



Item 9 - 2025 PEC Scheduling Staff Memo

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TO: Public Ethics Commission
FROM: Nicolas Heidorn, Executive Director
DATE: November 26, 2024
RE: Adjusting the PEC Meeting Schedule for 2025

For the 2024 calendar year, the Public Ethics Commission (PEC or Commission) held a regular meeting two times per quarter, for a total of eight regular meetings. Meetings were generally held on the second Wednesday of the month at 6:30 pm. This memorandum discusses options for the PEC's 2025 calendar year regular meeting schedule. Once the Commission has settled on a preferred meeting schedule, staff will work with the appropriate City staff to secure meeting space for next year aligning as closely as possible with Commission preferences.

Based on a survey of commissioner availability, staff recommends that regular PEC meetings continue to be held on a Wednesday beginning at 6:30 pm. However, because the PEC is entering a rebuilding year, and the current meeting schedule presents workload challenges for staff, staff recommends that the PEC schedule be adjusted to meeting every other month (i.e., 6 regular meetings per year), with additional special meetings to address time-sensitive matters as required.

Meeting Day and Time

Currently, regular PEC meetings are generally held on the second Wednesday of each month at 6:30 pm. PEC staff surveyed commissioners as to which day of the week they preferred, and whether they would prefer starting meetings at 5:30 pm, 6 pm, or 6:30 pm. All six commissioners responded to the survey. The only day of the week and time that all commissioners could make is Wednesdays at 6:30 pm, which is the PEC's current meeting schedule.

Staff recommends that Commission meetings remain on Wednesdays at 6:30 pm. With the exception of January, staff will attempt to secure the same meeting day the PEC presently uses, i.e. the second Wednesday of the month, but if that is not available will request a different Wednesday.

Meeting Regularity

Currently, the PEC holds two regular meetings per quarter. In addition, a special meeting is generally called each year for the PEC to hold a planning retreat. The PEC also called special meetings this year to address time-sensitive legislative and enforcement matters, or when a regular meeting had to be cancelled due to a lack of quorum. Regular meetings are critical to the functioning of the PEC and provide an opportunity for the Commission to stay up to date on staff activities, consider and act on policy change proposals, and consider and act on enforcement items.

However, each meeting entails a substantial amount of staff time, and the fast turnaround between meetings can sometimes make meeting preparation challenging for staff. Staff must prepare relevant reports or draft policies for each meeting, upload and post the information at least 10 days in advance of the meeting under the City's Sunshine Ordinance, and attend the meeting to present on their items

and answer Commissioner questions. When the PEC meets in two consecutive months, the turnaround for the second posting is especially short. Because materials must be posted 10 days in advance (in actuality 12 days in advance for a Wednesday meeting, as the 10th day falls on a Sunday), staff generally only have two to three weeks after a meeting before the next meeting agenda posting is due.

Other Ethics Commissions hold between 6 (Los Angeles) and 12 (San Francisco) regular meetings per year. However, the PEC is the only commission to post materials 10 days in advance; other commissions only follow the 3-day posting requirement of the Brown Act although some, like Los Angeles, have a goal of posting 5 or 6 days before their meeting, respectively.

Staff recommends that the PEC move to a schedule of holding regular meetings every other month (6/year) rather than twice per quarter (8/year). This schedule, which is identical to Los Angeles's, will still enable the PEC to stay up to date on staff's work and take action on Commission priorities in a timely manner, while also freeing up staff resources to work on larger Commission projects and priorities, or to assist with Subcommittee work. With the departure of the Commission's prior Enforcement Chief, the PEC is entering into a period where it will be ramping back up its Enforcement capacity; additional staff capacity will be especially helpful during this transition period.

Importantly, for time-sensitive matters falling on an "off" month, the PEC would retain the discretion to call a special meeting. One negative to this proposal, which the Commission should consider, is that there will likely be more items at each regular meeting as a result, so these meetings may go longer than is currently the case.

Proposed Calendar

Based on the discussion above, staff would recommend the following 2025 regular meeting schedule:

- January 22 (Note: 4th Wednesday)
- March 12
- May 14
- July 9
- September 10
- November 12