



# ETHICS COMMISSION

## CITY AND COUNTY OF SAN FRANCISCO

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Date: May 10, 2021

To: Members of the Ethics Commission

From: LeeAnn Pelham, Executive Director

Subject: Agenda Item 4 - Presentation by Controller's Office on April 14, 2021 report, "Preliminary Assessment: Refuse Rate-Setting Process Lacks Transparency and Timely Safeguards," and discussion and possible action related to report findings and recommendations.

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**Summary** This item provides an opportunity for the Commission to hear a presentation by the Controller's Office on the fifth in a series of Public Integrity Reports issued by that office.

**Action Requested** This informational item has been placed on the meeting agenda for the Commission's discussion and possible action. No action is required.

On April 14, 2021, the Controller's Office issued the fifth in its series of Public Integrity Reports to assess City policies and processes in the wake of the City Attorney's investigation stemming from alleged wrongdoing by former Public Works Director Mohammed Nuru. These reports have been conducted in consultation with the City Attorney's Office to assess selected city policies and procedures to evaluate their adequacy in preventing abuse and fraud.

The Controller's first assessment report, *Preliminary Assessment: San Francisco Public Works Contracting*, was issued June 29, 2020. It presented the Controller's findings and recommendations regarding conflicts of interest and governmental ethics laws and potential vulnerabilities in the City's contracting and procurement processes. On September 24, the Controller's Office issued its second assessment report, *Preliminary Assessment: Gifts to Departments Through Non-City Organizations Lack Transparency and Create Pay-to-Play Risk*. That report summarized gifts and support benefitting city departments from city contractors and building permit applicants and holders through non-city organizations, including what are known as "Friends of" organizations. The Controller's third report, *Preliminary Assessment: San Francisco's Debarment Process*, was issued on November 5, 2020. The Controller's fourth report, *Preliminary Assessment: Ethical Standards for Contract Award Processes of the Airport Commission and Other Commissions and Boards*, was issued on January 11, 2021.

Recommendations identified in these reports that relate to areas of the Commission's jurisdiction are being incorporated into the Commission's ongoing policy work. Staff continue to remain in communication with the Controller's office to invite further presentations on future assessment reports that office releases. As has been the case with the three prior assessment reports, to provide the Commission with an opportunity to discuss the Controller's latest report, *Preliminary*

*Assessment: Refuse Rate-Setting Process Lacks Transparency and Timely Safeguards,”* Mark de la Rosa will present findings and recommendations at the Commission’s May 14 meeting.