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FOR IMMEDIATE RELEASE
May 9, 2014

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City Councilmember Kalb Releases Blueprint for Ethics Reform; Experts Tout Need for Stronger Ethics Laws

Oakland, CA – Oakland City Councilmember **Dan Kalb** and an ad hoc Oakland-based citizens group have developed and released for public input a blueprint for Government Ethics Reform in Oakland. In addition to proposing the establishment of a governmental ethics ordinance, the blueprint includes proposals for a 2014 ballot measure that would amend the Oakland Charter provisions governing Oakland's Public Ethics Commission.

"We have a responsibility to increase the public's confidence and trust in City Hall," said Councilmember Kalb. "You can't engender trust if your government ethics watchdog is neutered. It's essential that we provide our Public Ethics Commission with the authority, responsibilities, and staff resources to fulfill its mission of enforcing ethics laws and ensuring fairness and integrity in our local government."

Oakland has had a Public Ethics Commission (PEC) for nearly 18 years with a goal of ensuring fairness, openness, honesty and integrity in city government. Yet, groups and individual observers in Oakland have called for reforms to strengthen the PEC, noting that it has had insufficient resources and authority to follow through on its mandate. The Alameda County Grand Jury, for example, noted in a June 2013 report that "local independent oversight of public ethics is essential" but described problems that limit the ability of the PEC to effectively fulfill this role.

The Grand Jury noted that the PEC's limited staffing and resources affects its viability. The report contrasted the Oakland PEC with San Francisco's ethics commission, which has a staff of 17 and annual operating budget of approximately $2.2 million. By comparison, the FY 13-15 Budget approved by the Oakland City Council provides just two full time staff for the PEC, with an annual operating budget of merely $300,000.

The report released by Councilmember Kalb and the Ethics & Good Government Working Group he formed proposes PEC reforms that address the problems of limited authority

and insufficient for the PEC. The group had a public meeting to gather input back in September of last year. Observers of the PEC approve of the proposals.

"When I was a commissioner on the Oakland Public Ethics Commission, it was clear that the organization's mission was larger than its resources," said Jon Sylvester, Golden Gate University School of Law professor and an informal advisor to Kalb's ethics working group. "The Commission can play a very beneficial role in Oakland, but it must have the tools and the budget to do so. Councilmember Kalb and the working group have come up with strong proposals to give the Ethics Commission more authority and improved structure. I support that effort." Sylvester served on the PEC from 2001 to 2004.

"The League of Women Voters of Oakland was instrumental in the creation of the Public Ethics Commission and adoption of our city's Sunshine Ordinance," said Katherine Gavzy, President of the Oakland League and a member of the working group. "We believe strongly that the Public Ethics Commission's authority and resources must be enhanced for them to be truly effective. We commend the Ethics & Good Government Working Group project for developing new legislation to do this, and hope the City Council will give these proposals positive and serious consideration. For the people of Oakland to retain faith in their city government, they need to be assured that adequate structures are in place to keep it fair, open and ethical."

The reform proposals include:

- Requirements for minimum staffing (7 FTEs) so the PEC can adequately administer and enforce the laws under its jurisdiction.
- Improvements and enhancements in enforcement capabilities, including specific authority to enforce relevant charter provisions relating to conflicts of interest and non-interference.
- Revolving door restrictions on city officials regarding acceptance of post-service employment with employers to whom they awarded government contracts.

Ethics Commissions that exist in Los Angeles, San Francisco, San Diego and San Jose have significantly more authority and staff resources than Oakland's PEC.

"Thanks so much to the working group members and the other expert advisors who have contributed to the blueprint," added Kalb. "We have more work to do, but I intend to do what is necessary to enact these much-needed changes for Oakland this year."

Councilmember Kalb is seeking additional public input on the proposals in his blueprint, which is available here online:
http://www2.oaklandnet.com/oakca1/groups/citycouncil/documents/report/oak047092.pdf
For more information, call 510-238-7013 or e-mail Councilmember Kalb's office at oluby@oaklandnet.com.

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