

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Special Commission Meeting  
Teleconference  
Wednesday, February 15, 2023  
6:30 p.m.



## **PUBLIC ETHICS COMMISSION (PEC or COMMISSION) MEETING**

**NOTE: Pursuant to California Government Code section 54953(e), Public Ethics Commission members and staff will participate via phone/video conference, and no physical teleconference locations are required. The following options for public viewing and participation are available:**

- **Television:** KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99, locate City of Oakland KTOP – Channel 10
- **Livestream online:** Go to the City of Oakland’s KTOP livestream page here: <https://www.oaklandca.gov/services/ktop-tv10-program-schedule> click on “View”
- **Online video teleconference:** Click on the link below to join the webinar: <https://us02web.zoom.us/j/83995663626>
  - To comment by online video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.
- **Telephone:** Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 839 9566 3626

International numbers available: <https://us02web.zoom.us/j/83995663626>

- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing \*9 to request to speak when Public Comment is being taken on an eligible agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

Members of the public may submit written comments to [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov). If you have any questions about how to participate in the meeting, please email [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov) before or during the meeting.

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Special Commission Meeting  
Teleconference  
Wednesday, February 15, 2023  
6:30 p.m.



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

Commission Staff to attend: Suzanne Doran, Acting Executive Director  
Ana Lara-Franco, Commission Analyst

City Attorney Staff: Trish Shafie, Deputy City Attorney

### **PUBLIC ETHICS COMMISSION SPECIAL MEETING AGENDA**

- 1. Roll Call and Determination of Quorum.**
- 2. Staff and Commission Announcements.**
- 3. Open Forum.**
  - Please state your name each time you make public comment if you wish it to be included in the meeting minutes.
  - The Commission urges members of the public not to make complaints or ask the Commission to investigate alleged legal violations at public meetings since public disclosure of such complaints or requests may undermine any subsequent investigation undertaken. Contact staff at [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov) for assistance filing a complaint.

### **PRELIMINARY ACTION ITEMS**

- 4. Virtual meetings by the Public Ethics Commission.** The Commission will review and take action to adopt Resolution 23-02, establishing certain determinations to justify the need for a virtual meeting following the California State Legislature's adoption and Governor's approval of AB 361 on September 16, 2021 (Chapter 165; Statutes of 2021). ([Resolution 23-02](#))

### **ACTION ITEMS**

- 5. Approval of Commission Meeting Draft Minutes.**
  - a. January 11, 2023, Regular Meeting Minutes ([Meeting Minutes](#))



## **DISCUSSION ITEMS**

6. **Reports on Subcommittees and Commissioner Assignments.** Commissioners may discuss subcommittee assignments, create a new subcommittee, or report on work done in subcommittees since the Commission’s last regular meeting. Commissioners may also discuss assignments, efforts, and initiatives they undertake to support the Commission’s work.
  - a. **Outreach Subcommittee** (*ad hoc*, created on June 8, 2022) – Francis Upton IV (Chair), Charlotte Hill.
  - b. **Measure W Implementation Subcommittee** (*ad hoc*, created December 14, 2022) – Arvon Perteet (Chair), Charlotte Hill, Francis Upton IV.
  - c. **Executive Director Selection Subcommittee** (*ad hoc*, created January 11, 2023) - Ryan Micik (Chair), Arvon Perteet, Francis Upton IV.
7. **Cure and Correction:** The September 14, 2022, Regular Commission meeting agenda included an Executive Director report with the item “Agenda Subscribers Update” in response to Commissioners’ request for follow-up after the discovery that an agenda subscriber did not receive their email copy of the Commission’s public meeting agenda when the PEC’s email subscriber lists were transferred to a new customer relations management system in late May. The report also noted that a representative of the Communications Department would be available to answer questions. Although the report was linked and attached to the agenda, the PEC is issuing this cure and correct out of an abundance of caution to ensure that anyone wishing to give public comment on the item is able to do so. (September [Executive Director’s Report](#), September [Meeting Minutes and Recording](#))
8. **Measure W Implementation Update:** Acting Executive Director Suzanne Doran reports on significant activities related to implementation of Measure W (Oakland Fair Elections Act) since the Commission’s last meeting. ([Staff Memo with timeline](#))

## **CLOSED SESSION**

9. **Personnel.** Pursuant to California Government Code section 54957(b), the Commission will meet in Closed Session to discuss the recruitment and appointment process for the next Executive Director.

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Special Commission Meeting  
Teleconference  
Wednesday, February 15, 2023  
6:30 p.m.



The meeting will adjourn upon the completion of the Commission's business.

A member of the public may speak on any item appearing on the agenda. All speakers will be allotted a maximum of three minutes unless the Chairperson allocates additional time.

Should you have questions or concerns regarding this agenda, or wish to review any agenda-related materials, please contact the Public Ethics Commission at (510) 238-3593 or visit our webpage at [www.oaklandca.gov/pec](http://www.oaklandca.gov/pec).

*Suzanne Doran*

2/3/23

---

Approved for Distribution

Date



This meeting location is wheelchair accessible. Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov) or call (510) 238-3593 Or 711 (for Relay Service) five business days in advance.

¿Necesita un intérprete en español, cantonés o mandarín, u otra ayuda para participar? Por favor envíe un correo electrónico a [alarafranco@oaklandca.gov](mailto:alarafranco@oaklandca.gov) o llame al (510) 238-3593 al 711 para servicio de retransmisión (Relay service) por lo menos cinco días antes de la reunión. Gracias.

你需要手語, 西班牙語, 粵語或國語翻譯服務嗎? 請在會議五天前電

郵 [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov) or 或致電 (510) 238-3593 或 711 (電話傳達服務)。

Quý vị cần một thông dịch viên Ngôn ngữ Ký hiệu Mỹ (American Sign Language, ASL), tiếng Quảng Đông, tiếng Quan Thoại hay tiếng Tây Ban Nha hoặc bất kỳ sự hỗ trợ nào khác để tham gia hay không? Xin vui lòng gửi email đến địa chỉ [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov) or hoặc gọi đến số (510) 238-3593 hoặc 711 (với Dịch vụ Tiếp âm) trước đó năm ngày.

**CITY OF OAKLAND**  
**Public Ethics Commission**

**RESOLUTION NO. 23-02**  
**[Proposed 2-15-23]**



**Resolution Summary:**

**ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE PUBLIC ETHICS COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(E), A PROVISION OF AB 361.**

**By action of the Oakland Public Ethics Commission:**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

**WHEREAS**, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

**WHEREAS**, on June 17, 2022, Gavin Newsom issued Executive Order N-11-22 reaffirming that a State of Emergency exists in California as a result of COVID-19. (See <https://www.gov.ca.gov/wp-content/uploads/2022/06/6.17.22-COVID-EO-Rollback-signed.pdf>); and

**WHEREAS**, City Council Resolution No. 88075 remains in full force and effect to date; and

**WHEREAS**, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

**WHEREAS**, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

**CITY OF OAKLAND**  
**Public Ethics Commission**



**RESOLUTION NO. 23-02**  
**[Proposed 2-15-23]**

**WHEREAS**, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19 symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

**WHEREAS**, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

**WHEREAS**, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh/outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

**WHEREAS**, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

**WHEREAS**, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

**WHEREAS**, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households;

**Now therefore be it:**

**RESOLVED:** that the Public Ethics Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and

**RESOLVED:** that, based on these determinations and consistent with federal, state and local health guidance, the Public Ethics Commission determines that conducting in-person meetings would pose imminent risks to the health of attendees; and

**RESOLVED:** that the Public Ethics Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and

**CITY OF OAKLAND**  
**Public Ethics Commission**



**RESOLUTION NO. 23-02**  
**[Proposed 2-15-23]**

**RESOLVED:** that the Public Ethics Commission and its committees will meet by teleconference this month and will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Public Ethics Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

---

**CERTIFICATION RE: APPROVAL OF RESOLUTION**

The foregoing Resolution was presented for renewal at a duly noticed special meeting of the City of Oakland Public Ethics Commission held on February 15, 2023, where a quorum of the membership of the Commission was present. The Commission approved the resolution by a vote of \_\_\_\_ to \_\_\_\_.

I hereby certify that the foregoing is true and correct.

\_\_\_\_\_  
Suzanne Doran, Acting Executive Director  
Oakland Public Ethics Commission

\_\_\_\_\_  
Date

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Wednesday, January 11, 2023  
6:30 p.m.

DRAFT



Commissioners: Arvon Perteet (Chair), Ryan Micik (Vice-Chair), Charlotte Hill, Joseph Tuman, and Francis Upton IV.

Commission Staff to attend: Suzanne Doran, Acting Executive Director/Lead Analyst; Ana Lara-Franco, Commission Analyst; Simon Russell, Enforcement Chief.

City Attorney Staff: Trish Shafie, Deputy City Attorney.

## **PUBLIC ETHICS COMMISSION REGULAR MEETING MINUTES**

### **1. Roll Call and Determination of Quorum.**

The meeting was held via teleconference.

The meeting was called to order at 6:34 p.m.

Members present: Perteet, Micik, Hill, Tuman and Upton IV.

Staff present: Suzanne Doran, Ana Lara-Franco, and Simon Russell.

City Attorney Staff: Tricia Shafie

### **2. Staff and Commission Announcements.**

There were no announcements.

### **3. Open Forum.**

Public comment: There was one public speaker, Ralph Kanz.

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](http://www.oaklandca.gov/pec).

## **PRELIMINARY ACTION ITEMS**

### **4. Virtual meetings by the Public Ethics Commission.**

Commissioners reviewed the resolution establishing certain determinations to justify



CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Wednesday, January 11, 2023  
6:30 p.m.



DRAFT

the ongoing need for virtual meetings following the California State Legislature's adoption and Governor's approval of AB 361 on September 16, 2021.

Public comment: None

Upton moved, and Tuman seconded to approve the renewal of RESOLUTION NO. 23-01.

Ayes: Perteet, Hill, Micik, Tuman, Upton IV.

Noes: None.

Vote: Passed 5-0.

## **ACTION ITEMS**

### **5. Approval of Commission Meeting Draft Minutes.**

- a. December 14, 2022, Regular Meeting Minutes.

Public comment: None

Micik moved, and Hill seconded to approve the December 14, 2022, Regular Meeting Minutes.

Ayes: Perteet, Hill, Micik, Tuman, Upton IV.

Noes: None.

Vote: Passed 5-0.

### **6. Election of Officers (Chair and Vice-Chair) of the Commission.**

Public Comment: None

Perteet moved and Hill seconded to approve the appointment of Ryan Micik as Chair of the PEC for 2023.

Ayes: Perteet, Hill, Micik, Tuman, Upton IV.

Noes: None.

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Wednesday, January 11, 2023  
6:30 p.m.



DRAFT

Vote: Passed 5-0.

Perteet moved and Upton seconded to approve the appointment of Charlotte Hill for Vice-Chair for 2023.

Ayes: Perteet, Hill, Micik, Tuman, Upton IV.

Noes: None.

Vote: Passed 5-0.

### 7. **New Commissioner Selection.**

The Commission received 8 applications for the PEC- appointed vacancy. Its Recruitment ad hoc subcommittee had conducted interviews and selected three finalists to appear before the full Commission for a public interview. Each finalist was given four minutes to introduce themselves to the Commission, followed by questions from Commissioners.

After all finalists presented and answered questions, the Commission voted to select two new members to begin their three-year term on January 22, 2023.

Public Comment: There was one public speaker, Ralph Kanz.

Commissioners voted and selected Alea Gage to fill the first seat.

Commissioners voted and selected Vincent Steele to fill the second seat.

Micik moved, and Hill seconded to accept both Alea Gage and Vincent Steele as the new commissioners.

Ayes: Perteet, Hill, Micik, Tuman, Upton IV.

Noes: None

Vote: Passed 5-0

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Wednesday, January 11, 2023  
6:30 p.m.

DRAFT



## DISCUSSION ITEMS

**8. Reports on Subcommittees and Commissioner Assignments.** Commissioners may discuss subcommittee assignments, create a new subcommittee, or report on work done in subcommittees since the Commission's last regular meeting. Commissioners may also discuss assignments, efforts, and initiatives they undertake to support the Commission's work.

- a. **Outreach Subcommittee** (*ad hoc*, created on June 8, 2022) – Francis Upton IV (Chair), Charlotte Hill.

Upton shared that they have not met and plan on meeting in March.

- b. **Recruitment Subcommittee** (*ad hoc*, created on October 12, 2022) – Ryan Micik (Chair), Charlotte Hill, Francis Upton IV.

Micik dissolved the *ad hoc* subcommittee.

- c. **Measure W Implementation Subcommittee** (*ad hoc*, created December 14, 2022) – Arvon Perteet (Chair), Charlotte Hill, Francis Upton IV.

Perteet shared that they met on Monday and are moving forward on the timeline Acting Director Doran had provided. Staff is working with the Human Resources Department on adding the new positions.

Public Comment: There was one public speaker, Ralph Kanz.

**9. Executive Director Recruitment.** (Update on Executive Director recruitment process.)

Perteet shared nineteen applications were received for the vacancy.

Perteet created the Executive Director Selection *ad hoc* subcommittee to review the applications. Members: Ryan Micik (Chair), Arvon Perteet, Francis Upton IV.

Public Comment: There was one public speaker, Ralph Kanz

**10. Transparency and Public Records Requests Improving Responsiveness.**

Upton had no updates to share.

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Wednesday, January 11, 2023  
6:30 p.m.



DRAFT

Public Comment: There was one public speaker, Ralph Kanz.

## **INFORMATION ITEMS**

### **11. Disclosure and Engagement.**

Ana Lara-Franco, Commission Analyst, provided a year-end summary of compliance with disclosure requirements, education and advice, general outreach, and data illumination activities, as well as an update on activities since the last regular Commission meeting.

Public Comment: None

### **12. Enforcement Program.**

Simon Russell, Enforcement Chief, provided a year-end summary of the Commission's enforcement work, including overall case status and legal actions, as well as an update on enforcement work since the last regular Commission meeting.

Public Comment: None

### **13. Executive Director's Report.**

Acting Director Doran provided a year-end summary of significant PEC activities not covered in other staff reports including budget, staffing, as well as ongoing PEC legislative and policy initiatives.

Public Comment: None

### **14. Future Meeting Business.**

Commissioners thanked Tuman for his service to the PEC and the City of Oakland.

The meeting adjourned at 9:02 p.m.



## Item 7 - Executive Director's Report

Arvon Perteet, Chair  
Ryan Micik, Vice Chair  
Charlotte Hill  
Joe Tuman  
Francis Upton IV

Kellie Johnson, Executive Director

---

TO: Public Ethics Commission  
FROM: Kellie Johnson, Executive Director  
DATE: August 31, 2022  
RE: Executive Director's Report for the September 14, 2022, PEC Meeting

---

This memorandum provides an overview of the Public Ethics Commission's (PEC or Commission) significant activities this past month that are not otherwise covered by other program reports. The attached overview of Commission Programs and Priorities includes the ongoing goals and key projects in 2022 for each program area. (Commission Programs and Priorities Attached)

### **PEC Staffing**

#### **Administrative Analyst I**

The Commission received one new position in the 2022-23 FY budget for Administrative Analyst I. This new position will primarily support the Enforcement program. Recruiting for the Administrative Analyst position began on July 1, 2022. Staff has begun the process of arranging interviews of candidates.

#### **Enforcement Chief**

With this new vacancy, Commission staff engaged the Department of Human Resources Management to open recruitment to fill the position expeditiously. Staff is working closely with the HR analyst to ensure the job posting will go up very soon so we can begin to accept applications and review potential candidates. My current estimate for making the new appointment is approximately 2 months.

#### **Temporary Enforcement Investigator**

Staff has also engaged the Department of Human Resources Management to open recruitment for a temporary/part-time investigator to assist with ethics investigations, utilizing funds from salary savings gained with the selection of a new Executive Director. Staff and our HR analyst are preparing the required class specifications for the new position.

### **Commissioner Trainings: "Formal Hearings"**

Commission staff is preparing a training on conducting "Formal Hearings" for Commissioners. The session will cover hearing procedures, due process for quasi-judicial boards, scheduling procedures, preliminary hearing requirements, credibility determinations, and an overview of findings of facts, penalties, and final orders. Staff will arrange with the Commission the date and way the training will be conducted.

### **Agenda Subscribers Update**

In July, Staff was notified that an agenda subscriber had not received their email copy of the Commission's public meeting agenda, notice or attachments for the regular and special meetings in June and August 2022. Staff verified that the subscriber's email was not in the record of email recipients and that the change occurred when the Citywide Communications department transferred the PEC's email subscriber lists to a new customer relations management system in late May. Staff immediately contacted Communications Department staff about the issue and made sure the subscriber was added back to the list. In addition, all PEC subscribers from the original list were added to the subscriber list on the new system as a precaution. Communications Department staff is researching why the PEC agenda subscriber list was inadvertently altered in the transfer, and a representative from the Communications department will be available to answer questions at the upcoming meeting. Commission staff is comparing the original agenda subscriber list to the records for the affected mailings to determine how many subscribers were affected and will provide an update.

**PUBLIC ETHICS COMMISSION**  
**Programs and Priorities 2022**

<b>Program</b>	<b>Goal</b>	<b>Desired Outcome</b>	<b>Key Projects for 2022</b>
<b>Lead/ Collaborate (Policy, Systems, Culture)</b>	PEC facilitates changes in City policies, laws, systems, and technology and leads by example to ensure fairness, openness, honesty, integrity and innovation.	Effective campaign finance, ethics, and transparency policies, procedures, and systems are in place across City agencies	<ol style="list-style-type: none"> <li>1. City Ticket Policy Ordinance</li> <li>2. Limited Public Financing Act Amendment</li> <li>3. Campaign Public Finance Redesign</li> <li>4. Public Records Performance Tool</li> </ol>
<b>Educate/ Advise</b>	Oakland public servants, candidates for office, lobbyists, and City contractors understand and comply with City campaign finance, ethics, and transparency laws.	The PEC is a trusted and frequent source for information and assistance on government ethics, campaign finance, and transparency issues; the PEC fosters and sustains ethical culture throughout City government.	<ol style="list-style-type: none"> <li>1. Ethics onboarding/exit process improvement</li> <li>2. Ethics training and advice: a) elected officials, b) City employees (1000), b) board/commission members, and c) consultants</li> <li>3. Campaign Finance Training</li> <li>4. Limited Public Financing Act Training and Program Implementation</li> <li>5. Sunshine training – Open meetings; public records</li> <li>6. New trainings as needed for diversion</li> </ol>
<b>Outreach/ Engage</b>	Citizens and regulated community know about the PEC and know that the PEC is responsive to their complaints/questions about government ethics, campaign finance, or transparency concerns.	The PEC actively engages with clients and citizens demonstrating a collaborative transparency approach that fosters two-way interaction between citizens and government to enhance mutual knowledge, understanding, and trust.	<ol style="list-style-type: none"> <li>1. Public Records mediations</li> <li>2. PEC Outreach – Commissioner-led public outreach</li> <li>3. Communications/outreach to client groups – targeted and training and compliance</li> <li>4. PEC social media outreach – focused on sharing ethics-related data and PEC services and outcomes</li> <li>5. Website – PEC dashboards for enforcement cases and mediations</li> </ol>
<b>Disclose/ Illuminate</b>	<p>PEC website and disclosure tools are user-friendly, accurate, up-to-date, and commonly used to view government integrity data.</p> <p>Filing tools collect and transmit data in an effective and user-friendly manner.</p>	<p>Citizens can easily access accurate, complete campaign finance and ethics-related data in a user-friendly, understandable format.</p> <p>Filers can easily submit campaign finance, lobbyist, and ethics-related disclosure information.</p>	<ol style="list-style-type: none"> <li>1. Filing Officer/Compliance – assess, follow-up, and refer</li> <li>2. Government Integrity E-Data Project – Lobbyist Registration, Form 700, Form 803, Show Me the Money App, Behested Payments</li> <li>3. Open Disclosure – continue coordination and development</li> <li>4. Campaign Finance Data – focus on pushing out data using Socrata, City Open Data Portal, and PEC dashboards where possible for the 2022 Election</li> </ol>

## Item 7 - Executive Director's Report

<b>Detect/ Deter</b>	PEC staff proactively detects potential violations and efficiently investigates complaints of non-compliance with laws within the PEC's jurisdiction.	Public servants, candidates, lobbyists, and City contractors are motivated to comply with the laws within the PEC's jurisdiction.	<ol style="list-style-type: none"> <li>1. Investigations</li> <li>2. Collaborate with other government law enforcement agencies</li> </ol>
<b>Prosecute</b>	Enforcement is swift, fair, consistent, and effective.	Obtain compliance with campaign finance, ethics, and transparency laws, and provide timely, fair, and consistent enforcement that is proportional to the seriousness of the violation.	<ol style="list-style-type: none"> <li>1. Conduct legal analyses, assess penalty options, negotiate settlements, make recommendations to PEC</li> <li>2. Case priority: 1) the extent of Commission authority to issue penalties, 2) the impact of a Commission decision, 3) public interest, timing, and relevancy, and 4) Commission resources.</li> <li>3. Resolve all 2016 and 2017 cases</li> <li>4. Enforcement Subcommittee – discussion of process improvements</li> </ol>
<b>Administration/ Management</b>	PEC staff collects and uses performance data to guide improvements to program activities, motivate staff, and share progress toward PEC goals.	PEC staff model a culture of accountability, transparency, innovation, and performance management.	<ol style="list-style-type: none"> <li>1. Annual Report</li> <li>2. PEC Retreat</li> <li>3. Budget – new Administrative Analyst position</li> <li>4. Enforcement database upgrade</li> <li>5. Review data to adjust activities throughout the year</li> <li>6. Ongoing: professional development and staff reviews</li> </ol>





## Item 8 - Staff Memo with timeline

Ryan Micik, Chair  
Charlotte Hill, Vice Chair  
Alea Gage  
Arvon Perteet  
Vincent Steele  
Francis Upton IV

Suzanne Doran, Acting Executive Director

---

TO: Public Ethics Commission  
FROM: Suzanne Doran, Acting Executive Director  
DATE: February 3, 2023  
RE: Measure W Oakland Fair Elections Act Implementation Update for the February 15, 2023, Special PEC Meeting

---

With the passage of Measure W, the Oakland Fair Elections Act, the Public Ethics Commission (PEC or Commission) is planning for a transition of growth in staffing, structure, and responsibilities as administrator of a completely re-designed public financing program. This memorandum provides an update on implementation activities since the last Commission meeting and a timeline for implementation tasks.

### Operational Changes and Tasks

**City Administration** – The City Administrator assigned a Deputy City Administrator to provide support and act as a liaison between the PEC and other City agencies involved in Measure W implementation. A working group of internal stakeholders has been convened to coordinate implementation tasks with PEC staff and begins meeting in February.

**Budget** – January deliverables to the City Administrator and Finance Department for the 2023 - 2025 Budget process included a draft budget proposal, bureau description and organization chart, draft performance measures, anticipated equipment needs, and IT system needs integrating Measure W funding, staffing and operational changes. The minimum funding and staff levels set by the legislation may only be reduced if “the City is facing an extreme fiscal necessity, as defined by City Council resolution... [and] only as part of a general reduction in expenditures across multiple departments.” (OFEA 3.15.060(E)) The final budget proposal will be submitted February 14<sup>th</sup>. The Mayor’s proposed budget is published in late April, and then goes to the City Council for approval.

**Staffing** – Measure W includes minimum staffing of four full-time equivalent positions to administer the program. Commission staff identified three positions – Program Manager and two Ethics Analysts – as priority positions to fill as soon as the new positions are funded in fiscal year 2023. In January, staff worked with the City’s Human Resources department to update the job specifications to encompass Democracy Dollars program activities and structure. We are currently on-track with the timeline recommended by HR to ensure the testing and selection process can commence in March 2023. After approval from the union and Civil Service Board, next steps are designing the exam so that recruitment may begin.

### **Administrative Processes and Technology**

**Technology** – A draft business requirements document prepared by staff describing the conditions and capabilities that must be met for the Democracy Dollars technology system is being circulated among internal stakeholders for feedback. We are on-track with the timeline recommended by the IT Department to ensure that the vendor selection process can commence in March 2023.

**Administration** – Staff is building an index to the Measure W legislative and Charter amendments for reference and tracking revisions that need to be made to the Commission’s education and website content as well as areas that may require further policy development.

### **Outreach**

In January, Commission staff attended a call hosted by the Bay Area Political Equality Collaborative (Bay PEC) coalition for a presentation by the Seattle Ethics and Elections Commission (SEEC) on lessons learned during implementation of their Democracy Vouchers program and consults frequently with Democracy Voucher Program staff regarding their processes. Staff also held informal discussions with Bay PEC representative Jonathan Stein to discuss opportunities for community engagement to further the Commission’s work.

The Commission received an invitation to participate in a panel scheduled for April 20 on the Democracy Dollars program hosted by the San Francisco Bay Area Planning and Urban Research Association (SPUR), a nonprofit public policy organization. Event details will be shared as they become available.

OAKLAND FAIR ELECTIONS ACT – DEMOCRACY DOLLARS PROGRAM

## Implementation Overview with Key Dates

<b>Phase 1: Preliminary Tasks</b>	
<b>Nov 2022 – June 2023 Activities and Outcomes</b>	
<b>Nov 2022</b>	<ul style="list-style-type: none"> <li>✓ Preliminary research and analysis of requirements for program administration.</li> <li>✓ Begin coordination with other City stakeholders and agencies.</li> </ul>
<b>Dec 2022 – Jan 2023</b>	<ul style="list-style-type: none"> <li>✓ 2023 – 2025 fiscal year budget preliminary deliverables including Democracy Dollars program complete - in progress &amp; on track</li> <li>✓ Updates to job specifications and civil service examination process for new staff positions – in progress &amp; on track</li> <li>✓ Business requirements for technology outlined in partnership with ITD – in progress &amp; on track</li> <li>✓ Establish advisory group/liason with City Administrator’s office and internal stakeholders</li> </ul>
<b>Feb 2023</b>	<ul style="list-style-type: none"> <li>• Submit budget proposal with funding for DD program.</li> <li>• Approval of DD job specifications and exams in partnership with HR.</li> <li>• Draft tech system RFI and/or RFP in partnership with ITD.</li> <li>• Determine Democracy Dollars design, printing, and distribution needs in preparation for RFI and/or RFP.</li> </ul>
<b>Mar 2023</b>	<ul style="list-style-type: none"> <li>• Determine milestones, success metrics for program roll-out.</li> <li>• Develop program webpages to chart implementation progress.</li> <li>• Issue tech system RFP in partnership with ITD.</li> <li>• Draft RFI/RFP for Democracy Dollar design, printing, and distribution.</li> </ul>
<b>Apr – Jun 2023</b>	<ul style="list-style-type: none"> <li>• Vendor selection and approval in partnership with ITD, Finance Departments.</li> <li>• Vendor selected for printing and mailing of Democracy Dollar packets.</li> <li>• Recruitment for new positions, examination/interview process.</li> <li>• Identify policy questions requiring Commission action prior to 2024 launch.</li> <li>• Ongoing engagement with stakeholders to raise awareness of the Democracy Dollars program and gain input through various available channels.</li> </ul>
<b>Phase 2: Program Foundations</b>	
<b>Jul - Dec 2023</b>	
<b>Jul 2023</b>	<p><b>MILESTONE 1:</b> Program funds budgeted and available for 2023 – 2024.</p> <p><b>MILESTONE 2:</b> Vendor approved; tech system development begins.</p>
<b>Aug 2023</b>	<p><b>MILESTONE 3:</b> New positions filled; staff onboarded.</p> <p><b>MILESTONE 4:</b> Vendor approved for printing and mailing of Democracy Dollar packets.</p> <ul style="list-style-type: none"> <li>• Preliminary development of forms, systems for program administration.</li> <li>• Outreach plan development in partnership with community partners.</li> </ul>
<b>Sep – Oct 2023</b>	<ul style="list-style-type: none"> <li>• Democracy Dollar and packet design selected.</li> <li>• Adopt Commission regulations prior to 2024 launch, as needed.</li> <li>• Outreach and training materials developed for Oakland residents, candidates.</li> <li>• Monitor milestones required for 2024 launch date.</li> </ul>
<b>Nov – Dec 2023</b>	<p><b>MILESTONE 5:</b> Democracy Dollar voucher, packet, and mailing information ready for printing and distribution.</p> <p><b>MILESTONE 6:</b> Tech system MVP tested and ready to deploy.</p>
<b>Phase 3: Program Launch</b>	
<b>Jan - Apr 2024</b>	
<b>Jan – Mar 2024</b>	<ul style="list-style-type: none"> <li>• Tech system live.</li> <li>• Democracy Dollars funds available announced.</li> </ul>

	<ul style="list-style-type: none"> <li>• Candidate application process begins.</li> <li>• Ongoing outreach to raise awareness of Democracy Dollars program.</li> </ul>
<b>Apr 2024</b>	<ul style="list-style-type: none"> <li>• Democracy Dollars distributed to Oakland registered voters by April 1, 2024.</li> <li>• Voucher assignment system and public program dashboard live.</li> </ul>
<b>May – Nov 2024</b>	<ul style="list-style-type: none"> <li>• PEC staff processes DD vouchers, disburses funds to candidates.</li> </ul>
<b>Phase 4: Post-election Evaluation</b>	
<b>Dec 2024 - ongoing</b>	<ul style="list-style-type: none"> <li>• Candidates return unused funds.</li> <li>• Program audit, performance evaluation reports for Commission and City Council.</li> <li>• Tech system and outreach development continues, user-experience, data-informed improvements.</li> </ul>