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
(Mark Morodomi, appearing for Ms. Rosenthal)

MINUTES OF MEETING

A. Roll Call And Determination Of Quorum

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

Members present: Wiener, Andrews, Green-Ajufo, Stanley, Paul

Members excused: Degrafinried, Mori

B. Approval Of Draft Minutes Of The Regular Meeting Of July 6, 2009

The Commission adopted a motion to approve the minutes of the regular meeting of July 6, 2009. (Ayes: All)

C. Executive Director And Commission Announcements

The Executive Director reported that he made a presentation to the California City Clerk's Association on the formation of ethics commissions in local jurisdictions. He reported receiving several follow-up calls requesting more information.

The Sunshine Committee convened a special meeting on August 11, 2009, to discuss a series of proposed amendments to the Sunshine Ordinance. The Committee will meet again in early October to finalize its recommendations to the full Commission.

MINUTES OF MEETING -- DRAFT
PUBLIC ETHICS COMMISSION
SPECIAL MEETING
One Frank Ogawa Plaza (City Hall)
Thursday, September 3, 2009
Hearing Room One
6:30 p.m.

The Commission will convene a special meeting on September 24, 2009, at 6:30 p.m. to discuss proposals for amending the Lobbyist Registration Act, particularly regarding the definition of "local governmental lobbyist" and exceptions from registration requirements.

D. Open Forum

There were two speakers: John Klein, David Mix

E. Complaints

1. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 09-05 (Klein)

The Commission moved, seconded and adopted a motion to dismiss Complaint No. 09-05 on grounds that there was no information to support a conclusion that Mr. Novak was lobbying on behalf of a client at the time he was making the communications alleged in the complaint.
(Ayes: Wiener, Andrews, Green-Ajufo, Paul; Noes: Stanley)

There were two speakers: John Klein, Matthew Novak

2. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 09-06 (Mix)

The Commission continued consideration of Complaint No. 09-06 to a subsequent meeting at the request of Mr. Mix.

3. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 09-07 (Mix)

The Commission continued consideration of Complaint No. 09-07 to a subsequent meeting at the request of Mr. Mix.

F. A Staff Report And Action To Be Taken Regarding New Commissioner Recruitment And Selection; Appointment Of Temporary Ad Hoc Nominating Committee

The Commission approved by consensus the proposed recruitment materials pertaining to the Commission-appointed seat on the Commission and the creation of a temporary, ad hoc nominating committee to review applications, interview candidates and propose a list of candidates for selection at the Commission's January 2010, regular meeting. Commissioners Paul, Green-Ajufo and Stanley agreed to serve on the ad hoc committee.

There was one speaker: Barbara Newcombe

G. 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)

The Commission moved, seconded and adopted a motion to approve Commission staff's recommendation for proposing an amendment to the Section 2.24.020(I) as stated in the staff report. (Ayes: All)

The Commission accepted all other Commission staff's recommendations except as follows: (1) With respect to Section 2.24.050(B), the Commission requested staff to develop language that would be consistent with FPPC regulations specifying what types of benefits would not constitute a "gift" for purposes of the proposed gift restriction for Commissioners; (2) The Commission directed staff to analyze and comment on the proposal by the MGO Democratic Club submitted at the meeting by Ralph Kanz to restrict certain persons from serving on the Commission and Commissioner recusal.

There were three speakers: Sanjiv Handa, Ralph Kanz, Della Mundy

The meeting adjourned at 9:07 p.m.