

2015 Position Announcement

EXECUTIVE DIRECTOR

San Francisco Ethics Commission




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THE CITY

One of the most popular tourist destinations in the world, renowned for its steep rolling hills, San Francisco is a city of truly international character with an eclectic mix of Victorian and modern architecture and a highly diverse cosmopolitan population. With approximately 800,000 residents in a 47 square mile area, San Francisco is the fourteenth most populous city in the United States and the fourth most populous city in California.

Incorporated in 1850, the City and County of San Francisco (City) is a consolidated city-county. It is the only such consolidation in the state of California. The Mayor is also the County Executive and the County Board of Supervisors also acts as the City Council. Because of its unique status, the government of San Francisco is responsible for a broad array of city, county, and regional functions. These include management of county health, welfare, and justice functions; a port, international airport, and a public transportation agency; and, a regional public utility department offering water, sewer, and power to customers both in San Francisco and the broader region. The City has jurisdiction over property that is located well beyond the physical boundaries of San Francisco, including the San Francisco International Airport in San Mateo County and the Hetch-Hetchy Valley and watershed in Yosemite National Park.

Under the city charter, the government of San Francisco is governed by two branches. The executive branch is headed by the Mayor and includes other citywide elected and appointed officials. The eleven-member Board of Supervisors, the legislative branch, is headed by a President and is responsible for passing laws and budgets, though San Franciscans also make use of direct ballot initiatives to pass legislation. The members of the Board of Supervisors are elected as representatives of specific districts within the city. The current Mayor is Edwin M. Lee, and the Board President is London Breed.

The City is in the midst of great changes both in the economic environment with a move to web based business and sharing economic models; with pressures for commercial development with its impact on the growth of traffic congestion and challenges to retain affordable and middle income housing in the face of a real estate market which appears to have no constraints.

THE ETHICS COMMISSION

San Francisco voters established the Ethics Commission in November 1993 by Amendment to the City Charter. The Commission serves the public, city employees and officials and candidates for public office through education and enforcement of ethics laws. San Francisco's Ethics Commission is unique in that it has the ability to place ethics laws directly on the ballot for voters to decide. The Executive Director has an important role to play in helping the Commission develop legislation which will advance the goals and mission of the Commission.

The Commission investigates and adjudicates ethics-related matters. The Commission acts as filing officer for, and auditor of, financial disclosure statements filed by political candidates and committees and designated City and County employees. The Commission assesses fees and penalties for failure to adhere to deadlines and requirements, audits statements to ensure compliance with contribution limits, administers an education program, and produces educational materials. It also oversees registration and regulation of campaign consultants, lobbyists, provides advice on ethical matters and publishes statistical reports.

Its duties include:

- filing and auditing of campaign finance disclosure statements
- campaign consultant registration and regulation
- lobbyist registration and regulation
- filing officer for Statements of Economic Interests
- administration of the Whistleblower program
- investigations of ethics complaints and imposition of penalties for ethics violations.
- investigation and enforcement of the SF Sunshine Ordinance
- education and ethics training
- providing advice and statistical reporting

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The Mission of the Ethics Commission is to practice and promote the highest standards of ethical behavior in government. In order to accomplish the Mission of the San Francisco Ethics Commission, the Commission will:

- Clearly inform candidates for public office, public employees, and other officials and members of the public of existing ethics laws and rules;
- Actively enforce all ethics laws and rules, including campaign finance and open government laws;
- Recommend new laws, rules, and programs that will lead to ethics compliance;
- Serve as a model for other elected and appointed officials and government employees; and
- Faithfully adhere to its own Code of Ethics.

The Ethics Commission is currently facing several challenges. In the past five years, the Ethics Commission was the subject of investigative reports by three San Francisco Civil Grand Juries. In June 2012, Harvey Rose, the Supervisors' Budget and Legislative Analyst, released a report Comparing Ethics Policies in San Francisco and Los Angeles putting the issue of ethics reform on the front burner. The Harvey Rose report focused on four areas of policy and enforcement: (1) campaign financing; (2) enforcement and education; (3) lobbying; and (4) transparency. The comparison revealed alternative policies and approaches that San Francisco could consider with regard to influencing campaign financing, enforcing laws, educating and informing the public, and managing lobbying practices. In addition, the analysis indicated that investigations into ethics improprieties resulted in significantly different outcomes in San Francisco and Los Angeles, with San Francisco dismissing 76% of its cases, compared to just 19% in Los Angeles. Furthermore, Los Angeles levied higher average fines than San Francisco — \$7,746 in the City of Los Angeles compared to \$6,088 in the City and County of San Francisco over the seven-year period ending in November 2011. The new Executive Director will be expected to familiarize himself/herself with these various reports and will be expected to propose to the Commission appropriate responsive action.

The Ethics Commission consists of five members. The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the Assessor each appoint one member of the Commission. The term of each commissioner is six years. For more information, please visit: <http://www.sfethics.org/ethics/>.

THE POSITION

The Executive Director is appointed by and serves at the pleasure of the Commission which sets the policy and agenda and which has the ultimate responsibility to see that ethics laws are enforced. The Executive Director is chief executive of the department and carries out the policy and goals as set forth by the Commission, with the duties and powers which are set forth in the Charter of the City and County of San Francisco, and serves as the administrator and parliamentarian to the Commission.

Duties and responsibilities of the position include:

- Administration and direction of policies, programs and activities related to the administration and enforcement of ethics-related laws and regulations, including: Campaign Finance Reform Ordinance and related campaign laws, Campaign Consultant Ordinance, Lobbyist Ordinance, Government Ethics Ordinance, San Francisco Sunshine Ordinance and Whistleblower Ordinance;
- Functions as the Department Head and is responsible for management and administration of the Commission staff;
- Develops and implements policies, programs, and procedures to fulfill the Commission's mandates;
- Recruits, hires, trains, supervises, and coordinates all staff;
- Prepares, secures, manages and monitors the annual budget;
- Develops recommendations and advises Commission members regarding laws, policies and activities;
- Oversees the filing of disclosure statements required under laws regulating campaign finance, conflict of interest, campaign consultants and lobbyists; preparation of advice and opinions regarding laws within the Commission's jurisdiction; audits for compliance with those laws; investigations and enforcement of those laws; and development of educational programs and materials jurisdiction;
- Responds to inquiries from the media, public officials, other government agencies, and the general public;
- Prepares press releases and presents reports and testimony to the Board of Supervisors;
- Represents Commission at conferences, hearings, inter-departmental committees and task forces; and
- Performs related duties as assigned.

The Executive Director oversees a staff of 18 and an operating budget of \$4.5 million. The position is open due to the upcoming retirement of the incumbent.

TOP PRIORITIES

The new Executive Director will focus on the following areas:

- *Organizational Efficiencies* – Review staffing and budget allocation. Improve organizational structure. Embrace and implement new technologies that enable better processes and reporting. Ensure that filing is done in a more time sensitive manner.

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- *Enforcement* – Create a larger and more proactive enforcement program, with a goal of increased transparency and compliance. Be more aggressive with investigations and prosecution of ethics violations. Lead staff in efforts and continue to provide resources.
- *Stakeholder Outreach* – Communicate and foster relationships with the Commission, staff, other City departments, elected officials, the community and public while remaining neutral and impartial.
- *Public Perception* – Be transparent when interfacing with the public and proactive with regard to community outreach.
- *Legislation* – Continue to define and provide clarity on current laws. Assist in drafting potential new legislation to increase the effectiveness of the City's ethics laws and to ensure that proposed ballot measures are drafted consistent with the mission of the Commission.

THE IDEAL CANDIDATE

San Francisco prides itself on its unique, fast-paced and progressive environment and often receives national attention. The Ethics Commission is seeking a dynamic, friendly, independent, non-partisan professional with a proven track record in legislation and policy who can bring in a new perspective and renewed passion to increasing the effectiveness of the Commission. This person will have no personal political agenda and will be able to balance the need for government transparency with right to privacy of those who are regulated. He/She will be adaptable and able to relate to the diverse and active stakeholders. The selected candidate will be a seasoned and trustworthy manager who delegates instead of micro-managing and is effective at organizing staff. He/She will listen to staff and be respectful of other's opinions. He/She should be an effective leader who will provide vision, support and guidance to the Commission, staff and public.

The ideal candidate will be able to think through options, make a decision and live with the consequences. He/She will be able to hit the ground running, stay on top of deadlines and be at ease participating in public forums. This person will be thick-skinned and able to withstand constant feedback, criticism and opposing views. The selected candidate will value his/her ability to stay neutral yet remain passionate about his/her role in ensuring ethics within government. Lastly, the ideal candidate should have a proven track record as an outstanding communicator, with patience and the ability to thrive in an energetic and progressive environment.

Education, Certifications and Experience

- Although not an absolute requirement, the ideal candidate would be an attorney with experience in ethics related fields and experience in investigating and enforcing ethic regulations. At a minimum, the candidate must possess a baccalaureate degree; and it is desirable that he/she have at least five years of experience managing and administering a government agency or public policy organization preferably in the field of ethics regulation or an organization involved with investigating and enforcing violations of public law.
- Experience working with campaign finance laws, ethics, lobbying and conflict of interest is strongly desired.
- Experience with or knowledge of the California Political Reform Act and other state and local ethics laws would be a plus.

Nationwide candidates are encouraged to apply. Candidates from the public and private sector will be considered.

COMPENSATION

The salary for this position within an established annual range of \$114,582 to \$146,224. Appointment above the maximum of the normal range may be considered based on documented and substantiated recruitment and retention issues or exceptional skills. A special approval process is necessary for appointment above the normal salary range. In addition, benefits are provided which include: Medical and Dental insurance; Retirement Plan; Deferred Compensation Plan; Social Security; Long-Term Disability Plan; Life Insurance; paid Management Training Program; 11 paid holidays per year; 10 to 20 vacation days per year, depending on year of service; and 5 days of paid executive leave per year.

HOW TO APPLY

Please apply **on-line** by **Friday, September 11, 2015** at www.allianceRC.com. The position will be considered "open" until a final selection is made. If you have questions, difficulties with the on-line application system, or would like to discuss the opportunity further, please contact us at:

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The City/County of San Francisco encourages women, minorities and persons with disabilities to apply. Applicants will be considered regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age, sexual orientation, medical condition or pregnancy.

