

Item 4B - Hearing Notice to Respondent

CITY OF OAKLAND

ONE FRANK H. OGAWA PLAZA ○ CITY HALL ○ Suite #104 ○ OAKLAND ○ CA 94612

Public Ethics Commission

(510) 238-3593

(510) 238-3315 Fax

(510) 238-325 TDD



March 7, 2024

Andrew W. Shalaby
East Bay Law

[REDACTED]
[REDACTED]

On behalf of:
Manuel Altamirano Sr.

[REDACTED]
[REDACTED]

RE: PEC Case No. 20-04(a): *In the matter of Manuel Altamirano Sr.*
Notice of Administrative Hearing Set for June 6, 2024, at 1:00 p.m. and June 7, 2024, at 1:00 p.m.
Response required by March 20, 2024 to confirm hearing attendance.

Dear Mr. Altamirano:

On April 5, 2021, the Public Ethics Commission (Commission) received an investigation summary provided by Commission staff regarding the following matter, as described in the April meeting agenda:

In the Matter of Manuel Altamirano Sr. (Case No. 20-04(a)). On February 4, 2020, PEC staff received information alleging that a City Parking Control Technician was approached by a co-worker, Manuel Altamirano Sr., to retract/void two tickets that the technician issued for Use of a Counterfeit/Altered Disabled Placard and Use of Disabled Parking Space on Manuel Altamirano's wife's car in exchange for money. Commission staff completed its review and investigation of the matter and found sufficient evidence that Manuel Altamirano Sr. violated the Government Ethics Act. After reviewing the facts, relevant law and Enforcement Procedures, Staff recommends that the Commission find probable cause that Manuel Altamirano Sr. Violated the Government Ethics Act and schedule this matter for a hearing.

(A copy of the investigation summary was previously served on you and is attached to this letter.) At that meeting, the Commission decided to proceed with an administrative hearing on this matter before the full Commission. The hearing is now set for two dates: June 6, 2024 and June 7, 2024.

Item 4B - Hearing Notice to Respondent

Thus, you are hereby notified that an administrative hearing will be held before the Public Ethics Commission **on June 6, 2024, at the hour of 1:00 p.m., at Oakland City Hall, 1 Frank H. Ogawa Plaza, Hearing Room 2, Oakland, CA 94612**, and **on June 7, 2024, at the hour of 1:00 p.m., at Oakland City Hall, 1 Frank H. Ogawa Plaza, Hearing Room 2, Oakland, CA 94612** upon the charges made in PEC Case No. 20-04(a).

Your response to this letter is required by March 20, 2024, either to request a new hearing date or confirm that you will be present for both the June 6, 2024, and June 7, 2024, hearing dates.

At the hearing, you may, but need not, be represented by counsel, and you may present any relevant evidence. Our understanding is that you are presently represented by Mr. Andrew Shalaby, with East Bay Law. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of documents by applying to the Commission on or before May 23, 2024. Notice of the administrative hearing will be posted publicly and filed with the Office of the City Clerk at least seven days before the hearing.

If you fail to respond to this notice to request rescheduling of the hearing by March 20, 2024, and you fail to appear for the June 6 and 7, 2024, hearing, this matter will proceed through a default process as outlined in the Commission's Complaint Procedures and a fine may be imposed by the Commission in your absence.

Attached is a copy of the Commission's Complaint Procedures for your convenience. These Complaint Procedures require that, if you have documents to submit to the hearing officer, you must also submit copies to the Executive Director and opposing parties, which includes the Commission's Enforcement Chief Simon Russell. For your convenience, you may submit a single copy to the Commission's main office through the address identified on this letter, and the Commission's Administrative Assistant will forward copies to the hearing officer or Commissioners, the Executive Director, and the Chief of Enforcement. Or you may email materials to ethicscommission@oaklandca.gov.

Please contact me directly if you have any questions about the hearing process or schedule. I can be reached at [REDACTED] or nheidorn@oaklandca.gov.

Sincerely,

Nicolas Heidorn

Nicolas Heidorn
Executive Director

Enclosures: Investigation Summary; Public Ethics Commission Complaint Procedures