



Item 9a - Recruitment Report

Ryan Micik, Chair
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Nicolas Heidorn, Executive Director

TO: Public Ethics Commission
FROM: Nicolas Heidorn, Executive Director;
Jelani Killings, Ethics Analyst
Ana Lara-Franco, Commission Analyst
DATE: September 29, 2023
RE: PEC Recruitment Efforts and Next Steps

The Public Ethics Commission (PEC or Commission) is currently recruiting to fill a Commission-appointed vacancy to the PEC that will occur in January 2024. The application period opened in August and will close on October 27, 2023. This memorandum provides background on the requirements for a person to be appointed to the Commission, the PEC's current recruitment efforts, and the process that will be used to review applications and select an applicant to fill the vacancy at the PEC's December meeting.

Background

Under the City Charter, four of the seven PEC commissioners are appointed by the Commission (and the remaining three are appointed by the Mayor, City Attorney, and City Auditor, respectively). The PEC must engage in a public recruitment process to fill these vacancies and the appointment must receive the affirmative vote of at least four commissioners. While Mayor, City Attorney, and City Auditor appointees are required to have specified civic or professional backgrounds, PEC-appointed members "shall reflect the interests of the greater Oakland neighborhood, nonprofit and business communities." Charter Section 603(d)(2).

Under the Charter, a PEC Commissioner must be a resident of Oakland and registered to vote in Oakland elections, and must attest in their application to having attended at least one PEC meeting. In addition, no appointed member of the Commission shall:

- "(1) Have an employment or contractual relationship with the City during the member's tenure and for a period of one year after the date of separation.
- (2) Be a registered Oakland lobbyist or be required to register as an Oakland lobbyist, or be employed by or receive gifts or other compensation from a registered Oakland lobbyist during the member's tenure and for a period of one year after the date of separation.
- (3) Seek election to any other public office in a jurisdiction that intersects with the geographic boundaries of Oakland, or participate in or contribute to an Oakland municipal campaign.
- (4) Endorse, support, oppose, or work on behalf of any candidate or measure in an Oakland election."

Charter Section 603(e).

Commissioners serve a three-year term and can serve a maximum of two consecutive terms, with some exceptions relating to partial terms.

Recruiting Efforts

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In consultation with the Outreach Ad Hoc Committee and staff Equity Team, the PEC has engaged in a broad and equity-focused recruitment process, including through posting on the PEC's website and social media, emailing the PEC's distribution lists, presenting or tabling at neighborhood events, using paid advertising, and sharing this opportunity through media channels.

- **Events:** The PEC has attended 14 events, including:
 - 12 National Night Out neighborhood meetings;
 - Purchasing a table with the City Auditor at Art & Soul
 - Presenting at a District 3 Town Hall
- **Paid Advertising:** Digital ads and/or print ads were run in the *East Bay Times*, *Oaklandside*, and *Oakland Post*.
- **Earned Media:** *Oaklandside* published an [article](#) about the PEC vacancy and the Oakland League of Women Voters is expected to do so as well in an upcoming newsletter.
- **Social Media:** The PEC has made six social media posts about this vacancy, including two Commissioner recruitment videos.
- **Email Distribution:** An email announcement was sent to individuals subscribed to the PEC's agenda, disclosure, and outreach distribution lists as well as all individuals that applied to the Commission over the past two years.
- **Equity Outreach:** An email was sent to local minority bar associations and community groups representing the African American, AAPI, Hispanic, and LGBTQ communities.

Applications Received to Date

As of September 27, the PEC has received a total of 8 applications. To assess the PEC's efforts at inclusive recruitment, the PEC will be asking applicants to voluntarily share their demographics, including race, gender, and sexual orientation, for the first time. As of this report, the PEC has not yet collected any demographic responses.

Next Steps

At the PEC's October 11 meeting, Chair Micik will appoint an Application Review Ad Hoc Subcommittee, consisting of two to three commissioners. The Subcommittee, along with the Executive Director, will review every application received by the October 27 deadline and interview the strongest candidates in November, likely over Zoom or a similar platform. The Subcommittee will then forward its recommended candidates, likely three to five applicants, to the full Commission for a final in-person interview and selection at the PEC's December 13 meeting.

Additional Attachment: Recruitment flyer.