


PUBLIC TRUST

NEW!!! Online Ethics Training

Are you a Form 700 filer? Do you know what a Form 700 is? Did you know that there is a \$50 limit on receiving a gift from someone doing business with your department?

The PEC is proud to announce the January launch of its newly created government ethics online training designed to help you answer these questions and to ensure that you are fully aware of your ethical responsibilities as a Public Servant in Oakland. This new training is for Public Servants that hold a City position required to file a Statement of Economic Interests (Form 700) as identified in the City’s Conflict of Interest Code.




**City of Oakland
Government Ethics Training***

Welcome! Thank you for taking the time to receive this important government ethics training provided by the City’s Public Ethics Commission, or “PEC.”

The PEC is an independent City board that oversees compliance with Oakland’s campaign finance, transparency, lobbying, and ethics laws in order to ensure fairness, openness, honesty, and integrity in City government. The PEC facilitates policy and technology improvements, enforces violations of the law, and educates City officials, staff, and citizens about ethics related laws and policies.

*This training is composed of audio narration and interactive content. You will need headphones or speakers to listen to the narration.



Ethics laws are complex and can be difficult to understand. There are also many occasions, such as allowing a vendor to pay for your lunch, where Public Servants just may not know that certain restrictions are in place. The new training will take you through an interactive learning module that provides hypothetical scenarios and short quizzes to increase your awareness and comprehension of local and state ethics laws.

Identifying potential ethics conflicts and understanding where to go for help is a critical step in fulfilling our ethical duties. Violations of ethics laws not only damage public trust in City government, but also come with serious penalties and fines.

To avoid any ethical missteps, the PEC is rolling out its new online ethics training to educate all Public Servants about the City’s local ethics provisions, including:


- Form 700 Statement of Economic Interests Reporting
- Restrictions on gifts from others
- Conflicts of Interests
- Misuse of City Resources and Position
- Post-Employment Restrictions
- Separation of City government branches of power

The training takes about an hour and is available through the City’s online learning management system, Target Solutions.

If you are not a Form 700 filer, don’t worry, the PEC has and is working to expand online resources for all Public Servants in Oakland.

If you have any questions regarding ethics education, contact Jelani Killings at jkillings@oaklandnet.com.

Are you or someone you know considering running for Oakland City Council?



The City of Oakland offers public financing for candidates in District City Council races to reduce the influence of private money in City elections. If you are running for a City Council District seat in 2018, then we may be able to help you get your message out to Oakland voters.

If you are interested in learning more about the Limited Public Financing Program, visit the [Campaign Information](#) page on the PEC website or contact PEC staff at 510-238-3593.

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Revising Lobbyist Registration

The Public Ethics Commission is revising the Lobbyist Registration Act (LRA) to improve compliance and transparency of lobbying activities in Oakland. In general, lobbyists are individuals who are paid to influence Oakland City government decisions in the interests of their clients and/or employers. Millions of dollars are spent annually to influence City officials and employees.

The LRA requires that local governmental lobbyists (lobbyists) register annually and file quarterly statements with the City Clerk, and that the City Clerk retain those records and make them available to the public. The LRA requires the Commission to enforce the LRA's registration and reporting requirements, as well as other prohibitions in the law.

As a service to the public, the PEC posts all submitted lobbyist registration and disclosure forms on its website. You can find this information about lobbyists working to influence officials and departments in Oakland by visiting the [Lobbyists page](#) of our website.

The PEC recently submitted its first set of revisions to the City Council to 1) transfer the responsibility for collecting and retaining lobbyist forms from the City Clerk to the Public Ethics



Commission, 2) make the law consistent with PEC Enforcement Complaint Procedures, and 3) clarify the key provisions of the act.

The second phase of the project will begin after the City Council adopts the PEC's submitted revisions. The PEC is working with community stakeholders, including current registered lobbyists and City officials, to examine the policy's effectiveness and improve transparency around individuals seeking to influence governmental decisions.

To stay updated with the subcommittee's work on the Lobbyist Registration Act or to weigh in on potential changes, send an email to ethicscommission@oaklandnet.com.

If you know of any unregistered lobbyists that have been lobbying you, your department, or other City officials, please contact the PEC at 510-238-3593.



Ask the PEC

Question: I received a \$50 gift card as a thank you gift from a vendor. Is this ok?

Answer: The Government Ethics Act prohibits a Public Servant from receiving a gift if it is reasonably foreseeable that they could be influenced by it in the performance of an official act. Ask yourself, will receiving this gift affect how I treat this individual compared to others who have not given me a gift? In other words, if receiving the gift would cause you to show favoritism towards that individual, don't accept it.

In addition, there is a \$50 gift limit from individuals that are doing business with a Public Servant's department. It is important to note that the \$50 is cumulative, meaning if you accepted the \$50 gift card, you would be prohibited from receiving anything else with a monetary value from that individual or organization within that same calendar year. If you are a Form 700 filer, you must also remember that you are required to report all gifts with a value of \$50 or more on your Form 700 Statement of Economic Interests. If you still have questions, contact the PEC for advice at 510-238-3593.

Spot the Yellow Flag!

Slow down, be cautious when giving or receiving gifts...



There are state and local restrictions – as well as reporting requirements – for gifts received by Public Servants.

Under the Government Ethics Act (GEA), no Public Servant can accept a gift if the public servant could be influenced by the gift in the performance of his or her official work.

Here are a few tips to help you recognize a yellow flag relating to gifts, depending on your position:

1. All City Staff, Officials, Board Members, and Consultants:

Do not accept a gift of more than \$50 per calendar year from a person doing business with or seeking to do business with the City or a person who attempted to influence you in any legislative or administrative action (i.e. contracting/lobbying).

Note: The \$50 limit is a cumulative amount per year, so multiple gifts from the same source are aggregated for purposes of determining the total amount.

2. Form 700 (Statement of Economic Interests) Filers:

In addition to the above \$50 restriction, you may not accept gifts of more than \$250 per calendar year from a single source.

In addition, you must report all gifts of \$50 or more on your Form 700. See Schedule D on the Form 700 for information about exceptions, such as gifts from family members.

If you receive a gift, you may do one of the following:

- Report the gift if over \$50
- Decline to accept the gift or give it back to the individual/organization
- Donate the gift to a nonprofit, 501(c)3, organization within 30 days (and do not claim a tax deduction for it)

If you have any questions concerning gift rules, contact the PEC at 510-238-3593.

Meet Our New Commissioner

The PEC would like to introduce our newest Commissioner, Mr. James E.T. Jackson, who was selected by the Public Ethics Commission at its December 4, 2017, public meeting.

Mr. Jackson is the Chief Administrative Officer of San Leandro and Alameda Hospitals of the Alameda Health System. He is a Bay Area native and has been an Oakland resident for 53 years where he lives with his wife and two children. Mr. Jackson holds a Master's Degree in Public Health from the University of California in Berkeley and a Bachelor's Degree in Economics from Morehouse College in Atlanta, Georgia.

During his application and interview process, Mr. Jackson said that campaign finance was "one of our City's (and Country's) greatest concerns," and that he found it problematic that "30% of money contributed to Oakland candidates in the two election cycles reviewed recently came from donors living outside of the City of Oakland." Mr. Jackson expressed interest in working on the Commission's current campaign finance project to expand and diversify participation in campaigns.

Mr. Jackson was selected as one of three finalists through the Commission's public recruitment process. Per the City Charter, three members of the Commission are appointed respectively by the Mayor, City Attorney, and City Auditor.

The other four members are recruited and selected by the Commission itself.

Mr. Jackson's term begins on January 22, 2018.



Would you like to serve your City as a Public Ethics Commissioner?

If you or someone you know has an interest in joining the Public Ethics Commission, check our website or request to be put on our email distribution list for upcoming announcements by sending an email to ethicscommission@oaklandnet.com.

Activity Updates

Enforcement

So far in 2017, the Commission has received 14 formal complaints, opened six enforcement cases proactively, and resolved 21 enforcement cases .

The PEC issued the following fines :

- \$400 for a board member's failure to timely file a Form 700 Statement of Economic Interests,
- \$700 for a candidate's failure to accept the City's expenditure ceiling before raising higher contributions
- \$231 for a failure to timely file a campaign statement

This totals \$1,331 for violations of the Oakland Campaign Reform Act and Government Ethics Act.

The Commission posts a list of all fines, advisory letters, warning letters, and settlement documents on its [website](#).

Education

The PEC continues to educate City employees, board/commission members, and elected officials about their responsibilities under the Government Ethics Act.

In 2017, PEC staff conducted 15 in-person ethics trainings reaching over 720 City employees. In 2018, staff will focus efforts on training candidates about campaign laws for the upcoming City elections as well as begin developing training to educate City officials about the Sunshine Ordinance.

Lobbyist Registration

Under the Lobbyist Registration Act, registered lobbyists are required to submit quarterly reports disclosing their lobbying activities in Oakland and are required to register with the City before commencing with any lobbying activities.

To date, there are 33 registered lobbyists with the City, and over \$1,233,051 has been reported for compensation received by lobbyists to lobby City officials.

Find out who is being paid to influence City staff and elected officials on any administrative or legislative action in Oakland by checking out our [lobbyist information](#) page on the PEC website.

Policy

On October 26, the Commission's Campaign Finance subcommittee kicked off its project to discuss expanding citizen participation in Oakland's campaign process.

If you are interested in improving how elections work in Oakland, send an email with your ideas to EthicsCommision@oaklandnet.com to receive notice of the subcommittee's work on this project and join the discussion.

Outreach

The PEC continues to actively engage the community through a series of presentations known as the Roadshow. The community presentations aim to educate the public about the PEC's prevention and policy work, share information about recent enforcement actions, and hear from the community about issues that are important to them.

If you would like to have a Commissioner come speak to your community group or association, contact Jelani Killings at (510) 238-3593 or at jkillings@oaklandnet.com.



Social Media

Follow the PEC on Twitter and Facebook. Stay informed of important updates and join the conversation on good governance and ethics.



@OakGovEthics



@OaklandEthics

You can also subscribe to our email distribution list at www.oaklandnet.com/pec.