

**Project Summary: Ethics & Good Government Working Group,  
Office of Councilmember Dan Kalb**

The Oakland Public Ethics Commission was formed in 1996 with the goal of ensuring “fairness, openness, honesty, and integrity” in City government. Numerous commentators, including the Alameda County Grand Jury, have observed that the Oakland Public Ethics Commission (PEC) has insufficient resources and authority to adequately complete its mission of enforcing ethics laws. This year, the PEC itself wrote to the City Council regarding its limited authority, requesting the provision of (1) a local ethics ordinance, as enacted in various other local jurisdictions, (2) enhanced resources, and (3) evaluation of its structure with regard to independence with the City government. Various other local jurisdictions in California have Ethics Commissions with significantly more authority, responsibilities, and resources than the PEC.

Shortly after being elected, Councilmember Kalb began work on convening a working group of local experts on ethics and good government. The group was formed with the purpose of researching best practices in comparative law and needed reforms regarding the structure and powers of the PEC and the laws under its regulatory purview. An essential part of this research and policy development is receiving input from the public.

Once the working group has completed its research, Councilmember Kalb will work to develop legislative proposals, which will be publicly disseminated to solicit input and later submitted to the PEC for open vetting. Such public vetting will be done before the proposals are scheduled for the standard review and deliberation by the City Council.

**Subject matter for examination by Working Group**

| <u>Topic area</u>                     | <u>Existing Oakland law</u>   | <u>Examples of relevant issues</u>   |
|---------------------------------------|---|--|
| PEC structure, authority, & resources | i. Charter Section 202;<br>ii. Municipal Code Chapter 2.24  | structure;<br>enforcement authority;<br>independence issues<br>dedicated funding   |
| Election campaigns                    | i. Campaign Reform Act;<br>ii. Limited Public Financing Act;<br>iii. False Endorsement in Campaign Literature Act                   | contribution limits;<br>public financing;<br>voluntary expenditure ceilings;<br>campaign finance disclosure  |
| Transparency                          | Sunshine Ordinance  | open meetings;<br>public records access & retention;<br>transparency   |
| Lobbying                              | Lobbyist Registration Act   | disclosure of lobbying;<br>restrictions on lobbyists;<br>disclosure of spending to influence gov. decisions  |
| Government ethics                     | i. Conflict of Interest Code;<br>ii. City Council Code of Conduct   | misuse of public resources;<br>conflicts of interest in gov. decisions;<br>post-employment restrictions;<br>protecting competitive bidding with gov. contracts;<br>nepotism & corruption |
| Whistleblower protection              | Ordinance Prohibiting Retaliation Against City Employees Who Act as Whistleblowers<br>[PEC not currently able to enforce this law.] | protections for gov. employees who are whistleblowers  |