



December 5, 2024

San Francisco Ethics Commission
25 Van Ness Avenue, #220
San Francisco, CA 94102

Re: Waiver Request: San Francisco Campaign and Governmental Conduct Code Section 3.224
– Prohibition on Representing Private Parties Before Other City Officers and Employees

Dear Commissioners,

I was nominated by Mayor Breed to Seat 6 of the Historic Preservation Commission and confirmed by the Board of Supervisors on December 4, 2023. Seat 6 must be filled by an architect with a minimum of two years experience in historic architecture.

I am a California licensed architect and qualified under the Secretary of the Interiors Professional Qualifications Standards for Architecture and Historic Architecture. I received my Master's Degree in Architecture from Yale University in 1988. I have been a partner at BCV Architecture + Interiors since, I, along with two partners founded the firm in 1997. We are based here in San Francisco and have a small office in New York. We have the opportunity of working on a wide range of projects from urban master planning, new construction and adaptive reuse projects. I am a keen student of architectural history and have chaired the Maybeck Foundation which partnered with the Parks and Recreation Commission to restore the Palace of Fine Arts.

From time to time, throughout my career, I have been asked to meet with City officials and departments in connection with projects. These meetings often are to better understand the City's desires in relation to the project, but because they are conversations, it is inevitable that one might express a client's point of view.

I understand that local Campaign and Governmental Conduct Code Section 3.224 creates certain restrictions around commissioners engaging in compensated advocacy on behalf of clients. I also understand that a waiver may be granted for a commission seat that requires a representative of a certain profession, such as an architect. I am respectfully seeking a limited waiver under this provision to allow me to engage with certain City officials and departments on behalf of clients under certain circumstances, as set forth below.

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As a member of the San Francisco architecture community, I believe it is important to be able to understand all of the various opinions and concerns that projects bring up and to be part of a dialogue. I recognize that my role as a Historic Preservation Commissioner comes first in regards to projects that come before the Commission, but there are other projects where the ability to communicate freely with elected officials and certain City department staff in limited instances is important to my ability to practice architecture here in San Francisco in a way that fully engages with the community on behalf of my clients.

These types of communications would allow me to better understand community and agency feedback regarding specific projects so that my firm can be more responsive to such concerns. As one of the three founding partners of my firm, I am responsible for ensuring that the firm's projects meet not only the functional, aesthetic, and economic goals of our clients but also enrich the communities and environments in which they are built, which benefits inhabitants, visitors and neighbors alike. To achieve these goals we strive to understand the unique cultural, historic and environmental characteristics of a place so that we can seamlessly integrate our projects into their surroundings. Our firm incorporates the notion of environmental and cultural sustainability into every project, considering the ethical, cultural, social, economic and historical implication of a project on its environs as equally as important as the technical solutions.

In order to best live up to these principles, it is important that we have a robust dialogue with not only community members and organizations but City officials and departmental subject matter experts whose job it is to reflect and champion the concerns of the community. The intention of such contacts is primarily listening and learning and, as appropriate, adapting the aims and techniques behind a project accordingly. Where such conversations call for communicating the goals and concerns of my clients, I want to make sure that I am only doing so within the confines of a waiver in order to be mindful of the compensated advocacy rule.

In addition to such discussions, it would also be beneficial for the sake of continuity and open dialogue, for me to be able to submit written reports, presentation materials, and drawings to certain City officials and departments on client's projects.

Therefore, I am respectfully asking that a waiver be granted allowing me to communicate on behalf of clients with the following City entities:

The Port Commission and Port staff;
The PUC and PUC staff;

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Department of Public Works staff;
The Arts Commission and Arts Commission staff;
Recreation and Parks staff;
Mayor's Office of Housing and Community Development staff; and
Members of the Board of Supervisors and their staff.

For actual appearances before any of the commissions listed above acting as a body, I would agree only to appear under the waiver in cases where other members of my firm were not available. Furthermore, to the degree that it is possible to delegate the responsibility for any of these communications to other employees in our office, I will endeavor to do so, but I believe there will be times where I will be the most knowledgeable member of my firm and therefore the most appropriate spokesperson on the matter.

Finally, I understand the need to maintain the strictest ethical protections when it comes to matters before one's own department and staff that work with the department. Therefore, I am not seeking a waiver to engage in client advocacy to HPC itself or to the Planning Commission and if a particular project of my firm ever came before HPC in the future it would be under the representation of one of my colleagues, and I would, of course, abide by all applicable disclosure and recusal procedures.

As a practitioner at a small firm aiming to continue my professional growth and fully engaged service for my clients, the absence of a waiver could significantly impact my work and could eventually compel me to regrettably forego serving as a Commissioner.

Thank you for your kind attention to my request. Please let me know if I can provide any additional information useful to the Commission's decision.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hans Baldauf', written over a white background.

Hans Baldauf, FAIA, LEED AP
Founder/Principal