

REG BSC 3-1-22 Behested Payments Reconsideration Request DP 220302

I hereby request reconsideration of the Approved Digest for the ballot measure with the working title "Behested Payments". I have included the text adopted by the Committee with my alternate language as tracked changes. I recommend these changes to increase accuracy and clarity. Thanks. DP

**The Way It Is Now:** A behested payment is a donation requested ~~solicited~~ by a public official to benefit either a government agency or a private organization.

City law generally prohibits elected officials, members of board and commissions ~~commissioners~~, department heads and other City employees with decision-making authority from requesting ~~seeking~~ these payments from any of the following:

- businesses and individuals contracting with or seeking to contract with their department ~~departments~~;
- individuals ~~persons~~ who attempted to influence them regarding ~~with respect to~~ governmental actions;
- lobbyists registered to lobby their department ~~departments~~;
- permit expeditors who have contacted their department ~~departments~~ during the previous 12 months; or
- individuals ~~persons~~ involved in proceedings with their department ~~departments'~~ proceedings ~~proceedings~~ regarding administrative enforcement, a license or a permit.

The Board of Supervisors (Board) can change ~~amend~~ this law by a majority vote.

**The Proposal:** Proposition is an ordinance that would change City ~~amend the City's existing~~ law regarding behested payments in with ~~two ways~~ additions:

- members of the Board could not seek behested payments from businesses and individuals contracting with the City ~~contractors~~ if the Board had approved the contract ~~their contracts~~; and
- the Board could change City ~~later amend the City's~~ law regarding behested payments only if the City's Ethics Commission approves the change proposed ~~amendments~~ by a majority vote and the Board then approves the change ~~them~~ by a two-thirds vote ~~of its members~~.

**A "YES" Vote Means:** If you vote "yes," you want to change City ~~amend the City's~~ law regarding behested payments.

**A "NO" Vote Means:** If you vote "no," you do not want to make these changes.