MINUTES OF MEETING -- DRAFT
PUBLIC ETHICS COMMISSION
REGULAR MEETING
One Frank Ogawa Plaza (City Hall)
Monday, May 4, 2009
Hearing Room One
6:30 p.m.

Commission Membership: Andrew Wiener (Chair), Mario Andrews, (Vice-Chair)
Barbara Green-Ajufo, Jonathan Stanley, Alaric Degrafinried,
Alex Paul, Ai Mori

Staff Members: Commission Staff:
Daniel Purnell, Executive Director
Tamika Thomas, Executive Assistant
City Attorney Representative:
Alix Rosenthal, Deputy City Attorney

MINUTES OF MEETING

A. Roll Call And Determination Of Quorum

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

Members present: Wiener, Stanley, Degrafinried, Paul, Mori

B. Approval Of Draft Minutes Of The Special Meeting Of April 6, 2009.

The Commission adopted a motion to approve the minutes of the regular meeting of April 6, 2009. (Ayes: Wiener, Stanley, Degrafinried, Paul, Mori)

C. Executive Director And Commission Announcements

The Executive Director reported on his continued training to Oakland boards and commissions on Brown Act and Sunshine issues.

The Commission's proposed amendments to the Commission's "enabling ordinance" came before the City Council's Rules and Legislation Committee on April 23, 2009, but the committee lost its quorum before the amendments could be considered. Commission staff will schedule a further discussion of the amendments with the Commission before re-submitting them to the Rules Committee.

D. Open Forum

There was one speaker: Sanjiv Handa
(Note arrival of Commissioners Andrews and Green-Ajufo)

MINUTES OF MEETING -- DRAFT
PUBLIC ETHICS COMMISSION
REGULAR MEETING
One Frank Ogawa Plaza (City Hall)
Monday, May 4, 2009
Hearing Room One
6:30 p.m.

E. Complaints

1. A Staff Report And Action To Be Taken On Complaint No. 08-20 (Klein)

The Commission moved, seconded and adopted a motion not to proceed with an evidentiary hearing on Complaint No. 08-20 and instead directed staff to dismiss the complaint and prepare alternative policy proposals for amending Section 3.20.030(D) to effect both a "narrow" and "broad" definition of local governmental lobbyists who also serve as employees, officers or directors of a corporation, organization or association. The Commission directed staff to prepare and agenize for consideration a policy effecting a moratorium on enforcing existing provisions of Section 3.20.030 as they apply to officers or directors of a corporation, organization or association at least until the City Council has an opportunity to consider the Commission's legislative proposals. (Ayes: All)

The Commission moved, seconded and adopted a motion to direct staff to prepare for future Commission consideration amendments to Section 3.20.160 relating to the prohibition on "false appearances" to address staff concerns over the vagueness of the existing language. (Ayes: All)

There were 14 speakers: Kathy Kuhner, Joe DeCredico, Max Allstadt, Charles Han, Jay Dodson, Mona Hanson, Michael Stuart, Doug Davis, Matt Novak, Clinton Killian, Carlos Plazola, John Klein, Jenny Kassan, Sanjiv Handa

2. A Supplemental Staff Report And Action To Be Taken On Complaint No. 09-01 (Plazola)

Upon the request of complainant Carlos Plazola, the Commission moved, seconded and adopted a motion to dismiss Complaint No. 09-01. (Ayes: All)

There were two speakers: Carlos Plazola, Sanjiv Handa

3. A Staff Report And Action To Be Taken On Complaint No. 09-03 (Klein)

The Commission directed staff to provide a supplemental report on the question of whether the City Council's allocated time of 15 minutes for Open Forum is consistent with the Sunshine Ordinance's stated policy that public speakers shall receive a minimum of two minutes per item.

There were two speakers: John Klein, Sanjiv Handa

4. A Staff Report And Action To Be Taken On Complaint No. 09-04 (Plazola)

The Commission directed staff to re-agendize Complaint No. 09-04 for the June 1, 2009, meeting.

There were no speakers.

F. A Staff Report And Action To Be Taken Regarding Required Review Of City Council Salaries

The Commission moved, seconded and adopted a motion to direct staff to prepare a resolution for consideration at the June 1, 2009, meeting to effect an increase in City Council salaries based on the change in the CPI from April, 2008 through April, 2009. (Ayes: All)

The Commission also directed staff to agendize for a future meeting a general discussion of potential recommendations regarding City Council salaries and the Commission's role in setting City Council salaries.

There was one speaker: Sanjiv Handa

G. A Staff Report And Action To Be Taken On Proposed Amendments To The Oakland Campaign Reform Act (OCRA)

The Commission directed staff to re-agendize this item for a future meeting.

The meeting adjourned at 10:40 p.m.