

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Hearing Room 1  
Wednesday, July 10, 2024  
6:30 p.m.



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

Commission Staff to attend: Nicolas Heidorn, Executive Director; Simon Russell, Enforcement Chief; and Alex Van Buskirk, Ethics Analyst.

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

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

### **PRELIMINARY ITEMS**

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

The meeting was called to order at 6:31 p.m.

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

Members absent: Steele.

Staff present: Nicolas Heidorn, Simon Russell, Alex Van Buskirk.

Legal Counsel: Christina Cameron.

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

There were no announcements.

Public Comment: None.

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

Public Comment: Ralph Kanz, Gene Hazzard.

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

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).

Written public comments are posted on the meeting webpage, which may be found at [www.oaklandca.gov/pec](http://www.oaklandca.gov/pec).

### **ACTION ITEM**



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

##### **a. June 12, 2024, Regular Meeting Minutes.**

Tilak moved, seconded by Gage, to approve the June 12, 2024, Public Ethics Commission Regular Meeting Minutes.

Ayes: Micik, Upton IV, Gage, Tilak.

Noes: None.

Vote: 4-0.

Public Comment: None.

### **INFORMATION ITEMS**

#### **5. (Small) Money Talks: Strategies to Implement the Democracy Dollars Program in the City of Oakland.**

UC Berkeley Goldman School of Public Policy graduate, Trishia Claudine Lim, presented on, and Commissioners discussed, a summary of her research and recommendations for conducting Democracy Dollars program outreach and education to reach communities with historically low rates of political giving.

Public Comment: Gene Hazzard, Ralph Kanz.

Written public comment from Scott Law was received prior to the meeting.

#### **6. Disclosure and Engagement.**

Lead Analyst Alex Van Buskirk provided, and Commissioners discussed, 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.

#### **7. Enforcement Program.**



Enforcement Chief Simon Russell provided, and Commissioners discussed, a summary of the Commission’s enforcement process, caseload, enforcement-related litigation, and case closures or dismissals.

Commissioner Tilak requested the Enforcement Chief include any public documents filed with the Court during case closures in future Enforcement Reports.

Public Comment: Gene Hazzard.

### **8. Executive Director’s Report.**

Executive Director Nicolas Heidorn reported, and Commissioners discussed, on overall priorities and PEC activities, such as budget, staffing, and PEC legislative and policy initiatives not covered in other staff reports.

Commissioners discussed filling the vacancy created by the resignation of Commissioner Hill. Chair Micik suggested reaching out to past candidates and utilizing the previous search process to streamline the recruitment process and fill the vacancy.

Commissioner Gage requested the Commission review its priorities and goals for Measure W based on conversations in early 2023.

Chair Micik requested staff investigate the possibility of sending reminder messages to City agencies involved in Mediation cases in an effort to lead to increased document production.

Public Comment: Gene Hazzard, Ralph Kanz.

### **9. Limited Public Financing (LPF) Act Status Update and Guide.**

Staff provided, and Commissioners discussed, a status update on the LPF for the November 2024 election, including the revised Guide for this election cycle.

Public Comment: Gene Hazzard.

## **ACTION ITEMS**

### **10. Selecting a Hearing Officer for In the Matter of Michael Dabney (PEC # 23-28).**

At its June 12, 2024, regular meeting, the Commission voted to find that probable cause



exists in the Matter of Michael Dabney. The Commission considered and directed Staff on the selection of a Hearing Officer for this matter.

Chair Micik moved, seconded by Vice Chair Upton, to authorize the Executive Director of the Public Ethics Commission to select a hearing officer for the Matter of Michael Dabney from a list of former PEC Commissioners. If the Executive Director is unable to appoint a hearing officer within a reasonable period of time, Commissioner Tilak will serve as hearing officer.

Ayes: Micik, Upton IV, Gage, Tilak.

Noes: None.

Vote: 4-0.

Public Comment: None.

**11. Case Closure Recommendation: In the Matter of Manuel Altamirano (PEC # 20-04).**

On February 19, 2020, the PEC opened an investigation into allegations that City employee Manuel Altamirano attempted to bribe fellow Parking Control staffers in order to waive a pair of tickets that had been issued to his wife. Enforcement staff recommended the matter be closed in the interest of justice. Commissioners discussed the matter and potential closure.

Vice Chair Upton moved, seconded by Tilak, to follow staff recommendations and to close the Matter of Manuel Altamirano (PEC # 20-04).

Ayes: Micik, Upton IV, Gage, Tilak.

Noes: None.

Vote: 4-0.

Public Comment: None.

**DISCUSSION ITEMS**



## **12. Reports on Subcommittees and Commissioner Assignments.**

### **a. Public Outreach 2023 Commissioner Recruitment, Enforcement Resources, Ethics Complaints, and Campaign Finance Subcommittee.**

Commissioners discussed outreach events, including National Night Out taking place August 6, 2024. In addition, Commissioners discussed creating talking points and a calendar to encourage Commissioners to speak about the PEC at events.

In addition, Commissioners noted the Outreach Subcommittee was formed August 25, 2023, and will sunset August 25, 2024.

Commissioners formed the Commissioner Recruitment and Selection of Finalists for Interviews Subcommittee composed of Chair Micik, Gage, and Tilak. Membership will be finalized prior to the first meeting of the Subcommittee.

Public Comment: None.

### **b. Charter Review Subcommittee.**

The Charter Review Subcommittee had not met since the last PEC Meeting. Charter update recommendations adopted by the Commission at the Special Meeting on May 22, 2024 were previously sent to the City Council, and the Council has voted to put an amended version of those recommendations on the November ballot. The Subcommittee will not be dissolved immediately, but instead will meet in the future to discuss putting recommendations on the PEC's website. Commissioner Gage asked the future closing statement of the Subcommittee lists which provisions were ultimately included in the ballot measure and which weren't.

Vice Chair Upton suggested codifying rules regarding subcommittee minutes and statements.

Public Comment: None.

## **INFORMATION ITEM**

### **13. Future Meeting Business.**

Commissioner Tilak suggested revisiting the Commission's complaint procedures to clarify and make procedures explicit.

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Public Comment: None.

The meeting adjourned at 9:09 p.m.