

File No. 141216

Committee Item No. 2  
Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight      Date December 11, 2014

Board of Supervisors Meeting      Date \_\_\_\_\_

#### Cmte Board

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| <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 and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input 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/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      (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | EMAIL CORRESPONDENCE  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | REFERRED TO DEPT MEMO |
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Completed by: Erica Major      Date December 5, 2014  
Completed by: \_\_\_\_\_      Date \_\_\_\_\_

1 [Campaign and Governmental Conduct Code - Removal of Permit Consultant Disclosure  
2 Requirement - Income Received for Services]

3 **Ordinance amending the Campaign and Governmental Conduct Code to remove the**  
4 **requirement that permit consultants disclose income received for their services.**

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

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

13 Section 1. The Campaign and Governmental Conduct Code is hereby amended by  
14 amending Section 3.410, to read as follows:

15 SEC. 3.410. PERMIT CONSULTANT REGISTRATION AND DISCLOSURES.

16 (a) **REGISTRATION OF PERMIT CONSULTANTS REQUIRED.** Permit consultants  
17 shall register with the Ethics Commission and comply with the disclosure requirements  
18 imposed by this Chapter. Such registration shall occur no later than five business days after  
19 providing permit consulting services, but the permit consultant shall register prior to providing  
20 any further permit consulting services.

21 (b) **REGISTRATION.** At the time of initial registration each permit consultant shall  
22 report to the Ethics Commission the following information:

23 (1) The name, business address, e-mail address, and business telephone  
24 number of the permit consultant;

25 (2) The name, business address, e-mail address, and business telephone  
number of each client for whom the permit consultant is performing permit consulting services;

1 (3) The name, business address, e-mail address, and business telephone  
2 number of the permit consultant's employer, firm or business affiliation; and

3 (4) Any other information required by the Ethics Commission consistent with the  
4 purposes and provisions of this Chapter.

5 (c) **PERMIT CONSULTANT DISCLOSURES.** Beginning on April 15, 2015, each  
6 permit consultant shall file four quarterly reports, according to the following schedule: the  
7 permit consultant shall file a report on April 15 for the period starting January 1 and ending  
8 March 31; on July 15 for the period starting April 1 and ending June 30; on October 15 for the  
9 period starting July 1 and ending September 30; and on January 15 for the period starting  
10 October 1 and ending December 31. Each quarterly report shall contain the following:

11 (1) The name, business address, e-mail address, and business telephone  
12 number of each person from whom the permit consultant or the permit consultant's employer  
13 received or expected to receive economic consideration for permit consulting services during  
14 the reporting period; ~~and the amount of economic consideration the permit consultant received or~~  
15 ~~expected to receive;~~

16 (2) For each contact with the Department of Building Inspection, the  
17 Entertainment Commission, the Planning Department, or the Department of Public Works in  
18 the course of providing permit consulting services during the reporting period:

19 (A) The name of each officer or employee of the City and County of San  
20 Francisco with whom the permit consultant made contact;

21 (B) A description of the permit sought or obtained, including the  
22 application number for the permit; and

23 (C) The client on whose behalf the contact was made.

24 (3) All political contributions of \$100 or more made by the permit consultant or  
25 the permit consultant's employer during the reporting period to an officer of the City and

1 County, a candidate for such office, a committee controlled by such officer or candidate, a  
2 committee primarily formed to support or oppose such officer or candidate, or any committee  
3 primarily formed to support or oppose a ballot measure to be voted on only in San Francisco.

4 (4) Any amendments to the permit consultant's registration information required  
5 by Subsection (b).


6 (5) Any other information required by the Ethics Commission consistent with the  
7 purposes and provisions of this Chapter.

8  
9 Section 2. Effective Date. This ordinance shall become effective 30 days after  
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
12 of Supervisors overrides the Mayor's veto of the ordinance.

13  
14 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
18 additions, and Board amendment deletions in accordance with the "Note" that appears under  
19 the official title of the ordinance.

20  
21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:

  
24 ANDREW SHEN  
25 Deputy City Attorney

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## LEGISLATIVE DIGEST

[Campaign and Governmental Conduct Code - Removal of Permit Consultant Disclosure Requirement - Income Received for Services]

**Ordinance amending the Campaign and Governmental Conduct Code to remove the requirement that permit consultants disclose income received for their services.**

### Existing Law

On June 26, 2014, the City enacted new registration and disclosure requirements for permit consultants. Under this legislation, permit consultants are required to register with the Ethics Commission and file quarterly disclosures regarding their activities. Permit consultants are required to disclose the following information in their quarterly disclosures:

- the name of and contact information for each client;
- the amount that each client would pay for the permit consultant's services;
- the name of each City officer or employee contacted by the permit consultant;
- the client on whose behalf each contact was made;
- a description of each permit sought or obtained by the consultant;
- campaign contributions of \$100 or more; and
- any other information required by the Ethics Commission.

### Amendments to Current Law

The proposed legislation would remove the requirement that permit consultants disclose the amount paid by each of their clients for permit consulting services.

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## Major, Erica

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**From:** Major, Erica  
**Sent:** Tuesday, December 02, 2014 9:39 AM  
**To:** Caldeira, Rick (BOS)  
**Subject:** RE: Items to be Filed

Rick,

The following items have been filed pursuant to 3.40:

131223 - Supervisor Chiu requested this matter be filed pursuant to Board Rule 3.40.  
140828 - Supervisor Chiu requested this matter be filed pursuant to Board Rule 3.40.  
140829 - Supervisor Chiu requested this matter be filed pursuant to Board Rule 3.40.  
141129 - Supervisor Chiu requested this matter be filed pursuant to Board Rule 3.40.

And the following items have been updated to reflect new primary sponsorship:

141216 - Breed primary (see email)  
141095 - Breed primary

## Erica Major

Assistant Committee Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

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**From:** Caldeira, Rick (BOS)  
**Sent:** Monday, December 01, 2014 3:45 PM  
**To:** Major, Erica  
**Subject:** FW: Items to be Filed

Here's another one...

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**From:** Lim, Victor (BOS)  
**Sent:** Monday, December 01, 2014 3:31 PM  
**To:** Caldeira, Rick (BOS)  
**Subject:** RE: Items to be Filed

Rick,

This is to confirm assumption of responsibility for 141095. Thank you.

Sincerely,

Victor Wai Ho Lim, Legislative Aide  
Office of Supervisor Eric Mar, District 1  
San Francisco Board of Supervisors  
City Hall, Room 284  
San Francisco, CA 94102  
Direct: (415) 554-7413  
Fax: (415) 554-7415

林偉浩  
立法助理  
馬兆光市參事辦公室  
三藩市市參事會 第一區  
市政廳 284 室  
直綫：415-554-7413  
傳真：415-554-7415

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**From:** Caldeira, Rick (BOS)  
**Sent:** Monday, December 01, 2014 12:47 PM  
**To:** Power, Andres; Bruss, Andrea (BOS); Quizon, Dyanna (BOS); Lim, Victor (BOS); Johnston, Conor (BOS)  
**Subject:** FW: Items to be Filed

Please send me confirmation for the legislation you will be assuming primary per Judson's e-mail below in bold.

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**From:** True, Judson  
**Sent:** Monday, December 01, 2014 12:45 PM  
**To:** Calvillo, Angela (BOS)  
**Cc:** Caldeira, Rick (BOS)  
**Subject:** FW: Items to be Filed

Angela and Rick –

Please see below. We might have a few more coming.

Thank you.

---

Judson True  
(Former) Legislative Aide  
Board of Supervisors President David Chiu  
City and County of San Francisco  
[judson.true@sfgov.org](mailto:judson.true@sfgov.org) | 415.554.7451

As primary sponsor, please file the following items:

090369  
110547  
120473  
120918  
130373  
130375  
130442  
131120  
131223  
140239  
140343  
140828  
140829  
141129

**Files still needing confirmation by assuming sponsors:**  
**101522 - Wiener to assume primary (Mar secondary)**  
**110548 - Wiener to assume primary (Wiener currently secondary)**

**121199 - Cohen to assume primary**

**141003 - Tang to assume primary - conflict of interest**

**141095 - Mar to assume primary (Mar secondary) - environment code on safe drug disposal**

**141096 - Wiener to assume primary (Wiener currently secondary) - exemptions above the height limit for hospital mechanical equipment**

**141186 - Wiener to assume primary (Wiener currently secondary)**

**141216 - Breed to assume primary - Permit Consultant Disclosure Requirement**

**141223 - Tang to assume primary (Tang currently secondary) - Declaration of Election**



## Major, Erica

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**From:** Caldeira, Rick (BOS)  
**Sent:** Monday, December 01, 2014 2:26 PM  
**To:** Major, Erica  
**Subject:** FW: Items to be Filed

Confirmed, update accordingly for your respective files.

141095 - Breed is primary  
141216 - Breed is primary

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**From:** Johnston, Conor (BOS)  
**Sent:** Monday, December 01, 2014 1:35 PM  
**To:** Judson True  
**Cc:** Caldeira, Rick (BOS)  
**Subject:** RE: Items to be Filed

Thanks Judson.

Rick, yes we want 141095 as well.

Conorj

---

**From:** Judson True [<mailto:judsontrue@gmail.com>]  
**Sent:** Monday, December 01, 2014 1:32 PM  
**To:** Johnston, Conor (BOS)  
**Cc:** Caldeira, Rick (BOS); True, Judson  
**Subject:** Re: Items to be Filed

Sorry, yes, thought that was already taken care of - Breed primary on 141095. Sorry!

On Mon, Dec 1, 2014 at 1:19 PM, Johnston, Conor (BOS) <[conor.johnston@sfgov.org](mailto:conor.johnston@sfgov.org)> wrote:

Yes, we are assuming **141216 - Breed to assume primary - Permit Consultant Disclosure Requirement**

I thought we were also assuming this one. Is that not the case, Judson?

**141095 - Mar to assume primary (Mar secondary) - environment code on safe drug disposal**

**From:** Caldeira, Rick (BOS)  
**Sent:** Monday, December 01, 2014 12:47 PM  
**To:** Power, Andres; Bruss, Andrea (BOS); Quizon, Dyanna (BOS); Lim, Victor (BOS); Johnston, Conor (BOS)  
**Subject:** FW: Items to be Filed

Please send me confirmation for the legislation you will be assuming primary per Judson's e-mail below in bold.

---

**From:** True, Judson  
**Sent:** Monday, December 01, 2014 12:45 PM  
**To:** Calvillo, Angela (BOS)  
**Cc:** Caldeira, Rick (BOS)  
**Subject:** FW: Items to be Filed

Angela and Rick –

Please see below. We might have a few more coming.

Thank you.

---

Judson True

(Former) Legislative Aide

Board of Supervisors President David Chiu

City and County of San Francisco

[judson.true@sfgov.org](mailto:judson.true@sfgov.org) | 415.554.7451

As primary sponsor, please file the following items:

090369

110547

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**141216 - Breed to assume primary - Permit Consultant Disclosure Requirement**

**141223 - Tang to assume primary (Tang currently secondary) - Declaration of Election**

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**From:** Major, Erica  
**Sent:** Monday, December 01, 2014 10:09 AM  
**To:** St.Croix, John; Hui, Tom (DBI); Nuru, Mohammed; Rahaim, John (CPC); Kane, Jocelyn (ADM)  
**Cc:** Strawn, William (DBI); Jayin, Carolyn (DBI); Lee, Frank W (DPW); Stewart, Crystal (ADM)  
**Subject:** Referral - BOS File No. 141216 - Campaign and Governmental Conduct Code - Removal of Permit Consultant Disclosure Requirement - Income Received for Services  
**Attachments:** 141216 FYI.pdf

Greetings:

This matter is being forwarded to your department for informational purposes. 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 94012.

Thank You.

**Erica Major**

**Assistant Committee Clerk**

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

BOARD of SUPERVISORS



City Hall  
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: John St. Croix, Executive Director, Ethics Commission  
Tom Hui, Director, Building Inspection Department  
Mohammed Nuru, Director, Public Works  
John Rahaim, Director, Planning Department  
Jocelyn Kane, Executive Director, Entertainment Commission

FROM: Erica Major, Assistant Committee Clerk, Government Audit and Oversight  
Committee, Board of Supervisors

DATE: December 1, 2014

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Chiu on November 25, 2014:

**File No. 141216**

**Ordinance amending the Campaign and Governmental Conduct Code to remove the requirement that permit consultants to disclose income received for their services.**

If you have any additional 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.

c:  
William Strawn, Building Inspection Department  
Carolyn Jayin, Building Inspection Department  
Frank Lee, Public Works  
Crystal Stewart, Commission Secretary

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**


Supervisors Chiu, Breed

**Subject:**

Campaign & Governmental Conduct Code – Removing Requirement that Permit Consultants Disclose Income Received for Their Services

**The text is listed below or attached:**

See attached.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: