

Ethics Commission



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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 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 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

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:

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- 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 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; responded to hundreds of requests for informal advice; 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.

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Department Summary

	FY2012 Actual	FY2013 Budget	FY2014 Proposed	FY2013–2014 Change
FTE Positions (Budgeted)	6.00	5.00	5.00	0.00
Personnel Expenditures	\$ 639,162	\$ 653,356	\$ 703,786	\$ 50,430
Non-Personnel Expenditures	141,714	275,567	270,181	(5,386)
Total Department Expenditures	\$ 780,875	\$ 928,923	\$ 973,967	\$ 45,044
Total Department Revenue	\$ 23,000	\$ -	\$ -	\$ -

General Fund

Department Expenditures

	FY2012 Actual	FY2013 Budget	FY2014 Proposed	FY2013–2014 Change
Ethics Commission	\$ 780,875	\$ 928,923	\$ 973,967	\$ 45,044
Total	\$ 780,875	\$ 928,923	\$ 973,967	\$ 45,044

Department Personnel

	FY2012 Budget	FY2013 Budget	FY2014 Proposed	FY2013–2014 Change
Ethics Commission	6.00	5.00	5.00	0.00
Total	6.00	5.00	5.00	0.00

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Salary and Benefit Adjustments Adjustments to reflect the annualization of the Fiscal Year 2013 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	\$ 50,430	\$ -
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	(157)	-
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	(5,229)	-
Total	0.00	\$ 45,044	\$ -

Expenditures by Category

	FY2012 Actual	FY2013 Budget	FY2014 Proposed	FY2013–2014 Change
PERSONNEL				
Personnel Cost	\$ 392,263	\$ 389,489	\$ 401,050	\$ 11,561
Fringe Benefits	246,899	263,867	302,736	38,869
PERSONNEL SUBTOTAL	\$ 639,162	\$ 653,356	\$ 703,786	\$ 50,430

Ethics Commission

Expenditures by Category (Cont'd)

	FY2012 Actual	FY2013 Budget	FY2014 Proposed	FY2013-2014 Change
NON-PERSONNEL				
Supplies	\$ 2,298	\$ 5,817	\$ 8,631	\$ 2,814
Contracts	115,401	228,317	228,317	-
Information Technology	19,624	32,096	23,763	(8,333)
Energy and Utilities	299	209	180	(29)
Other	4,090	7,663	7,825	162
Capital Expenditures	-	1,465	1,465	-
NON-PERSONNEL SUBTOTAL	\$ 141,714	\$ 275,567	\$ 270,181	\$ (5,386)
Total	\$ 780,875	\$ 928,923	\$ 973,967	\$ 45,044

Revenues by Category

	FY2012 Actual	FY2013 Budget	FY2014 Proposed	FY2013-2014 Change
Fines Forfeitures and Penalties	\$ 23,000	\$ -	\$ -	\$ -
Total	\$ 23,000	\$ -	\$ -	\$ -

Personnel Expenditures

Job Number	Job Title / Wages	FY2012 Budget	FY2013 Budget	FY2014 Proposed	Salary Range	Total
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FTE, Salaries, and Wages

20000867	Accountant 2	1.00	1.00	1.00	\$54,059 - \$65,333	\$ 63,700
20000024	Administrative Aide 2	0.00	1.00	1.00	42,578 - 51,334	44,448
20001220	Executive Director	1.00	1.00	1.00	46,966 - 172,744	116,641
20000924	Executive Secretary	1.00	0.00	0.00	43,555 - 52,666	-
20001153	General Counsel	1.00	0.00	0.00	17,805 - 204,214	-
20001222	Program Manager	1.00	1.00	1.00	46,966 - 172,744	100,880
20000933	Senior City Attorney Investigator	1.00	1.00	1.00	63,794 - 77,314	75,381

FTE, Salaries, and Wages Subtotal		6.00	5.00	5.00		\$ 401,050
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	FY2012 Actual	FY2013 Budget	FY2014 Proposed	FY2013-2014 Change
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Fringe Benefits

Employee Offset Savings	\$ 8,071	\$ 8,279	\$ 8,623	\$ 344
Flexible Benefits	35,266	36,052	36,052	-
Insurance	238	-	-	-
Long-Term Disability	2,169	2,277	2,235	(42)
Medicare	6,237	5,792	6,002	210
Other Post-Employment Benefits	11,619	31,635	31,435	(200)
Retiree Medical Trust	18	-	118	118
Retirement 401 Plan	69	-	470	470
Retirement ARC	155,379	148,567	178,920	30,353
Retirement Offset Contribution	830	740	758	18
Risk Management Administration	4,870	5,210	5,260	50
Supplemental Pension Savings Plan	19,113	19,313	20,204	891
Unemployment Insurance	1,256	1,157	1,200	43
Workers' Compensation	1,764	4,845	11,459	6,614

Fringe Benefits Subtotal	\$ 246,899	\$ 263,867	\$ 302,736	\$ 38,869
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Total Personnel Expenditures			\$ 703,786	
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