



Ethics Commission Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2018-01426

October 22, 2018

Discussion Item 05

Title: Review Independent Evaluator Criteria (Oral Report)

Location: Citywide

Recommendation: Provide direction to the Government Ethics and Transparency Administrator on the criteria for the Independent Evaluator.

Contact: Kevin Greene, Government Ethics and Transparency Administrator, (916) 808-7267, Office of the City Clerk

Presenter: Kevin Greene, Government Ethics and Transparency Administrator, (916) 808-7267, Office of the City Clerk

Attachments:

1-Description/Analysis

Description/Analysis

Issue Detail: Sacramento City Code § 2.112.030 C.4 calls for the retention of a neutral and independent evaluator to review and investigate complaints and make recommendations to the Commission. This agenda item seeks to provide the Commission with an opportunity to comment on the selection of the independent evaluator.

The City of Sacramento will select an individual attorney or law firm licensed by the State of California with a background in and experience with ethics, election, or political law to serve as an independent and neutral evaluator for the City of Sacramento City Clerk's Office and the Sacramento Ethics Commission. The evaluator will review and investigate complaints submitted to the City Clerk and the Good Governance Office and make recommendations to the Sacramento Ethics Commission

The Evaluator will review and investigate complaints and prepare a written Report and Recommendations to the Government Ethics and Transparency Administrator or to the Commission, for each complaint. The evaluation and investigation process, including the report and recommendations of the Evaluator, will be required to be done on an accelerated timeframe. The Evaluator must be neutral and impartial and must not have or appear to have any bias or favoritism toward any person or entity involved in any way with any complaint or investigation. The Evaluator, to avoid any potential or actual conflicts of interest, should not have any involvement in political campaigns in the City of Sacramento.

The Evaluator must have a legal background and experience in investigative practices and procedures including skills in obtaining information and facts through interview and observation. In addition, it would be valuable for the Investigator to have familiarity with conflict of interest, campaign finance and lobbying laws of the City of Sacramento.

Policy Considerations: Sacramento City Code § 2.112.030 C.4 calls for the retention of a neutral and independent evaluator to review and investigate complaints and make recommendations to the Commission.

Environmental Considerations: None.

Sustainability: None.

Commission/Committee Action: None.

Rationale for Recommendation: Sacramento City Code § 2.112.030 C.4 calls for the retention of a neutral and independent evaluator to review and investigate complaints and

make recommendations to the Commission. This agenda item seeks to provide the Commission with an opportunity to comment on the selection of the independent evaluator.

Financial Considerations: Unknown. Dependent on the number of complaints referred to the Independent Evaluator.

Local Business Enterprise (LBE): None.