

From: [Scott & Kathy Law](#)
To: [Ethics Commission](#)
Cc: [Andrada, Cynthia](#); [Forte, Mark](#)
Subject: Ballot Title Rating Report - Initiative OO
Date: Friday, September 13, 2024 4:08:23 PM
Attachments: [Ballot Measure Ratings-Intro to Jurisdiction.docx](#)
[Measure OOakland.docx](#)

Public Ethics Commission

Subject: Measure OO November 5, 2024 Election

Dear Officials:

The attached letter and rating report reflects the background and the specific rating for fairness and accuracy assigned to your agency's proposed ballot language for the upcoming General Election. As is explained further, the Alameda County Civil Grand Jury Association is a non-partisan 501 C-3 organization consisting of former Grand Jury members. The ballot titles are not evaluated for the merit of the measure, but for their fairness, accuracy, impartiality and completeness of the up to 75-word ballot title.

Please schedule this matter under public comments for your next available public hearing. Please let us know when this matter will be scheduled.

Sincerely,

Sandy McCabe/Scott Law

President/Treasurer, Alameda County Civil Grand Jury Association

[REDACTED]

Cc: City Attorney's Office

Attached: ACCGJA Local Ballot Measure Summary, and a copy of your ballot title rating sheet with comments.

Scott Law [REDACTED]


Alameda County Civil Grand Jury Association Local Ballot Measure Ratings

Background on Why Your Agency is Receiving This

The Alameda County Civil Grand Jury Association is a 501(c) (3) non-profit organization composed of former grand jurors from throughout Alameda County. Our goals are to support the civil grand jury system in our county and to promote local government accountability.

The 34 Alameda County local ballot measures scheduled for the November 5, 2024 general election, were each evaluated in August 2024 by the Alameda County Chapter of the Civil Grand Jury Association, (ACCGJA). The measure's Titles were evaluated for accuracy and fairness pursuant to the California Elections Code and the criteria established by the association for each type of ballot measure, e.g. Bond Measure, Tax Measure and Other (non-tax measure). The collective scores represent the average score arrived at by the evaluators who are Civil Grand Jury Association members (up to 15 allowed). The scoring system is comparable to the popular "Yelp" type scoring system (a score of one is worst; five is best). Like a Yelp evaluation, the ratings reflect the evaluators' educated opinions, based on the established criteria as to what should be, and should not be, included in each type of ballot measure.

We emphasize that the ACCGJA **IS NOT** evaluating the merits of the measures. The evaluation is nonpartisan, neither liberal nor conservative. We are only concerned with the accuracy and impartiality of the 75-word ballot label being put to the voters. The 75 words are the only thing that we know every voter sees. State law requires ballot titles to be "a true and impartial synopsis of the purpose of the proposed measure, and shall be in language that is neither argumentative nor likely to create prejudice for or against the measure". Unfortunately, many jurisdictions violate the law by exaggerating the benefits and glossing over the costs, as well as adding extraneous verbiage designed to favor passage of the measure. No one other than the agency promoting the measure is required to approve the agency's language. To counteract this, there is a need for active and consistent monitoring and evaluation of local government's ballot language. This current ACCGJA effort implements the findings of the 2021 Alameda County Civil Grand Jury report, [The Need for Accuracy and Impartiality of Ballot Measure Questions](#).

Additional information can be found on the ACCCGJA website: 

Measure OO

City of Oakland, Public Ethics Commission Shall a measure amending the City Charter and Oakland Municipal Code to, among other things, revise qualifications and restrictions for service and removal procedures, specify the vote threshold for action and increase minimum staffing requirements for the Public Ethics Commission; allow the Commission to set City Attorney and City Auditor salaries biannually rather than annually; and amend the Lobbyist Registration Act to restrict payments and expenses incurred by local government lobbyists, be adopted?

Vote Required: 50%+1

SCORE: 2.0

Comments: The score was lowered from the maximum of five because of the lack of clarity as to why the measure was needed, and what is being proposed. There also is no explanation as to whether there would be financial impacts from the change, and what those impacts might affect. Regarding the Commission's setting of certain salaries, "biannual" means twice a year. Biennial means every two years. The proposed change to setting salaries twice a year may be a mistake by the drafters of the measure. As a City Charter amendment this change is binding and permanent.

Criteria:

1-Intent of the Measure –

2-Duration of the measure if it passes?

3-Are there any financial effects if this measure passes? If so- how much?

4-Where will the money go that is spent on this if it passes?

5- If there are financial impacts, is the source of that money made clear?

6-Does the measure deal with 1 or more issues?

7- What is the current situation that would remain if this measure does not pass?

8. Extraneous language unrelated to the matter which could be considered as deceptive to the voter