



AGENDA REPORT

TO: Honorable City Council
FROM: Edward D. Reiskin
City Administrator
SUBJECT: Proposed Response to 2021-2022
Alameda County Civil Grand Jury Report
on Financial Disclosures
DATE: November 21, 2022

RECOMMENDATION

Staff Recommends That The City Council Authorize the Council President To Submit A Response On Behalf Of The City Council To The 2021-2022 Alameda County Civil Grand Jury For The Report Titled “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public.”

EXECUTIVE SUMMARY

The 2021-2022 Alameda County Grand Jury Final Report included three (3) reports about Oakland that require a response from the City Council and the Mayor to their findings and recommendations. The reports are titled:

1. “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public”;
2. “Lack of Fire Inspections in Oakland Creates Unnecessary Risks”; and
3. “Management Failures at Planning and Building Department Cost Oakland Millions”

Draft responses to reports 2 and 3 were heard at the October 18, 2022 City Council meeting (**Attachment A**). The City Council approved a motion authorizing the Council President to submit a response on behalf of the City Council. Please refer to **Attachment B** for the report titled “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public.”

The City Clerk and the Public Ethics Commission have prepared responses to report number 1 above for your consideration. They are provided as **Attachments C** and **D** respectively.

City Council discussion on this agenda item may inform the final responses to the Grand Jury Report by Council President on behalf of the City Council. By default, formal responses to the Grand Jury report would have been due 90 days after the report’s public release. The City, however, requested and received extensions of the time to respond from the Grand Jury’s representative. **In accordance with those extensions, the City’s responses to report numbers 2 and 3 were due no later than Friday, October 28, 2022, and the City’s responses to report number 1 is due no later than Thursday, December 22, 2022.** Per Council direction obtained at the October 18, 2022 City Council meeting, the City’s response to reports 2 and 3 were delivered via email and hand-delivery on October 27, 2022.

BACKGROUND / LEGISLATIVE HISTORY

The 2021-2022 Alameda County Grand Jury Final Report was published on June 28, 2022. The report included three (3) matters pertaining directly to the City of Oakland.

Draft responses to reports 2 and 3 were heard at the October 18, 2022 City Council meeting (**Attachment A**). The City Council approved a motion authorizing the Council President to submit a response on behalf of the City Council. Per Council direction obtained at the October 18, 2022 City Council meeting, the City's response to reports 2 and 3 were delivered via email and hand-delivery on October 27, 2022.

ANALYSIS AND POLICY ALTERNATIVES

The Alameda County Civil Grand Jury Report titled "Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public" requires responses to the findings and recommendations contained therein. Responses are requested from the Mayor, City Council, City Clerk's Office and the Public Ethics Commission. The draft response from the City Clerk is provided as **Attachment C**. Please note that **Attachment C1** highlights and annotates items in the City Clerk's response that also require a response from the Mayor and/or City Council. In addition, the response from the Public Ethics Commission is included as **Attachment D**. Through this item the City Administrator's Office hopes that the City can arrive at a single, aligned response that may be provided to the Civil Grand Jury and appreciate the Council's effort and direction to achieve that outcome.

Responding parties are instructed to refer to page 182 of the final report for "How to Respond to Findings & Recommendations" in this Report. Page 182 of the 2021-2022 Alameda County Civil Grand Jury Final Report is excerpted and provided in **Attachment E**.

The production of this report aligns with the City Council's goal to achieve a **responsive and trustworthy Government**.

FISCAL IMPACT

There are no direct fiscal impacts associated with the production of this report. Should an appropriation be needed to respond to the findings or to implement any of the recommendations, those requests will be submitted through the City's Budget Process.

PUBLIC OUTREACH / INTEREST

The Public Ethics Commission discussed their response at their November 9, 2022 Commission meeting. Notice of that meeting was provided in accordance with their bylaws.

COORDINATION

The Office of the City Attorney was consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Race & Equity: There are no race & equity opportunities associated with this report.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Authorize the Council President To Submit A Response On Behalf Of The City Council To The 2021-2022 Alameda County Civil Grand Jury For The Report Titled “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public.”

Respectfully submitted,



Edward D. Reiskin, City Administrator

Prepared by:
Angela Robinson Piñon, Deputy City
Administrator

Attachments (6):

Attachment A: [Responses To The 2021-2022 Alameda County Civil Grand Jury Reports, City Council, October 18, 2022](#)

Attachment B: Alameda County Civil Grand Jury Report: “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public”

Attachment C: Draft response to “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public”

Attachment C1: Draft response to “Oakland Fails to Enforce Financial Disclosure Rules to Protect the Public” [Highlighted and Annotated]

Attachment D: [Public Ethics Commission Response – Item 7B](#)

Attachment E: 2021-2022 Alameda County Grand Jury Final Report Excerpt (page 182) “How to Respond to Findings & Recommendations”