



# ETHICS COMMISSION

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LEEANN PELHAM  
EXECUTIVE DIRECTOR

Date: January 13, 2020  
To: Members of the Ethics Commission  
From: Pat Ford, Senior Policy and Legislative Affairs Counsel  
Re: **AGENDA ITEM 8 – Discussion of Monthly Staff Policy Report**

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**Summary:** This memorandum provides updates on ongoing policy projects, pending local legislation, and other operational projects involving the Policy Division to assist the Commission, the public, and Staff in engaging with the Commission’s policy work.

**Action Requested:** That the Commission review the updates provided in this report.

Section I of this memorandum provides status reports about ongoing policy projects that the Commission has identified as policy priorities as part of its Policy Prioritization Plan. Section II provides information about ongoing operations and projects that, while not a part of the Commission’s Policy Prioritization Plan, regularly require ongoing attention and resources of the Policy Division.

### I. Policy Prioritization Plan – Status of Ongoing Initiatives

This section describes the status of the Commission’s current policy priorities.

#### A. Electronic Filing of the Form 700

All elected officials, board and commission members, department heads, and designated employees of the City must file the Form 700 Statement of Economic Interests to publicly disclose their personal financial interests. Under current regulations, elected officials, board and commission members, and department heads must file the form electronically through the Commission’s NetFile system, allowing the disclosed information to be easily searched by the public. However, designated employees file the Form 700 in paper form with their departments. Appearing under Agenda Item 7 are a set of regulation amendments that would require e-filing for all employees that file the Form 700. If the Commission approves the regulations, Policy will continue to support other divisions in the planning and stakeholder-engagement efforts needed to implement this project.

### II. Miscellaneous Policy Administrative Projects

This Section describes some of the ongoing work by the Policy division that does not fall within the policy projects identified under the Policy Prioritization Plan. This work includes: advice to Staff and the regulated community regarding the laws administered by the

Commission; legislative affairs; and media relations. Some of the larger ongoing initiatives are described below.

A. Biennial Review of Form 700 Filer Lists

Pursuant to state law, the Campaign and Governmental Conduct Code sets forth lists of City positions that must file the Form 700.<sup>1</sup> Employees in these positions make or participate in making government decisions that may foreseeably have a material effect on a financial interest.<sup>2</sup> State law requires that local jurisdictions review their filer lists every two years and make any necessary changes based on the duties associated with the positions.<sup>3</sup> Policy is currently collaborating with the City Attorney's office, the Clerk of the Board, and the Department of Human Resources to prepare for this biennial review process, which will take place over the course of calendar year 2020. Staff plans to serve as a resource to departments as they analyze their lists of designated filers, providing subject matter expertise on Form 700 filing requirements.

B. Policy Prioritization Plan

The Policy Prioritization Plan (PPP) is a mechanism for planning and structuring the Commission's policy priorities and planning for the work that underlies those priorities. Policy anticipates proposing an updated PPP at the Commission's February meeting because the priorities discussed in Section I above are nearing completion and additional priorities can be explored. One project that will likely require Policy's attention in the next quarter, and that will therefore appear as a proposed PPP priority, is the biennial review of the list of Form 700 filers contained in Article III, Chapter 1 of the Campaign and Governmental Conduct Code. Policy will likely propose one additional project to be started during the next quarter.

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<sup>1</sup> See Campaign & Gov. Conduct Code § 3.1-100 et seq. (containing lists of designated City positions that must file the Form 700), Cal. Gov. Code § 87302(a) (requiring local jurisdictions to adopt conflict-of-interest codes designating employee filers).

<sup>2</sup> Cal. Gov. Code § 87302(a).

<sup>3</sup> *Id.* at § 87306(b).