



Item 9 - Executive Director's Report

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Suzanne Doran, Acting Executive Director

TO: Public Ethics Commission
 FROM: Suzanne Doran, Acting Executive Director
 DATE: April 28, 2023
 RE: Executive Director's Monthly Report for the May 10, 2023, PEC Meeting

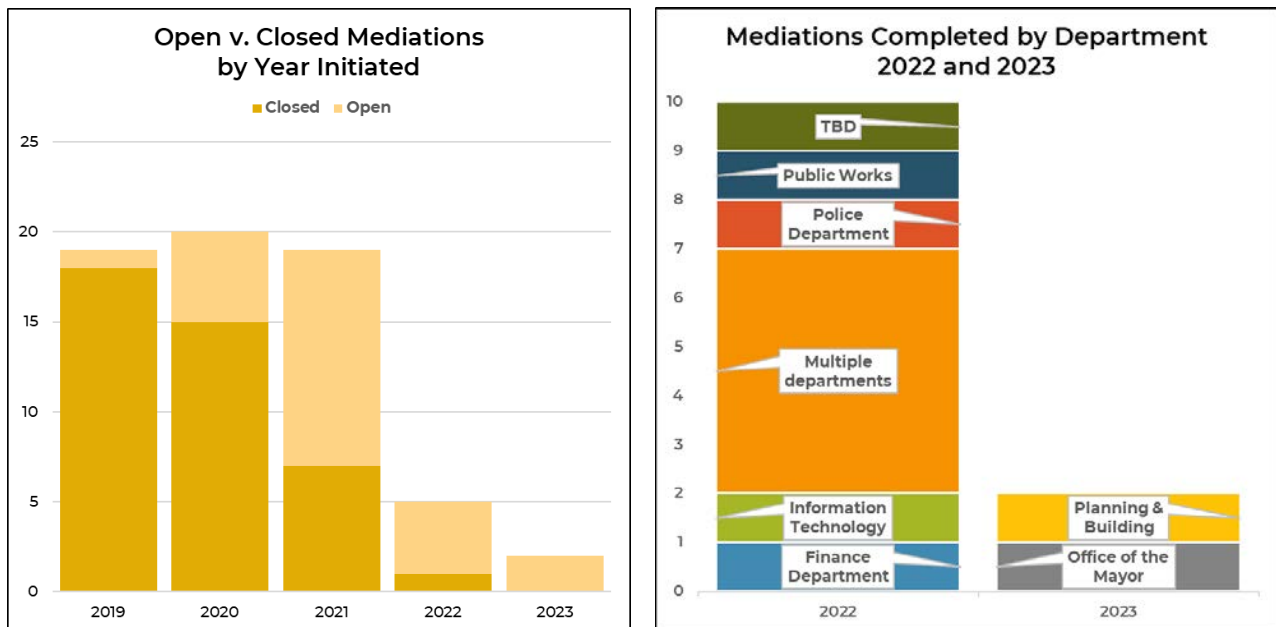
This memorandum provides an overview of the Public Ethics Commission's (PEC or Commission) significant activities not included in other program reports since the last regular meeting. The attached overview of Commission Programs and Priorities includes the ongoing goals and key projects for 2023 for each program area.

Budget

In April, Commission staff provided City administration with a service and equity impact analysis of the Commission's budget proposal including potential effects should the proposal be reduced. The Mayor's budget proposal will be published in May.

Mediation Program

Pursuant to the Oakland Sunshine Ordinance, the Commission conducts mediation of public records requests made by members of the public to City departments for records within the department's control. The PEC has 24 open mediations.



Following a mediation, Commission staff provides a written summary of the mediation to the Commission and can also make recommendations for further Commission action. Mediation M2020-11 was conducted by staff and subsequently closed this past month. In addition, a revised copy of mediation M2020-09, reported at the March 1, 2021, Commission meeting, is included this month

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because the summary was inadvertently left off the original meeting packet. The following mediation summaries are attached:

1. In the Matter of the Planning & Building Department (Case No. M2020-11)
2. In the Matter of the Mayor's Office (Case No. M2020-09)

General Outreach

On April 4, the Acting ED participated in a panel discussion hosted by Open Oakland, "Follow the Money: A Partnership for Transparent Campaign Finance in Oakland" with members of the Open Disclosure project team to share insights on the PEC's partnership with Open Oakland to promote electoral accountability, transparency in campaign activities, and increase civic engagement and participation by Oakland residents.

Attachment: Commission Programs and Priorities.

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PUBLIC ETHICS COMMISSION
Programs and Priorities 2023

Program	Goal	Desired Outcome	Program Activities	2023 Major Projects
Lead/ Collaborate (Policy, Systems, Culture)	PEC facilitates changes in City policies, laws, systems, and technology and leads by example to ensure fairness, openness, honesty, integrity, and innovation.	Effective campaign finance, ethics, and transparency policies, procedures, and systems are in place across City agencies	<ul style="list-style-type: none"> ○ Lead Measure W implementation 	<ul style="list-style-type: none"> ○ Public Records Performance Tool ○ GSPP project re contractor pay-to-play restrictions and improving disclosure
Educate/ Advise	Oakland public servants, candidates for office, lobbyists, and City contractors understand and comply with City campaign finance, ethics, and transparency laws.	The PEC is a trusted and frequent source for information and assistance on government ethics, campaign finance, and transparency issues; the PEC fosters and sustains ethical culture throughout City government.	<ul style="list-style-type: none"> ● Regular ethics training ● Information, advice, and technical assistance ● Targeted communications to regulated communities ● New trainings as needed for diversion 	<ul style="list-style-type: none"> ○ Develop Democracy Dollars training resources for candidates ○ Collaboration with Clerk and HR on process improvements for ethics onboarding/exit and Form 700 compliance ○ Public Records training
Outreach/ Engage	Citizens and regulated community know about the PEC and know that the PEC is responsive to their complaints/questions about government ethics, campaign finance, or transparency concerns.	The PEC actively engages with clients and citizens demonstrating a collaborative transparency approach that fosters two-way interaction between citizens and government to enhance mutual knowledge, understanding, and trust.	<ul style="list-style-type: none"> ● Public Records mediations ● Commissioner-led public outreach ● Outreach to client groups – targeted training and compliance ● PEC social media outreach 	<ul style="list-style-type: none"> ○ Develop content to reflect Measure W changes and Democracy Dollar Program ○ Develop Democracy Dollars Community Engagement plan
Disclose/ Illuminate	<p>PEC website and disclosure tools are user-friendly, accurate, up-to-date, and commonly used to view government integrity data.</p> <p>Filing tools collect and transmit data in an effective and user-friendly manner.</p>	<p>Citizens can easily access accurate, complete campaign finance and ethics-related data in a user-friendly, understandable format.</p> <p>Filers can easily submit campaign finance, lobbyist, and ethics-related disclosure information.</p>	<ul style="list-style-type: none"> ● Monitor compliance (campaign finance/lobbyist/ticket use) ● Proactive engagement with filers ● Technical assistance ● Assess late fees/refer non-filers for enforcement ● Maintain data assets 	<ul style="list-style-type: none"> ○ Democracy Dollars admin system development ○ Democracy Dollars performance tracking and public data development ○ Updates to Ticket Distribution (Form 802) database

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Program	Goal	Desired Outcome	Program Activities	2023 Major Projects
Detect/ Deter	PEC staff proactively detects potential violations and efficiently investigates complaints of non-compliance with laws within the PEC's jurisdiction.	Public servants, candidates, lobbyists, and City contractors are motivated to comply with the laws within the PEC's jurisdiction.	<ul style="list-style-type: none"> • Process and investigate complaints • Initiate proactive cases • Collaborate/coordinate with other government law enforcement agencies 	<ul style="list-style-type: none"> ○ Digital complaint form/mediation request ○ Improve Enforcement database
Prosecute	Enforcement is swift, fair, consistent, and effective.	Obtain compliance with campaign finance, ethics, and transparency laws, and provide timely, fair, and consistent enforcement that is proportional to the seriousness of the violation.	<ul style="list-style-type: none"> • Prioritize cases • Conduct legal analyses, assess penalty options • Negotiate settlements • Make recommendations to PEC 	<ul style="list-style-type: none"> ○ Resolve 2016 and 2017 case backlog ○ Review/revise policies for release of public information and election-related complaints ○ Develop internal Enforcement staff manual
Administration/ Management	PEC staff collects and uses performance data to guide improvements to program activities, motivate staff, and share progress toward PEC goals.	PEC staff model a culture of accountability, transparency, innovation, and performance management.	<ul style="list-style-type: none"> • Annual Report • Budget proposal • Ongoing professional development and staff reviews • Fill staff vacancies • Commissioner onboarding 	<ul style="list-style-type: none"> ○ 2023 – 2025 strategic plan preparation/retreat ✓ Develop process for City Attorney and City Auditor Salary Adjustment