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OAKLAND

Approved as to Form and Legality

*Suey Chris*  
Oakland City Attorney's Office

08 APR -3 PM 4:05

OAKLAND CITY COUNCIL

**REVISED**

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY City Auditor Courtney A. Ruby

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**RESOLUTION IN SUPPORT OF ASSEMBLY BILL NO. 2001  
(SWANSON), A PROPOSAL TO AMEND THE  
GOVERNMENT CODE FOR THE PURPOSE OF  
AUTHORIZING CITY AND COUNTY AUDITORS AND CITY  
AND COUNTY CONTROLLERS TO HOLD IN  
CONFIDENCE THE IDENTITIES OF INDIVIDUALS WHO  
PROVIDE INFORMATION THAT RESULT IN  
INVESTIGATIVE AUDITS**

**WHEREAS**, the City of Oakland is committed to rooting out waste, fraud and abuse and to maintaining the highest standards of behavior by its officials and employees; and

**WHEREAS**, the City Auditor has a Charter mandated requirement to ensure that the City's assets and resources are reasonably safeguarded from fraud, waste, and mismanagement; and

**WHEREAS**, the City Auditor maintains a Whistleblower Program for the purpose of receiving individual complaints concerning the quality and delivery of government services, wasteful and inefficient City government practices, misuse of City funds, and improper activities by City officers and employees; and

**WHEREAS**, AB 2001 would allow the City Auditor to hold in confidence information disclosed through the whistleblower hotline, including the identity of the caller disclosing the information and the individuals identified by the caller during the initial review of a call; and

**WHEREAS**, AB 2001 would also allow the City Auditor to hold in confidence the identity of an individual who discloses to the City Auditor that an employee or local agency has engaged in improper governmental activity when the information provided results in an investigative audit; and

**WHEREAS**, the City of Oakland has an interest in protecting the integrity of the City Auditor's Whistleblower Program and in both welcoming and protecting whistleblowing by Oakland City employees; and

**WHEREAS**, the California Legislature recognized the need for the Attorney General to maintain the confidence of information disclosed through its whistleblower hotline, including the identity of the caller by enacting California Labor Code Section 1102.7; and

**WHEREAS**, it is in the interest of the City of Oakland to have similar protections extended to the Office of the City Auditor thereby enhancing the City Auditor's ability to perform her job and protect the interest of the public; and

**WHEREAS**, the City Auditor, through the City Council, worked with Assemblymember Swanson to initiate the legislation; now, therefore be it

**RESOLVED**: that the City of Oakland supports and is a sponsor of AB 2001 (Swanson); and be it

**FURTHER RESOLVED**: that the City's state lobbyist are directed to advocate the City's position to the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California