

File No. 110903

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: October 12, 2011

Board of Supervisors Meeting

Date: _____

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget & Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Ethics Form 126
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form (for hearings)
<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/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application

OTHER

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Completed by: Victor Young

Date: October 7, 2011

Completed by: Victor Young

Date: _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Administrative Code – Nonprofit Annual Income Statement]

Ordinance amending the San Francisco Administrative Code by revising Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual income statements with the City Administrator.

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike through italics Times New Roman~~.
Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. The San Francisco Administrative Code is hereby amended by revising Chapter 10, Article 1, Section 10.1:

SEC. 10.1. ANNUAL ECONOMIC STATEMENT—CITY-FUNDED ORGANIZATIONS.

Every nonprofit corporation, organization or other legal entity, receiving funding from or through the City and County to provide direct services to the public (except local, State or federal governmental entities) that has not, within the past twelve months, provided to a City Department that awarded and/or is monitoring its City contract or grant the information required by the annual economic statement described in this section 10.1, shall file with the Department of Administrative Services an annual economic statement, on a form to be provided by the Department, on or before April 1st of each year setting forth the following information:

(a) Name of the chief executive officer, employee, or other person possessing daily managerial responsibilities;

(b) Name of all officers or directors and the names of all other boards of directors on which they serve; and

1 (c) Total expenditures during calendar or fiscal year, whichever is applicable; and
2 budget for current calendar or fiscal year, whichever is applicable, setting forth the source of
3 all monies received or budgeted and a program-by-program description of all monies
4 expended or budgeted.

5 All entities applying for or receiving monies from the City and County who have neither
6 (i) provided to the City Department information equivalent to that required by the annual economic
7 statement described in this section 10.1 within the past twelve months, nor do not have on (ii) filed a
8 current annual economic statement, shall file a statement such information with the City
9 Department or City Administrator in the same manner and form as the statement described above
10 before any public monies shall be approved.

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12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: 
15 CATHARINE BARNES
16 Deputy City Attorney
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LEGISLATIVE DIGEST

[Administrative Code – Nonprofit Annual Income Statement]

Ordinance amending the San Francisco Administrative Code by revising Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual income statements with the City Administrator.

Existing Law

Under existing law, every nonprofit organization that receives City grants must file an “annual income statement” with the City Administrator by April 1st that identifies its chief executive officer, members of its board of directors, its expenditures during the prior year and its budget for the upcoming year.

Amendments to Current Law

This amendment waives the requirement that nonprofits file an annual income statement with the City Administrator where a nonprofit submits; and keep current, the information with a contract-awarding City Department. This amendment DOES NOT change the nature or extent of disclosures that nonprofits receiving City funding must make to the City or alter the disclosures that nonprofits receiving at least \$250,000 in City grants must make directly to the public upon request.

Background Information

This Ordinance is intended to avoid needless duplication of paperwork. The requirement that each nonprofit submit an “annual income statement” was enacted in 1998, in an era of limited public access to information about nonprofits. The City Administrator's annual income statement files provided a single point of information for members of the public seeking a “snapshot” view of grant recipients' governing Boards of Directors, financial capacity and accountability.

Today, the information required by the annual income statement is readily available both in the grant award and monitoring records of City departments and in public databases.

The Controller's fiscal and compliance monitoring standards require grant awarding departments to collect the same information as is required by the “annual income statement” during the grant approval and annually as part of grant monitoring processes. Staff at grant awarding departments are available to assist any member of the public in locating records pertaining to specific grant recipients. The City Administrator's Office is also available to

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ensure that any requestor obtains all information, including that previously collected on the "annual income statements," in a timely manner.

Information about nonprofit awardees' governance, budgetary and other financial matters is also widely available through the Internet: on nonprofits' own websites, on their Federal Tax Form 990s (posted at California Attorney General's Charity Registry for California nonprofits, or more generally at www.guidestar.com), and other public websites.

