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Municipal Campaign Finance Code

Dr. Adriana Rocha Garcia Ethics Review Board Chair June 13, 2018

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- Review Ethics Code
- Review Municipal Campaign Finance Code
- Review CCRs forwarded from Governance Committee
- Study possibility of an independent Ethics Office
- Review requests from Governance Committee
- Recommend Proposed Changes to City Council

Goal

Improve

- Transparency
- Clarity
- Consistency
- Accountability
- Gain in Public Trust
- Codify current practices

Process

ERB met over 24 times

- Consulted ethics research expert (2 meetings)
- Researched more than 26 cities

Topics

- Education / Training
- Use of Outside Counsel
- Fines
- ERB appointment process
- Campaign contribution disclosures

Process

Communication

- Governance Committee on September 20
- Council B Session on November 8
- Governance Committee on February 28
- Individual meetings with Mayor and Council

Recommended Code Revisions

Two categories of changes:

- Housekeeping changes
- Substantive discussion points



- Define client to include any business, financial or professional relationship to which a duty of care, confidence, trust or privilege applies (2-43)
- Add entertainment with existing limitations (2-45)
 - Currently gifts and meals are limited at \$50 per occurrence with \$500 annual max from single source



- Add self-reporting of potential violation after occurrence (2-54)
- Provide ERB options on past action of city employee, not just prospective action (2-54)
- Remove option to report violations to the City Attorney's Office in order to honor the attorney/client confidentiality privilege (2-54)



- The City Clerk shall notify the respondent(s) of a complaint filed (2-83)
- Require all complaints to be forwarded to the Chair and Vice-Chair of the ERB, Compliance Auditor, and City Attorney whom shall independently review the complaint (2-83)
- Request for waiver can only be made by City
 Council after recommendation from ERB (2-88)

Ethics Code

Require <u>disclosure</u> of campaign contributions for parties seeking:

- Resolution of support or no objection for multi-family housing tax credits
- Approval of revenue bonds through Housing Trust
- Economic development incentives by/through City created entities

(2-59)

Ethics Code

Zoning Change Requests

Currently, individual applying, property owner, or owner or officer of entity applying are prohibited from contributing (2-309)

Proposing the <u>disclosure</u> of campaign contributions from lobbyist, attorneys or consultants retained related to zoning changes (2-59)

Municipal Campaign Finance Code

Filing of campaign finance reports

- Add a reporting period in April and October of each nonelection year, and in October of election years (2-307)
 - Currently, campaign finance reports are submitted in January and July each year, and in April of election years
- Remove 3-day reporting requirement

Total campaign finance reports would increase from 7 to 9 over 2 year election cycle.



Add subcontractors to the list of persons and entities prohibited from making contributions during the high profile solicitation process (2-309)

 Add any first degree member of household for contribution prohibitions (2-309)

Implementation

Pending Council approval:

"Housekeeping" changes and those only involving internal processes

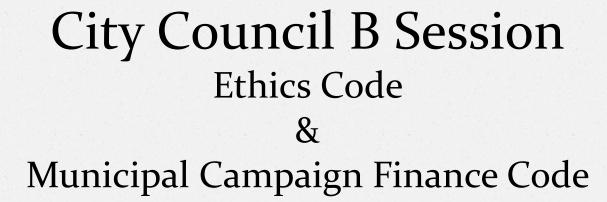
Effective July 1, 2018

Changes requiring:

- Outreach to stakeholders
- Update forms in procurement process and zoning applications
- IT changes for contribution reporting Effective January 1, 2019

Next Steps

Final revisions approved by ERB taken to City Council A Session for discussion and approval



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