CITY OF OAKLAND
Public Ethics Commission
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TO: Public Ethics Commission
FROM: Daniel Purnell
DATE: September 3, 2009

RE: A Staff Report And Action To Be Taken Regarding Proposed Amendments To O.M.C. Chapter 2.24 (Powers And Duties Of The Public Ethics Commission)

Oakland City Charter Section 202(b)(5) provides that the City "shall by ordinance prescribe the function, duties, powers, jurisdiction and terms of members of the Commission, in accordance with this Article." In 1997, the City Council adopted O.M.C. Chapter 2.24 -- the Commission's so-called "enabling ordinance" setting forth those required functions, duties, powers, etc.

In 2008, the Commission appointed a special task force to examine the Commission's authorizing charter and enabling ordinance and to make specific recommendations regarding their provisions. After a long series of meetings and public discussion, the Commission finally authorized a series of proposed amendments to Chapter 2.24 to be submitted to the City Council for consideration.

On April 23, 2009, the City Council Rules and Legislation Committee ("Rules Committee") was scheduled to consider the proposed amendments for the first time. Unfortunately, the Rules Committee lost its quorum before the item could be considered. The item is awaiting a hearing pending a new scheduling request. Prior to the April 23 meeting, Commission staff received some comments from various members of the Rules Committee and/or their staff regarding the proposed amendments. Rather than re-schedule the item immediately, Commission staff wanted to apprise the Commission of the nature of those comments in the event the

Commission wished to address them formally either in the form of proposing alternative language, or by way of additional explanation to the Rules Committee.

Attached is a copy of the Commission's proposed amendments in "redline" format. Commission staff has annotated specific comments and a discussion under each of the relevant sections. ***Attachment 1.***

Commission staff recommends that the Commission review the attached redline, take public comment and provide Commission staff with any further direction before Commission staff re-agendizes the attached proposal before the Rules Committee for consideration.

Respectfully submitted,

Daniel D. Purnell
Executive Director