

# **Ethics Commission**



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## Commission Description

The Ethics Commission is an independent City entity responsible for monitoring, administering, and enforcing the City's governmental ethics laws which include the City's campaign and lobbying laws. The Ethics Commission conducts audits and investigations, provides formal and informal advice to persons who fall within its jurisdiction, conducts live training sessions, administers online training programs, and proposes governmental ethics law reforms.

The Commission's mission is:

*To preserve public confidence in City government through education, advice, and the prompt and fair enforcement of local government ethics laws*

## Goals and Objectives

The following goals and objectives represent the action plan for the Commission:

***Goal 1: Educate City officials, City candidates, and lobbyists about the various provisions in the City's governmental ethics laws***

The Commission will move toward accomplishing this goal by focusing on the following objectives:

- Provide prompt informal advice via telephone and e-mail
- Issue formal advisory opinions
- Prepare and disseminate educational materials such as fact sheets and manuals
- Conduct live and online training courses on the Ethics Ordinance for City officials
- Conduct live training courses on the Election Campaign Control Ordinance for City candidates

***Goal 2: Ensure compliance with the City's governmental ethics laws through audit and enforcement activities***

The Commission will move toward accomplishing this goal by focusing on the following objectives:

- Conduct efficient and thorough investigations into alleged violations of the City's ethics laws, campaign laws, and lobbying laws

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- Conduct compliance audits of City candidate and ballot measure committees

**Goal 3: Propose legislative amendments to ensure that the City's governmental ethics laws are effective in preventing corruption and the appearance of corruption**

The Commission will move toward accomplishing this goal by focusing on the following objectives:

- Review existing laws, receive public input, and study laws in other jurisdictions
- Prepare proposed legislative amendments for City Council approval

## Key Performance Indicators

Performance Indicator	Actual FY2014	Target FY2015	Actual FY2015	Target FY2016
1. Percent of City Officials receiving ethics training within 90 days of assuming office or two year anniversary <sup>1</sup>	92%	N/A <sup>2</sup>	96%	100%
2. Percent of requests for technical assistance (informal advice regarding campaign, lobbying, and ethics laws) answered within 24 hours	100%	N/A	100%	100%
3. Percent of formal advisory opinions issued within 30 days of request	100%	N/A	100%	100%
4. Percent of educational materials updated within 30 days of legislative changes (both State and local)	100%	N/A	100%	100%
5. Percent of complaints reviewed within 30 calendar days	100%	N/A	100%	100%
6. Percent of investigations completed within 180 calendar days	89%	N/A	90%	100%
7. Percent of investigations completed within 360 calendar days	97%	N/A	100%	100%
8. Percent of audits completed <sup>3</sup>	52%	N/A	38%	50%

1. Pursuant to Council Policy 000-04, City officials (approximately 1,100 unclassified employees, agency employees, board members, and consultants) must receive an initial ethics training within 90 days of assuming office, and on a biennial basis thereafter.
2. Measures were established for Fiscal Year 2016; therefore, prior target data was not available at the time the Fiscal Year 2015 Adopted Budget was published.
3. All city candidate and ballot measure committees are subject to compliance audits every two years. The selection is done through a random drawing conducted in September of odd-numbered (e.g. 2013, 2015, 2017). Therefore, the annual target will always be 50% of pending audits each fiscal year.

## Service Efforts and Accomplishments

The Ethics Commission received a total of 56 complaints during Calendar Year 2014 and approved 31 of these matters for formal investigation. The investigations conducted by Commission staff resulted in 26 stipulated settlement agreements involving fines totaling \$25,650. With respect to its audit program, the Commission completed the audits of nine candidate committees and one ballot measure committees from the 2012 election cycle.

During Fiscal Year 2015, the Commission continued to make education and outreach a priority. The Commission staff conducted numerous live training sessions for City officials and candidates; responded to hundreds of requests for informal advice; and updated various educational materials, including fact sheets and manuals for candidates, political committees, and lobbyists.

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The Commission's legislative activities included proposed amendments to the City's campaign laws to address the duplication of candidate materials in connection with “independent” expenditures and the dissemination of campaign advertisements on credit resulting in the avoidance of laws that require the disclosure of major donors. The City Council approved the amendments proposed by the Commission on October 21, 2014, and the new laws went into effect on January 1, 2015.



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## Department Summary

	FY2014 Actual	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
FTE Positions (Budgeted)	5.00	5.00	5.00	0.00
Personnel Expenditures	\$ 765,033	\$ 727,659	\$ 776,024	\$ 48,365
Non-Personnel Expenditures	156,540	264,203	271,753	7,550
<b>Total Department Expenditures</b>	<b>\$ 921,572</b>	<b>\$ 991,862</b>	<b>\$ 1,047,777</b>	<b>\$ 55,915</b>
<b>Total Department Revenue</b>	<b>\$ 98,036</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

## General Fund

### Department Expenditures

	FY2014 Actual	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
Ethics Commission	\$ 921,572	\$ 991,862	\$ 1,047,777	\$ 55,915
<b>Total</b>	<b>\$ 921,572</b>	<b>\$ 991,862</b>	<b>\$ 1,047,777</b>	<b>\$ 55,915</b>

### Department Personnel

	FY2014 Budget	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
Ethics Commission	5.00	5.00	5.00	0.00
<b>Total</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>0.00</b>

### Significant Budget Adjustments

	FTE	Expenditures	Revenue
<b>Addition of Positions</b> Addition of 1.00 Program Coordinator and 2.00 Program Managers based on department operational needs.	3.00	\$ 334,023	\$ -
<b>Salary and Benefit Adjustments</b> Adjustments to reflect the annualization of the Fiscal Year 2015 negotiated salary compensation schedule, changes to savings resulting from positions to be vacant for any period of the fiscal year, retirement contributions, retiree health contributions, and labor negotiation adjustments.	0.00	43,233	-
<b>Equipment/Support for Information Technology</b> Adjustment to expenditure allocations according to a zero-based annual review of information technology funding requirements and priority analyses.	0.00	7,366	-
<b>Non-Discretionary Adjustment</b> Adjustment to expenditure allocations that are determined outside of the department's direct control. These allocations are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent.	0.00	184	-
<b>Reduction of Positions</b> Reduction of 1.00 Accountant 2, 1.00 Administrative Aide 2, and 1.00 Senior City Attorney Investigator.	(3.00)	(328,891)	-
<b>Total</b>	<b>0.00</b>	<b>\$ 55,915</b>	<b>\$ -</b>

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## Expenditures by Category

	FY2014 Actual	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
<b>PERSONNEL</b>				
Personnel Cost	\$ 430,725	\$ 427,585	\$ 507,586	\$ 80,001
Fringe Benefits	334,308	300,074	268,438	(31,636)
<b>PERSONNEL SUBTOTAL</b>	<b>765,033</b>	<b>727,659</b>	<b>776,024</b>	<b>48,365</b>
<b>NON-PERSONNEL</b>				
Supplies	\$ 6,387	\$ 7,779	\$ 8,316	\$ 537
Contracts	127,626	240,851	240,689	(162)
Information Technology	18,320	9,445	16,811	7,366
Energy and Utilities	180	191	-	(191)
Other	3,867	5,000	5,000	-
Transfers Out	160	-	-	-
Capital Expenditures	-	937	937	-
<b>NON-PERSONNEL SUBTOTAL</b>	<b>156,540</b>	<b>264,203</b>	<b>271,753</b>	<b>7,550</b>
<b>Total</b>	<b>\$ 921,572</b>	<b>\$ 991,862</b>	<b>\$ 1,047,777</b>	<b>\$ 55,915</b>

## Revenues by Category

	FY2014 Actual	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
Fines Forfeitures and Penalties	\$ 98,036	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 98,036</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

## Personnel Expenditures

Job Number	Job Title / Wages	FY2014 Budget	FY2015 Budget	FY2016 Adopted	Salary Range	Total
<b>FTE, Salaries, and Wages</b>						
20000867	Accountant 2	1.00	1.00	0.00	\$54,059 - \$65,333	-
20000024	Administrative Aide 2	1.00	1.00	0.00	42,578 - 51,334	-
20001220	Executive Director	1.00	1.00	1.00	46,966 - 172,744	135,000
20001234	Program Coordinator	0.00	0.00	1.00	23,005 - 137,904	51,334
20001222	Program Manager	1.00	1.00	3.00	46,966 - 172,744	264,671
20000933	Senior City Attorney Investigator	1.00	1.00	0.00	63,794 - 77,314	-
	Adjust Budget To Approved Levels					56,581
<b>FTE, Salaries, and Wages Subtotal</b>		<b>5.00</b>	<b>5.00</b>	<b>5.00</b>		<b>\$ 507,586</b>

	FY2014 Actual	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
<b>Fringe Benefits</b>				
Employee Offset Savings	\$ 8,511	\$ 8,575	\$ 7,501	\$ (1,074)
Flexible Benefits	38,551	40,988	52,565	11,577
Insurance	242	-	-	-
Long-Term Disability	3,465	1,471	1,469	(2)
Medicare	6,208	6,200	6,540	340
Other Post-Employment Benefits	32,525	30,330	29,430	(900)
Retiree Medical Trust	117	117	502	385
Retirement 401 Plan	460	466	-	(466)
Retirement ADC	208,370	182,808	124,812	(57,996)
Retirement Offset Contribution	9	-	-	-
Risk Management Administration	4,828	4,735	5,250	515



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	FY2014 Actual	FY2015 Budget	FY2016 Adopted	FY2015-2016 Change
Supplemental Pension Savings Plan	20,866	21,054	33,618	12,564
Unemployment Insurance	1,188	842	843	1
Workers' Compensation	8,968	2,488	5,908	3,420
<b>Fringe Benefits Subtotal</b>	<b>\$ 334,308</b>	<b>\$ 300,074</b>	<b>\$ 268,438</b>	<b>\$ (31,636)</b>
<b>Total Personnel Expenditures</b>			<b>\$ 776,024</b>	