Sanitation and Streets Commission, and Director of Sanitation
and Streets (File No. 220315)

Rules Committee

May 9, 2022

Background & History

What is Proposition B? What does it do?

- Prop B is a charter amendment
 - Approved in November 2020 election with 61% in favor
- Creates a new Sanitation & Streets (SAS) Department out of the Operations Division of San Francisco Public Works.
- Creates two oversight commissions, one for each department

When does Prop B take effect?

- Transition Date: 7/1/2022
 - Allows commissions to form
- Creation of new SAS Department: 10/1/2022

Prop B Mandated Ordinances

Charter section 4.138(d): Administrative Support.

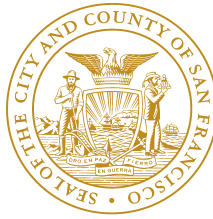
- July 1, 2022: deadline for Board to pass an ordinance requiring the provision of shared administrative services for the new Department of Sanitation and Streets
- Fall 2024: BOS may adopt ordinances transferring some or all admin functions to SAS

Charter section 4.148 (e): Code Clean up (to be introduced soon)

Prop B Admin Services Legislation

What is included in this ordinance?

- Section 1: Background and Findings
- Section 2: amends Administrative Code Chapter 2A
 - Specifies Public Works responsible for providing administrative support to SAS during its first two years.
- Section 3: Amends the Campaign and Governmental Conduct Code
 - Establishes form 700 filing requirements for new commissioners (SFPW & SAS) and department head (SAS)



MEMORANDUM

To: Angela Calvillo
Clerk of the Board of Supervisors

From: Vivian Po
Director of Communications, Office of the City Administrator

Re: Legislative Introduction

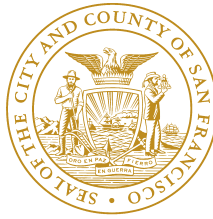
CC: Rachel Alonso
Prop B Project Director, Office of the City Administrator

Date: March 28, 2022

Attached, please find an 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).

Please contact Rachel Alonso, Prop B Project Director of the Office of the City Administrator at Rachel.Alonso@sfgov.org with any questions.

We respectfully request that this matter be scheduled in the appropriate committee to ensure administrative support to the Department of Sanitation and Streets can be provided.



MEMORANDUM

To: Angela Calvillo
Clerk of the Board of Supervisors

From: Vivian Po
Director of Communications, Office of the City Administrator

Re: Legislative Introduction

CC: Rachel Alonso
Prop B Project Director, Office of the City Administrator

Date: April 18, 2022

Attached, please find substitute legislation for File Number 220315. The updated ordinance adds to the original legislation non-substantive changes by incorporating Section 3.1-103 of Article III, Chapter 1 of the Campaign and Governmental Conduct Code. The purpose of the substitute ordinance is to ensure that all relevant sections of the Campaign and Governmental Conduct Code are updated.

Please contact Rachel Alonso, Prop B Project Director of the Office of the City Administrator at Rachel.Alonso@sfgov.org with any questions.

We respectfully request that this matter be scheduled at the 5/9/2022 Rules Committee meeting.

Thank you.

BOARD of SUPERVISORS



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

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.

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