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

Commission Staff to attend: Nicolas Heidorn, Executive Director; Suzanne Doran, Program Manager; Simon Russell, Enforcement Chief; and Treva Hadden, Ethics Investigator.

Legal Counsel: Christina Cameron, Partner, Devaney Pate Morris & Cameron, LLP

PUBLIC ETHICS COMMISSION REGULAR MEETING MINUTES

1. Roll Call and Determination of Quorum.

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

Members present: Chair Micik, Vice Chair Upton IV, Gage, Hill, Steele and Tilak.

Members absent: None.

Staff present: Nicolas Heidorn, Suzanne Doran, Simon Russell, Alex Van Buskirk and Graham Willard.

Legal Counsel: Christina Cameron

2. Staff and Commission Announcements.

Micik reordered the agenda to go directly from item #6 (“Enforcement Program”) to item #9 (“Proposed Settlement Agreement”), then return back to item #7 and follow the regular agenda order.

Public Comment: none.

3. Open Forum.

Public Comment: Gene Hazzard.

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.

4. Approval of Commission Meeting Draft Minutes.

Hill moved, and Steele seconded, to adopt the January 17, 2024, regular meeting minutes.



DRAFT

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.

Vote: Passed 6-0.

Public Comment: None.

5. Disclosure and Engagement.

Program Manager Suzanne Doran provided a summary of compliance with disclosure requirements, education and advice, general outreach, and data illumination activities since the last regular Commission meeting.

Public Comment: None.

6. Enforcement Program.

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

Public Comment: Gene Hazzard.

9. Proposed Settlement Agreement: In the Matter of Susan Montauk (PEC No. 19-01.2).

Enforcement Chief Russell presented to the Commission a proposed Stipulation, Decision, and Draft Order in In the Matter of Susan Montauk (PEC Case No. 19-01.2), including imposing a \$500 penalty on the Respondent, Susan Montauk.

Hill moved, and Tilak seconded, to approve the stipulated agreement and impose a \$500 penalty on the Respondent, as recommended by PEC Staff.

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.



DRAFT

Vote: Passed 6-0.

Public Comment: Gene Hazzard.

7. Executive Director's Report.

Executive Director Nicolas Heidorn reported on overall priorities and PEC activities, including the PEC's budget and staffing.

Public Comment: None.

8. Lobbyist Registration Act Guide 2024.

Executive Director Heidorn presented the updated Lobbyist Registration Act Guide, and highlighted new sections including an overview of the new lobbyist registration fee structure and lobbyist training requirements.

Public Comment: None.

10. Oakland City Council Salary Adjustment.

Executive Director Heidorn presented on, and Commissioners discussed, adjusting the salaries of Oakland City Councilmembers as required by the City Charter.

Upton IV moved, seconded by Gage, to approve the proposed resolution increasing City Councilmember salaries by 5%.

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.

Vote: Passed 6-0.

Public Comment: Gene Hazzard.

11. Review and Recommend Amendments to the City Charter and/or OMC Relating to the Ethics Commission.



DRAFT

Chair Micik and Executive Director Heidorn presented, and the Commission discussed, the Charter Review Subcommittee's proposals to amend the City Charter and/or the Oakland Municipal Code (OMC) to change the Commission's structure, processes, powers, and responsibilities.

Micik moved, seconded by Steele, to direct staff to move forward with drafting potential charter amendment language in line with the proposals of the Charter Review Subcommittee and reflecting the input of other Commissioners.

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.

Vote: Passed 6-0.

Public Comment: Gene Hazzard.

12. Reports on Subcommittees and Commissioner Assignments.

a. Transparency and Public Records Subcommittee

Subcommittee Chair Francis Upton IV explained that the Subcommittee has terminated and urged Commissioners to review the termination statement. He expressed that he was pleased with the work of the Goldman Students' research. Commissioners discussed next steps for the Subcommittee.

Public Comment: None.

b. Public Outreach 2023 Commissioner Recruitment, Enforcement Resources, Ethics Complaints, and Campaign Finance Subcommittee.

Subcommittee Chair Vincent Steele explained that the Subcommittee met and discussed outreach materials and the outreach calendar and ways for Commissioners to assist with out.

Public Comment: Gene Hazzard.

c. Charter Review Subcommittee

Subcommittee Chair Ryan Micik indicated he had no additional update beyond the



DRAFT

presentation in Item 11.

Public Comment: Gene Hazzard.

13. Executive Director Performance.

Public Comment: None.

The Commission met in closed session from 9:29 p.m. to 10:38 p.m. to discuss the Executive Director's performance.

Chair Micik announced that the Commission reached consensus that the Executive Director's performance was above satisfactory.

Micik announced that Upton IV moved, seconded by Tilak, to approve Director Heidorn's self-evaluation and to approve a brief written evaluation of the Director.

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.

Vote: Passed 6-0.

14. Executive Director Compensation and Management Leave.

The Commission discussed increasing the Executive Director's compensation and awarding the Executive Director additional management leave.

Upton IV moved to provide the Director with a 10% salary increase and an award of the maximum of 10 days of management leave. The motion failed for lack of a second.

Tilak moved, and Micik seconded, to provide the Director with a 5% salary increase based on the Director having a more than satisfactory performance and an award of the maximum of 10 days of management leave.

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.



DRAFT

Vote: Passed 6-0.

Upton IV moved, and Tilak seconded, to provide Director Heidorn an additional 5% retention-based increase, for a total (added to the increase approved with the prior motion) of a 10% salary increase.

Ayes: Micik, Upton IV, Gage, Hill, Steele and Tilak.

Noes: None.

Vote: Passed 6-0.

Public Comment: None.

INFORMATION ITEM

15. Future Meeting Business.

Chair Micik reminded Commissioners to file their Form 700.

Public Comment: None.

The meeting adjourned at 11:01 p.m.