
FW: Interested Persons Comment: In re Winuk Opinion Memorandum

From Kevin Cornwall <kcornwall@fppc.ca.gov>

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To Davina Vo <davo@fppc.ca.gov>

Public comment for the Winuk Opinion memorandum agenda materials

From: Abusaa, Ryan (ETH) <ryan.abusaa@sfgov.org>

Sent: Friday, June 13, 2025 2:35 PM

To: Kevin Cornwall <kcornwall@fppc.ca.gov>

Cc: Canning, Michael (ETH) <michael.a.canning@sfgov.org>; Ford, Patrick (ETH) <patrick.ford@sfgov.org>

Subject: Interested Persons Comment: In re Winuk Opinion Memorandum

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EXTERNAL EMAIL

Dear Members of the Fair Political Practices Commission:

Thank you for the opportunity to provide input as the Commission considers adopting an Opinion related to Conflicts of Interest under the Political Reform Act.

Upon review of the materials provided by the FPPC, the San Francisco Ethics Commission would like to affirm its support for the Commission staff's analysis and urge against promulgating a regulation that could undermine the Conflict of Interest rules in the Political Reform Act.

San Francisco's local ethics laws incorporate the Political Reform Act, and as the body who enforces those rules within San Francisco, the San Francisco Ethics Commission agrees with the Commission staff's interpretation and believes it promotes strong ethics rules. Given that nonprofit entities can have extensive financial interests in the outcomes of government processes and decisions (both in San Francisco and elsewhere), it is important to be rigorous when reviewing and preventing potential conflicts of interest involving nonprofits.

Any attempt to create a bright line rule would be hindered by the need to create a "one size" approach that captures the vast grey area of nonprofit structures, funding and asset management, purposes and mission statements, and ties to other entities. It is far more effective to evaluate each case based on the circumstances presented, as the FPPC has done with this question.

By continuing to consider conflict of interest questions regarding nonprofits on a case-by-case basis, the FPPC maintains the ability to more thoroughly and thoughtfully review and analyze such questions to ensure that determinations made are consistent with the purposes of the Political Reform Act.

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