

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Hearing Room 1
Wednesday, December 13, 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: Nicolas Heidorn, Executive Director; Suzanne Doran, Program Manager; Teddy Teshome, Commission Analyst; Treva Hadden, Ethics Investigator; Chris Gonzales, Commission Assistant; Simon Russell, Enforcement Chief.

City Attorney Staff: Farrah Hussein, Deputy City Attorney.

PUBLIC ETHICS COMMISSION REGULAR MEETING MINUTES

1. Roll Call and Determination of Quorum.

The meeting was called to order at 6:30 p.m.

Members present: Micik, Hill, Gage, Upton IV, Perteet, and Steele.

Staff present: Nicolas Heidorn, Suzanne Doran, Teddy Teshome, Treva Hadden, Chris Gonzales, Simon Russell.

City Attorney Staff: Farrah Hussein.

2. Staff and Commission Announcements.

Micik reordered the agenda to go directly from #4 (“Open Forum”) to #8c (“Commissioner Selection Subcommittee”) then back to the #5 (“Selection of New PEC Commissioner”).

Staff announced the hiring of 2 new staff members, Teddy Teshome and Treva Hadden.

3. Open Forum.

Public Comment: None.

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.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

Upton IV noted that his name is missing the letter “t” on item #2 of the October 25, 2023 meeting minutes.

Micik moved, and Hill seconded, to adopt the October 25, 2023, special meeting minutes with the correction of Upton IV’s name.

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Ayes: Micik, Hill, Gage, Upton IV, and Steele.

Abstain: Perteet.

Noes: None.

Vote: Passed 5-0.

Public Comment: None.

Upton moved, and Perteet seconded, to approve the November 8, 2023, regular meeting minutes.

Ayes: Micik, Hill, Gage, Upton IV, Perteet, and Steele.

Noes: None.

Vote: Passed 6-0.

Public Comment: None.

8. Reports on Subcommittees and Commissioner Assignments.

c. Commissioner Selection Subcommittee (ad hoc, created October 25, 2023) - Ryan Micik (Chair), Francis Upton IV and Arvon Perteet.

Micik explained the Subcommittee's process for advancing the two finalists for the new PEC Commissioner.

5. Selection of New PEC Commissioner.

The two finalists for the PEC-appointed member to the Commission, Karun Tilak and Kevin Covarrubias, explained why they wished to serve on the Commission, their relevant skills and experiences, and the projects or issues they would like to pursue as a Commissioner. Following the finalists' introductions, Commissioners asked additional questions of the applicants.

Upton IV moved, and Steele seconded, to appoint Karun Tilak as the new PEC Commissioner for a three-year term beginning on January 22, 2024.

Ayes: Micik, Hill, Gage, Upton IV, Perteet, and Steele.

Noes: None.

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Vote: Passed 6-0.

Chair Micik noted that the mayoral appointee to the Commission is vacant and encouraged Kevin Covarrubias to apply to the Mayor for an appointment.

Public Comment: Zoram Mercado.

6. Recommendation on Setting the Mayor's Salary.

Commissioners discussed different options to potentially recommend to the City Administrator and City Council as to how the City Charter should be amended to assign the responsibilities for setting the Mayor's salary to the Public Ethics Commission.

Hill moved, and Upton IV seconded, that the PEC recommend to the City Administrator "Option C" from the staff report for how the PEC should set the Mayor's salary.

Ayes: Micik, Hill, Gage, Upton IV, Perteet, and Steele

Noes: None.

Vote: Passed 6-0.

Public Comment: None.

Perteet moved, and Gage seconded, that the PEC provide to the City Administrator a cover letter which includes the proposed principles listed in the staff report, striking the third bullet, along with the "Option C" recommendation, and that the cover letter come from the Chair and Executive Director.

Ayes: Micik, Hill, Gage, Upton IV, Perteet, and Steele

Noes: None.

Vote: Passed 6-0.

Public Comment: None.

DISCUSSION ITEMS

7. Voter Guide Design.

Executive Director Heidorn presented a draft voter guide design concept to the Commission and shared feedback received through user testing and from stakeholders. Commissioners shared feedback on the design concept.

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Public Comment: None.

8. Reports on Subcommittees and Commissioner Assignments.

- a. Transparency and Public Records Subcommittee.** (ad hoc, created March 8, 2023) - Francis Upton IV (Chair), Arvon Perteet and Alea Gage.

Upton IV updated the Commission on the Subcommittee's activities since the last commission meeting. Upton IV noted that the PEC has invited OPD to present on its public records response practices at the PEC's January 2024 meeting and that the Subcommittee had successfully applied to have graduate students with UC Berkeley's Goldman School assist the PEC in evaluating options for improving the City's transparency practices.

- b. Public Outreach 2023 Commissioner Recruitment, Enforcement Resources, Ethics Complaints, and Campaign Finance Subcommittee.** (ad hoc, created August 25, 2023) - Charlotte Hill (Chair), Alea Gage and Vincent Steele.

Hill updated the Commission on the Subcommittee's activities since the last Commission meeting.

Micik created a new ad hoc subcommittee, the Charter Review Subcommittee, chaired by Micik and including Hill as a member. Commissioners and Deputy City Attorney Hussein discussed whether and when Micik may appoint incoming Commissioner Tilak to the Subcommittee.

Public Comment: Karun Tilak.

INFORMATION ITEMS.

9. Disclosure and Engagement.

Program Manager Suzanne Doran provided a summary of compliance with disclosure requirements, education and advice, general outreach, and data illumination activities since the last regular Commission meeting.

Public Comment: None.

10. Enforcement Program.

Enforcement Chief Simon Russell provided a summary of the Commission's enforcement process, caseload, enforcement-related litigation, and case closures or dismissals since the last Commission meeting.

Public Comment: None.

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11. Executive Director's Report.

Executive Director Nicolas Heidorn reported on overall priorities and PEC activities, such as budget, staffing, and PEC legislative and policy initiatives.

Public Comment: None.

12. Future Meeting Business.

Public Comment: None.

The meeting adjourned at 9:28 p.m.