

Ethics Commission



Page Intentionally Left Blank



Department 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 laws, lobbying laws, and ethics 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 Department'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 Department:

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

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

- Provide prompt informal advice via telephone and email
- Issue formal advisory opinions
- Prepare and disseminate educational materials such as fact sheets
- 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
- Conduct live training courses on the Lobbying Ordinance for lobbyists

Ethics Commission

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

The Department 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
- 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 Department 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

Service Efforts and Accomplishments

The Ethics Commission received a total of 81 complaints during Calendar Year 2011 and approved 44 of these matters for formal investigation. The investigations conducted by Commission staff resulted in 17 stipulated settlement agreements involving fines totaling \$35,000. With respect to its audit program, the Commission completed the audits of the seven remaining candidate and ballot measure committees from the 2008 election cycle, as well as two candidate committees from the 2010 election cycle.

During Fiscal Year 2012, the Commission continued to make education and outreach a priority. The Commission staff conducted numerous live training sessions for City officials, candidates, and lobbyists. In addition, the Commission staff responded to hundreds of requests for informal advice. Finally, the staff prepared and updated various educational materials including fact sheets and manuals for candidates and lobbyists.

The Ethics Commission staff continued to work with the City's outside counsel defending a lawsuit brought by several plaintiffs (Phil Thalheimer, et al.) challenging the City's campaign laws. On January 20, 2012, the District Court issued a ruling on the parties' cross motions for summary judgment. As soon as the appeal process is concluded, the Commission will prepare amendments to the Municipal Code to correspond to the Court's ruling and will submit them to the City Council for approval.

Ethics Commission

Department Summary

	FY2011 Actual	FY2012 Budget	FY2013 Proposed	FY2012-2013 Change
Positions (Budgeted)	6.00	6.00	5.00	(1.00)
Personnel Expenditures	\$ 695,661	\$ 653,426	\$ 654,568	\$ 1,142
Non-Personnel Expenditures	82,856	261,544	269,073	7,529
Total Department Expenditures	\$ 778,517	\$ 914,970	\$ 923,641	\$ 8,671
Total Department Revenue	\$ 58,901	\$ -	\$ -	\$ -

General Fund

Department Expenditures

	FY2011 Actual	FY2012 Budget	FY2013 Proposed	FY2012-2013 Change
Ethics Commission	\$ 778,517	\$ 914,970	\$ 923,641	\$ 8,671
Total	\$ 778,517	\$ 914,970	\$ 923,641	\$ 8,671

Department Personnel

	FY2011 Budget	FY2012 Budget	FY2013 Proposed	FY2012-2013 Change
Ethics Commission	6.00	6.00	5.00	(1.00)
Total	6.00	6.00	5.00	(1.00)

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Salary and Benefit Adjustments Adjustments to reflect the annualization of the Fiscal Year 2012 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	\$ 209,530	\$ -
Non-Discretionary Adjustment 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	5,636	-
Equipment/Support for Information Technology Adjustment to expenditure allocations according to a zero-based annual review of information technology funding requirements and priority analyses.	0.00	1,559	-
Copier Savings Adjustment to reflect savings resulting from the new convenience copier contract.	0.00	(912)	-
One-Time Reductions and Annualizations Adjustment to reflect the removal of one-time revenues and expenditures, and the annualization of revenues and expenditures, implemented in Fiscal Year 2012.	0.00	(207,142)	-

Ethics Commission

Significant Budget Adjustments (Cont'd)

	FTE	Expenditures	Revenue
Adjustment to Professional Services Funding	(1.00)	-	-
Reduction of 1.00 General Counsel to support an increase in non-personnel expenditures for consulting services, administrative hearings, and attorneys with specific expertise for hearings and enforcement-related issues.			
Total	(1.00)	\$ 8,671	\$ -

Expenditures by Category

	FY2011 Actual	FY2012 Budget	FY2013 Proposed	FY2012-2013 Change
PERSONNEL				
Salaries and Wages	\$ 411,813	\$ 392,829	\$ 389,489	\$ (3,340)
Fringe Benefits	283,847	260,597	265,079	4,482
PERSONNEL SUBTOTAL	\$ 695,661	\$ 653,426	\$ 654,568	\$ 1,142
NON-PERSONNEL				
Supplies	\$ 2,333	\$ 5,817	\$ 5,817	\$ -
Contracts	53,211	234,681	238,236	3,555
Information Technology	23,688	14,124	15,683	1,559
Energy and Utilities	-	299	209	(90)
Other	3,624	5,158	7,663	2,505
Capital Expenditures	-	1,465	1,465	-
NON-PERSONNEL SUBTOTAL	\$ 82,856	\$ 261,544	\$ 269,073	\$ 7,529
Total	\$ 778,517	\$ 914,970	\$ 923,641	\$ 8,671

Revenues by Category

	FY2011 Actual	FY2012 Budget	FY2013 Proposed	FY2012-2013 Change
Charges for Services	\$ 1,500	\$ -	\$ -	\$ -
Fines Forfeitures and Penalties	57,399	-	-	-
Other Revenue	2	-	-	-
Total	\$ 58,901	\$ -	\$ -	\$ -

Personnel Expenditures

Job Number	Job Title / Wages	FY2011 Budget	FY2012 Budget	FY2013 Proposed	Salary Range	Total
Salaries and Wages						
20000867	Accountant 2	1.00	1.00	1.00	\$54,059 - \$65,333	\$ 63,700
20000024	Administrative Aide 2	0.00	0.00	1.00	42,578 - 51,334	42,578
20001220	Executive Director	1.00	1.00	1.00	46,966 - 172,744	111,792
20000924	Executive Secretary	1.00	1.00	0.00	43,555 - 52,666	-
20001153	General Counsel	1.00	1.00	0.00	17,805 - 204,214	-
20001222	Program Manager	1.00	1.00	1.00	46,966 - 172,744	96,038
20000933	Senior City Attorney Investigator	1.00	1.00	1.00	63,794 - 77,314	75,381
Salaries and Wages Subtotal		6.00	6.00	5.00		\$ 389,489

Fringe Benefits

Employee Offset Savings	\$ 8,279
Flexible Benefits	36,052

Ethics Commission

Personnel Expenditures (Cont'd)

Job Number	Job Title / Wages	FY2011 Budget	FY2012 Budget Proposed	FY2013	Salary Range	Total
	Long-Term Disability					2,636
	Medicare					5,792
	Other Post-Employment Benefits					31,770
	Retirement ARC					149,285
	Retirement Offset Contribution					740
	Risk Management Administration					5,210
	Supplemental Pension Savings Plan					19,313
	Unemployment Insurance					1,157
	Workers' Compensation					4,845
Fringe Benefits Subtotal						\$ 265,079
Total Personnel Expenditures						\$ 654,568



Page Intentionally Left Blank