



# ETHICS COMMISSION

## CITY AND COUNTY OF SAN FRANCISCO

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LEEANN PELHAM  
EXECUTIVE DIRECTOR

Date: August 10, 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 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.

This memorandum 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. As discussed at the July Commission meeting, Staff has completed the policy components of the projects that were previously identified on the Policy Prioritization Plan, the planning tool used by the Commission to structure its policy work. Staff plans to include discussion of the Policy Prioritization Plan as part of the September Policy Report to discuss policy work in the remainder of calendar year 2020.

A. BLA Audit

As discussed under Agenda Item 6, Staff has been assisting auditors in the office of the Budget and Legislative Analyst in their performance audit of the Ethics Commission. Policy has continued to provide information and collaborate with other Staff members in describing past projects and accomplishments and responding to the auditors' recommendations.

B. Controller Report

At the Commission's July meeting, the Commission heard a presentation from Mark de la Rosa, Acting Director of Audits with the Controller's Office, about the Controller's initial report regarding contracting practices within the Department of Public Works. Staff subsequently spoke with Mr. de la Rosa and his colleagues who produced the report to more fully understand the ethics-related recommendations made in that initial report. Additionally, Staff has reviewed and provided comments on a draft of the Controller's next report, which focusses on non-City accounts used by City departments. Staff is awaiting the release of that report and looks forward to reviewing its recommendations and further collaborating with auditors in the Controller's office.

C. Budget Proposal and Responses

As discussed more fully under Agenda Item 5, Staff has been assisting the Executive Director in presenting information to the Mayor's office to inform that office's budget proposal as it relates to the Ethics Commission. That has included describing past and ongoing projects and the work that would be performed by positions that are currently vacant.

D. Public Advocate Ballot Measure

As discussed in the July Policy report, multiple members of the Board of Supervisors sponsored a measure that would have created a new elective office in San Francisco, the Public Advocate, and some of the Public Advocate's duties and powers would have related to those of the Ethics Commission. At the Board's July 21<sup>st</sup> meeting, the Board voted not to place this measure on the November 2020 ballot.<sup>1</sup>

E. FPPC Review of California Behested Payment Rules

A behested payment is a payment made by one person to another at the behest of a government official. California law regulates such payments by requiring certain payments of \$5,000 or more to be publicly disclosed. Currently, the Fair Political Practices Commission (FPPC) is conducting a review of the state's behested payment rules and may propose changes. Policy is providing information to the FPPC legal division about local behested payment rules and experiences to assist them with their review of state law.

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<sup>1</sup> See [File No. 200509](#).