

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Special Commission Meeting
Hearing Room 2
Wednesday, May 22, 2024
6:30 p.m.



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

Commission Staff to attend: Nicolas Heidorn, Executive Director;

Legal Counsel: Christina Cameron, Partner, Devaney Pate Morris & Cameron, LLP

PUBLIC ETHICS COMMISSION SPECIAL MEETING MINUTES

PRELIMINARY ITEMS

1. Roll Call and Determination of Quorum.

The meeting was called to order at 6:32 p.m.

Members present: Chair Micik, Vice Chair Upton IV, Gage, Hill, Steele, and Tilak.

Members absent: None.

Staff present: Nicolas Heidorn.

Legal Counsel: Christina Cameron.

2. Staff and Commission Announcements.

There were no announcements.

Public Comment: None.

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. Written public comments are posted on the meeting webpage, which may be found at www.oaklandca.gov/pec.

ACTION ITEM



4. Oakland City Auditor Salary Adjustment.

Executive Director Heidorn presented on, and Commissioners discussed, adjusting the salary of the Oakland City Auditor as required by the City Charter.

Chair Micik moved, seconded by Steele, to adopt Resolution 24-04, pursuant to the Public Ethic Commission staff's recommendation, to increase the City Auditor salary to \$226,612.19.

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

Noes: Gage.

Vote: Passed 5-1.

Public Comment: None.

5. Debate Policy.

Executive Director Heidorn presented on, and Commissioners discussed, adopting a policy describing what events qualify as a "public debate or forum" for the purposes of candidate eligibility to participate in the Limited Public Financing Program of 2024 (LPF) or the Democracy Dollars Program.

Upton IV moved, seconded by Tilak, to approve the proposed policy with the following amendments:

On page 1, for Section B. Eligible Debates, amend the introductory sentence to specify a candidate must give a "live" speech as follows (addition underlined):

"For the purposes of the Oakland Fair Elections Act Democracy Dollars program and the Limited Public Financing Act program, a "public debate or forum" means an online or in-person live event where a participating candidate gives a live speech, participates in a panel discussion, or responds to questions, and that meets all the following conditions:"

On page 2, for Section F. Waiver for Good Cause, amend the first sentence as follows



(addition underlined):

“The Executive Director may grant a partial or complete waiver of the debate requirement if a candidate shows good cause for not attending the required number of qualifying events **and was unable to reasonably attend the necessary number of alternate qualifying events.**”

On page 3, under F. Waiver for Good Cause, after subsection 7 and before the last sentence, add the following sentence (addition underlined):

“**The Executive Director shall report back to the Commission on any waivers granted or denied pursuant to this section.**”

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

Noes: None.

Vote: Passed 6-0.

Public Comment: Gene Hazzard.

Written public comment from Helen Hutchison was received prior to the meeting.

6. PEC Ballot Measure Proposal.

Executive Director Heidorn presented on, and Commissioners discussed, the introduction of a resolution which would place a measure on the November 2024 ballot that includes some of the proposed Charter and Oakland Municipal Code reforms recommended by the Commission at its April 10, 2024, meeting. Director Heidorn explained the ways the introduced resolution differed from the Commission’s full package of endorsed reforms.

Chair Micik moved, seconded by Hill, to receive the report.

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

Noes: None.

Vote: Passed 6-0.



Public Comment: Gene Hazzard, Ralph Kanz.

Written public comment from Ralph Kanz was received prior to the meeting.

7. Mayoral Salary Ballot Measure.

Executive Director Heidorn presented on, and Commissioners discussed, the introduction of a proposed resolution for a November 2024 ballot measure which would transfer the responsibility for setting the Mayor's salary from the City Council to the Public Ethics Commission, pursuant to the Commission's recommendation.

Vice Chair Upton IV moved, seconded by Steele, to endorse the proposed resolution.

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

Noes: None.

Vote: Passed 6-0.

Public Comment: Gene Hazzard, Ralph Kanz.

8. Police Commission Procedural Changes.

Executive Director Heidorn presented on, and Commissioners discussed, potential amendments to a proposal by Councilmembers Kalb and Jenkins to modify the enabling ordinance of the Police Commission, among other changes. The Commission previously reviewed and provided comment on the proposal at its January 17, 2024, meeting.

Commissioner Hill left at 7:38 p.m.

Commissioner Gage moved, seconded by Steele, to endorse the proposed amendment to the proposal by Councilmembers Kalb and Jenkins to modify the enabling ordinance of the Police Commission, among other changes.

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

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Noes: Tilak.

Absent: Hill.

Vote: Passed 4-1.

Public Comment: Gene Hazzard.

INFORMATION ITEM

9. Future Meeting Business.

Chair Micik expressed interest in possibly looking at the City's Record Retention Policy as a topic at the Public Ethics Commission's next planning retreat.

Public Comment: Ralph Kanz, Gene Hazzard.

The meeting adjourned at 7:51 p.m.