



Item 13 - PEC Commissioner Appointment Process

Ryan Mick, Chair
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TO: Public Ethics Commission
FROM: Commissioner Francis Upton IV
DATE: January 15, 2025
RE: Commissioner Proposal Regarding the PEC's Vacancy Appointment Procedures

As agreed at the last meeting, I'm writing to provide details of the proposal we discussed about commissioner selection.

Motivation

1. Streamline the current process such that fewer commission and staff resources are required for unexpected vacancies. This currently requires an expensive full commissioner selection process including outreach, much staff work, and a subcommittee.
2. Clarify the actual commissioner voting process so that the rankings of each commissioner can be fairly considered and the process is unambiguous.

Commissioner Selection Process

1. Often there are unexpected commissioner vacancies throughout the year. It's important to fill these with qualified candidates as quickly as possible. To support this, the annual commissioner selection process can recommend that approved candidates for which there are no current vacancies can be reconsidered later in the year as needed.
2. The annual selection process will produce a list of candidates that have been deemed acceptable by the commission and who were not immediately appointed. This list expires after a year. Each candidate on the list will have been recommended by the selection subcommittee and selected by the full commission after the usual presentation and questioning. Selection for the list will be done by the full commission voting on each candidate, candidates with a majority vote are added to the list.
3. Should there be an unexpected vacancy, the list will be consulted by the commission. Each member on the list will be contacted to determine if they are still interested and available. All interested and available members can then be voted on by the full commission for selection at any meeting.
4. If the unexpected vacancy is for the Mayor, Auditor, or City Attorney appointee, staff will check to see which candidates meet the qualifications for that appointee and forward the names of those candidates to the appointing office for their consideration.

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Commissioner Selection Voting Process

1. If there are multiple candidates for a seat on the commission, whether this is a result of the annual selection process or an unexpected vacancy, this voting process is used to allow commissioners to rank their choice of candidates.
2. To vote, each commissioner orally states their ranking of the candidates. If a candidate has a majority of first place rankings, a motion is made to vote on the approval for that candidate. Failing this, the process is repeated such that commissioners can change their rankings. This continues until there is a majority first place candidate.