



ETHICS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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JOHN ST. CROIX
EXECUTIVE DIRECTOR

Date: November 20, 2013
To: Members, Ethics Commission
From: John St. Croix, Executive Director
By: Mabel Ng, Deputy Executive Director
Re: Regulation to clarify filing of AB1234

Pursuant to Board of Supervisors Resolution No. 30-06, File No. 060043, all officers who file the Form 700 Statement of Economic Interests with the Ethics Commission must receive ethics training specified under Government Code section 53235 (AB 1234). All such officers must receive ethics training within one year of assuming office and again within two years of the prior training. Such officers also file the Certificate of Ethics Training form with the Ethics Commission to show compliance.

In conjunction with the Commission's consideration of an amendment to Ethics Regulation 67.33-1, related to the filing of the Sunshine Ordinance Declaration, staff proposes that the Commission also consider a regulation to clarify how officers may file the Certificate of Ethics Training form. The Commission has authority to adopt rules and regulations to govern its procedures. S.F. Charter §15.102.

The draft regulation requires that a declaration showing compliance with the ethics training requirement be filed within 30 days of completion of the training, and that it be filed on a form issued by the Commission. The signed declaration may be filed in person, by mail or facsimile, or as a PDF attachment to an email.

The draft regulation also permits the Commission to require electronic filing of the declaration.

Draft Regulation 15.102-1:

(a) All City officers who are required to file an annual Statement of Economic Interests with the Ethics Commission must:

(1) Receive ethics training under California Government Code section 53225 (AB 1234) within one year of assuming office and again with two years of the prior training;

(2) File a signed declaration with the Ethics Commission stating that they are in compliance with the ethics training requirement.

(b) A declaration showing compliance with the ethics training requirement shall be filed with the Ethics Commission within 30 days of completion of the training.

(c) A declaration showing compliance with the ethics training requirement must be filed on a form issued by the Ethics Commission.

(1) A City officer may submit a signed declaration in person, by mail or facsimile, or as a PDF attachment to an email.

(2) The signed declaration shall be deemed to be timely filed if it is postmarked by the filing deadline or the facsimile copy, email attachment, or electronic filing is received by the filing deadline. A declaration submitted by facsimile, email, or electronic filing need not be followed up by an original paper version.

(3) If the Commission implements a system for electronic filing of the declaration, it shall prescribe the manner in which the declaration may be filed. In its discretion, the Commission may require that the declaration be submitted using only the Commission's electronic filing system.

Decision Point 1:

Shall the Commission approve draft Regulation 15.102-1?

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For SFEC use

Certificate of Ethics Training

(California Government Code § 53235 (AB 1234))

All City officers who are required to file Statements of Economic Interests ("SEIs") with the Ethics Commission must receive ethics training under California Government Code section 53235 (AB 1234) within one year of assuming office and again within two years of the prior training. *Please fill out the information below, file this form with the Ethics Commission, and retain an Ethics Commission date-stamped copy of this form for a minimum of five years. These certificates are public records maintained at the Ethics Commission.*

Please review the following to determine when you must complete the training:

- If you were in office and completed training in 2013, you must complete another ethics training session within two years of your last training. For example, if you satisfied the training requirement on March 3, 2013, you must complete another ethics training session by March 2, 2014.
- If you have more recently assumed office, you are required to complete ethics training within one year of the date that you began your service. For example, if you assumed office on July 1, 2013, you must complete an ethics training session by June 30, 2014. You may satisfy this training requirement by watching the self-study "Rules of Conduct for Public Officials" training video that is available on the City Attorney's website at www.sfgov.org/cityattorney.

By signing below, I certify under penalty of perjury that:

I am in compliance with the ethics training requirement under California Government Code section 53235 (AB 1234) because I have: *(Please check one applicable box and fill in the date that you completed the training.)*

Completed a self-study training course prepared by the City Attorney's Office, which included completion of a self-study test on _____.
You **MUST** provide the actual date of completion.

Completed a self-study training course prepared by another entity that complies with standards recommended by the Fair Political Practices Commission and the California Attorney General. I completed this course on _____.
You **MUST** provide the actual date of completion. *Please attach a copy of the certificate of training.*

Name (print)

Title (print)

Name of agency, department, board or commission (print)

Signature and Date

1 [Adopting policies on the reimbursement of expenses and ethics training]

2
3 **Resolution adopting policies and procedures for the reimbursement of officers and**
4 **employees for authorized expenses incurred in the performance of official duties and**
5 **designating certain employees to receive ethics training specified in State law.**

6
7 WHEREAS, The State of California adopted AB 1234, which requires government
8 agencies to adopt a written policy on the reimbursement of officers and employees for
9 expenses incurred in the performance of official duties and to designate any employees, in
10 addition to those identified in AB 1234, who must receive the ethics training specified in
11 AB 1234; and

12 WHEREAS, The City and County of San Francisco in section 15 of the Annual
13 Appropriations Ordinance authorizes the Controller to adopt and implement policies and
14 procedures for the reimbursement of official expenses; and

15 WHEREAS, Pursuant to this authorization, the Controller has adopted a policy for the
16 reimbursement of expenses, which is hereby declared to be a part of this resolution as if set
17 forth fully herein and which is on file with the Clerk of the Board of Supervisors in File No.
18 051130; and

19 WHEREAS, AB 1234 provides that government agencies may designate employees in
20 addition to those required under AB 1234 to receive ethics training specified in AB 1234; and

21 WHEREAS, Under the Sunshine Ordinance, Administrative Code section 67.33, the
22 City and County of San Francisco requires ethics training for all officers and employees who
23 file statements of economic interests with the Ethics Commission, which includes department
24 heads, now, therefore, be it

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RESOLVED, That the Controller's policies for reimbursement of official expenses are adopted and, be it

FURTHER RESOLVED, That all officers and employees required by the City to complete ethics training under the Sunshine Ordinance, Administrative Code section 67.33, are designated to receive the ethics training specified under AB 1234.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 060043

Date Passed:

Resolution adopting policies and procedures for the reimbursement of officers and employees for authorized expenses incurred in the performance of official duties and designating certain employees to receive ethics training specified in State law.

January 17, 2006 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

File No. 060043

I hereby certify that the foregoing Resolution was ADOPTED on January 17, 2006 by the Board of Supervisors of the City and County of San Francisco.

01/20/06

Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom