



SF Environment

Our home. Our city. Our planet.

A Department of the City and County of San Francisco

Public Integrity Review: Report Recommendations and Actions

Tyrone Jue, Acting Director





Public Integrity Review

Preliminary Assessment:

San Francisco Department of the Environment's
Relationship with Recology and Lack of
Compliance with Ethics Rules



CITY & COUNTY OF SAN FRANCISCO

Controller's Office

April 8, 2022

Assessment Recommendations



1. The Commission on the Environment should ensure that SF Environment establishes a strong, ethical tone at the top, modeling the importance of compliance with ethics laws.
2. Policymakers should revise the refuse rate-setting process and procedures to clearly define SF Environment's roles, responsibilities, and involvement in the refuse rate-setting process.
3. Policymakers should consider codifying the Mayor's Executive Directive 20-02, requiring departments to formalize their relationships with their Friends of/non-city organization and defining key components of those agreements.

Assessment Recommendations (cont.)



SF Environment and all city departments should:

4. Proactively seek advice from the City Attorney's Office and the Ethics Commission when questions arise about city ethics rules and ensure full disclosure of relevant facts to facilitate accurate advice.
5. Comply with the Mayor's Executive Directive 20-01 and ensure it timely and proactively discloses information to both the City Attorney and Controller's Office.
6. Work with the City Attorney's Office to comply with Mayor's Executive Directive 20-02 and create a memorandum of understanding or ensure the closure of the Friends of SF Environment organization and appropriate disbursement of its remaining funds.

Assessment Recommendations (cont.)



SF Environment and all city departments should:

7. Work with the Office of Contract Administration and the Department of Human Resources to designate employees who have contracting/purchasing responsibilities, including those who participate in contract negotiations and revisions, and to ensure all training requirements, including mandatory ethics training, are met.
8. Seek approval from the Board of Supervisors if the department wishes to charge fees for tours and ensure that this fee revenue is deposited and recorded in the City's financial system.

The Department of Human Resources should:

9. Consider requiring interview panelists to confirm that they have no conflicts of interest before participating in hiring panels and develop policies regarding these matters.

Recommendation 2



Recommendation	Actions	Timeline	Status
Policymakers should revise the refuse rate-setting process and procedures to clearly define SF Environment's roles, responsibilities, and involvement in the refuse rate-setting process.	Proposed reforms introduced by Mayor Breed and Supervisor Peskin to be voted on in June 2022 election.	Q2 2022	In progress

Recommendation 3



Recommendation	Actions	Timeline	Status
Policymakers should consider codifying the Mayor's Executive Directive 20-02, requiring departments to formalize their relationships with their Friends of/non-city organization and defining key components of those agreements.	Consider commission policy codifying Mayor's Executive Directive 20-02 requiring an MOU with a new "Friends of" organization fully reviewed by the City Attorney's Office and the Controller's Office to comply with all local rules and regulations.	Q2 2022	In progress

Recommendation 4



Recommendation	Actions	Timeline	Status
<p>SF Environment and all city departments should proactively seek advice from the City Attorney's Office and the Ethics Commission when questions arise about city ethics rules and ensure full disclosure of relevant facts to facilitate accurate advice.</p>	<p>Department will review internal ethics policies and protocols and develop additional formal written policies as necessary, including seeking advice from CAT/ETH. Department will schedule regular staff training on city ethics rules and new policies.</p>	Q2 2022	In progress
	<p>Department will conduct annual staff briefing on process for obtaining advice from the City Attorney and Ethics Commission (making process more accessible to staff).</p>	Q2 2022	In progress
	<p>Department has requested additional CAT allocation to ensure sufficient budget</p>	Q2 2022	In progress

Recommendation 5



Recommendation	Actions	Timeline	Status
SF Environment and all city departments should comply with the Mayor's Executive Directive 20-01 and ensure it timely and proactively discloses information to both the City Attorney and Controller's Office.	Department is committed to ensuring timely and proactive disclosures of information to City Attorney and Controller's Office and will provide training to all staff.	Ongoing	In progress

Recommendation 6



Recommendation	Actions	Timeline	Status
<p>SF Environment and all city departments should work with the City Attorney's Office to comply with Mayor's Executive Directive 20-02 and create a memorandum of understanding or ensure the closure of the Friends of SF Environment organization and appropriate disbursement of its remaining funds.</p>	<p>In consultation with CAT, Friends of SF Environment has been dissolved.</p> <p>On 4/29/22 the Department Acting Director sent a letter to Friends of SF Environment formally ending any relationship. Consistent with the City's new behested payments rules, all decisions about the disbursement of remaining funds are the sole discretion of Friends of SF Environment.</p>	<p>Q2 2022</p>	<p>Completed</p>

Recommendation 7



Recommendation	Actions	Timeline	Status
<p>SF Environment and all city departments should work with the Office of Contract Administration and the Department of Human Resources to designate employees who have contracting/purchasing responsibilities, including those who participate in contract negotiations and revisions, and to ensure all training requirements, including mandatory ethics training, are met.</p>	<p>As of 2021, all SF Environment staff are required to take the bi-annual online city ethics training identified for designated employees with contracting/purchasing responsibilities. Training is also part of the new employee onboarding process. In summer 2022, the department will be scheduling an all-staff training with City Attorney's Office.</p> <p>Beginning in 2023, there will be an annual requirement to complete the training to align with the filing deadline for Form 700 filers (April 1) to ensure compliance.</p>	Q4 2021 and ongoing	Completed
	<p>Department requested additional funds to add a new position to assist with budgeting, ethics, contracts and grants compliance.</p>	Q2 2022	In progress

Recommendation 7 (cont.)



Recommendation	Actions	Timeline	Status
SF Environment and all city departments should work with the Office of Contract Administration and the Department of Human Resources to designate employees who have contracting/purchasing responsibilities, including those who participate in contract negotiations and revisions, and to ensure all training requirements, including mandatory ethics training, are met.	SF Environment will review job responsibilities of all positions to determine which positions have substantial contracting/purchasing responsibilities to ensure any additional training requirements are met.	Q2 2022	In progress
	Department will work with Ethics Commission to identify additional sunshine training to include in annual mandatory requirements.	Q2 2022	In progress

Recommendation 8



Recommendation	Actions	Timeline	Status
<p>SF Environment and all city departments should seek approval from the Board of Supervisors if the department wishes to charge fees for tours and ensure that this fee revenue is deposited and recorded in the City's financial system.</p>	<p>The only fee-based tour of Recology was in Q2 2014. The last fee-based presentation happened in Q4 2019. Department has suspended all fee-based tours since then. Department will seek approval from the Environment Commission and Board of Supervisors if the department wishes to charge fees for tours in the future and will ensure that any fee revenue is recorded in the City's financial system.</p>	<p>Q4 2019 and as needed</p>	<p>Completed</p>

Recommendation 9



Recommendation	Actions	Timeline	Status
<p>The Department of Human Resources should consider requiring interview panelists to confirm that they have no conflicts of interest before participating in hiring panels and develop policies regarding these matters.</p>	<p>SF Environment has made a comprehensive list of all contractors and grantees available to all staff, which is updated quarterly. Director will develop a department policy, in writing, that prohibits using contractors or grantees with a financial relationship from participating in hiring panels. Panelists will be required to confirm that they have no conflicts of interest.</p>	<p>Q2 2022</p>	<p>In progress</p>

Recommendation 1



Recommendation	Outcomes	Timeline	Status
The Commission on the Environment should ensure that SF Environment establishes a strong, ethical tone at the top, modeling the importance of compliance with ethics laws.	Department is identifying opportunities to engage and inform Commission about future City audits.	Q2 2022	In progress
	Department is identifying opportunities to engage and inform the Commission about contracts and grants.	Q2 2022	In progress
	Department is identifying opportunities to engage and inform the Commission about major ethics updates.	Q2 2022	In progress
	Department has scheduled a special commission meeting on May 10 to review the Controller's Public Integrity Review recommendations and share the Department's response.	Q2 2022	In progress

Thank you!



Tyrone Jue
Acting Director
SF Department of the Environment
(415) 355-3701
Tyrone.Jue@sfgov.org



SF Environment

Our home. Our city. Our planet.

A Department of the City and County of San Francisco

© 2022 SF Environment All Rights Reserved

The author of this document has secured the necessary permission to use all the images depicted in this presentation. Permission to reuse or repurpose the graphics in this document should not be assumed nor is it transferable for any other use. Please do not reproduce or broadcast any content from this document without written permission from the holder of copyright.