

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Hearing Room 2
Wednesday, May 21, 2025
6:30 p.m.



DRAFT

Commissioners: Francis Upton IV (Chair), Tanya Bayeva (Vice-Chair), Alea Gage, Ryan Micik, Vincent Steele, and Karun Tilak.

Commission Staff in attendance: Nicolas Heidorn, Executive Director; Tovah Ackerman, Enforcement Chief; Suzanne Doran, Program Manager; and Alex Van Buskirk, Lead Analyst for Compliance, Disclosure, and Engagement.

Legal Counsel: Oliver Luby, Deputy City Attorney

PUBLIC ETHICS COMMISSION REGULAR MEETING MINUTES

PRELIMINARY ITEMS

1. Roll Call and Determination of Quorum.

The meeting was called to order at 6:31 p.m.

Members present: Vice Chair Bayeva, Gage, Micik, and Tilak.

Members absent: Chair Upton, Steele.

Staff present: Nicolas Heidorn; Tovah Ackerman; Suzanne Doran; Alex Van Buskirk;

Legal Counsel: Oliver Luby.

2. Staff and Commission Announcements.

Commissioner Bayeva notes that this meeting is Executive Director Heidorn's last regular Commission meeting. This item will be opened for discussion after Item 12.

Public Comment: None.

3. Open Forum.

Public Comment: None.

ACTION ITEM

4. Approval of Commission Meeting Draft Minutes.

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a. March 19, 2025, Regular Meeting Minutes

Micik moved, and Bayeva seconded, to adopt the March 19, 2025, regular meeting minutes with the correction that Commissioner Bayeva is listed as “Vice-Chair” instead of incorrectly listed as “Chair.”

Ayes: Bayeva, Gage, Micik, and Tilak.

Noes: None.

Absent: Upton IV and Steele.

Vote: 4-0.

Motion passed.

Public Comment: None.

5. Proposal to Amend the Oakland Campaign Reform Act (OCRA) and the Limited Public Financing (LPF) Act

Executive Director Heidorn presented, and the Commission discussed, a proposal by Councilmembers Ramachandran, Jenkins, and Houston to temporarily raise campaign contribution limits for City and OUSD elections, permanently increase the total annual contribution limits for officeholder funds, and temporarily re-authorize the LPF Program.

Councilmember Ken Houston and District 7 staff member, Trinity Hall, spoke regarding the proposal.

Gage moved, and Tilak seconded, that the Commission provide feedback with regard to the proposed increase to contribution limits stating the Commission remains neutral but feels it is critically important that, if contribution limits are increased, that it should be contingent on candidates accepting to expenditure limits. Additionally, if there is an increase to the contribution limits, the PEC believes those limits should only be in effect from 7/1/25 until 12/31/26.

Ayes: Gage, Micik, Tilak, Bayeva.

Noes: None.

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Absent: Upton IV and Steele.

Vote: 4-0

Motion passed.

Gage moved, and Bayeva seconded, that the Commission not support Proposal 2 regarding increasing annual total contribution limits to office holder funds as currently presented. However, the Commission would like to provide the following feedback:

- The Commission requests more substantiation on how behested payments from existing office holder fund limits are not sufficient to achieve the purpose of being able to direct resources to specific Council districts.
- The Commission is interested in development of guard rails if the limits are increased.
- The Commission requests more information and consideration of the administrative burden of operating office holder funds.

Ayes: Gage, Micik, Tilak, Bayeva.

Noes: None.

Absent: Upton IV and Steele.

Vote: 4-0

Motion passed.

Micik moved, and Bayeva seconded, that the Commission endorse reauthorizing the Limited Public Financing (LPF) Program until Democracy Dollars is implemented.

Ayes: Gage, Micik, Tilak, Bayeva.

Noes: None.

Absent: Upton IV and Steele.

Vote: 4-0

Motion passed.

Public Comment: Gail Wallace, Chris Nardi, Ralph Kanz.

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A full recording of public comments is available in the meeting video. Video recordings are posted on the meeting webpage, which may be found at www.oaklandca.gov/pec. Written public comments are posted on the meeting webpage, which may be found at www.oaklandca.gov/pec.

8:08 p.m. – Vice-Chair Bayeva called for a recess.

8:18 p.m. – The meeting returned from recess.

6. Proposed Settlement Agreement: In the Matter of Vena Sword-Ratliff (PEC #24-15).

Enforcement Chief Tovah Ackerman presented, and the Commission discussed, whether to approve the proposed settlement in In the Matter of Vena Sword-Ratliff (PEC #24-15).

Tilak moved, and Micik seconded, to accept the settlement as proposed.

Ayes: Gage, Micik, Tilak, Bayeva.

Noes: None.

Absent: Upton IV and Steele.

Vote: 4-0

Motion passed.

Public Comment: None.

INFORMATION/DISCUSSION ITEMS

7. Enforcement Program.

Enforcement Chief Tovah Ackerman provided, and the Commission discussed, a summary of the Commission's enforcement process, caseload, enforcement-related litigation, and case closures or dismissals.

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Public Comment: None.

8. Executive Director's Report.

Executive Director Nicolas Heidorn reported on, and Commissioners discussed, overall priorities and PEC activities, such as budget, staffing, and PEC legislative and policy initiatives not covered in other staff reports. In addition, Alex Van Buskirk, Lead Analyst for Compliance, Disclosure, and Engagement provided, and Commissioners discussed, a summary of compliance with disclosure requirements, education and advice, general outreach, and data illumination activities since the last regular Commission meeting.

Public Comment: Ralph Kanz.

9. Enforcement Report re: Complaint Backlog Strategy.

Enforcement Chief Ackerman reported on, and Commissioners discussed, a strategy to enact new process improvements and a prioritized complaint closure process to implement over the next six months to restore operational sustainability, reduce backlog, and refocus resources on high-impact investigations.

Public Comment: Ralph Kanz. Written public comment from Chris Nardi was received prior to the meeting.

10. Draft Ballot Measure to Fund the PEC.

Executive Director Heidorn reported on, and Commissioners discussed, draft ballot measure language to place a parcel tax on a 2026 ballot to fully fund the PEC.

Public Comment: Written public comment from BayPEC was received prior to the meeting.

11. Reports on Subcommittees and Commissioner Assignments.

a. Revenue Options Ad Hoc Subcommittee

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Commissioner Micik had no additional updates as the content was covered earlier when discussing Funding Options in Item 10. Director Heidorn provided additional context on the Subcommittee meetings.

b. Democracy Dollars Engagement Ad Hoc Subcommittee

Commissioner Tilak provided details regarding presentations made to create engagement for Democracy Dollars and how to improve presentations and collected feedback.

c. Executive Director Recruitment Subcommittee

Commissioner Bayeva provided details regarding the subcommittee's recent meeting which involved reviewing applications received to date as well as discussing the substance of the upcoming interviews.

Public Comment: None.

INFORMATION ITEM

15. Future Meeting Business.

Commissioners thanked Executive Director Heidorn for his work and spoke on his contributions as Executive Director. Executive Director Heidorn expressed his gratitude to Commissioners and PEC Staff.

Public Comment: None.

The meeting adjourned at 10:03 p.m.