

Commission Membership: Ralph Kanz (Chair), Andrew Wiener (Vice-Chair), Kathryn Kasch, Caryn Bortnick, Sukey Wilder, Fredericka (Ricka) L. White, Curtis Below

Staff Members: Commission Staff:
Daniel Purnell, Executive Director
Judith Silverman, Executive Assistant
City Attorney Representative:
Mark Morodomi, Deputy City Attorney

MINUTES OF MEETING

A. Roll Call And Determination Of Quorum

The meeting was called to order at 6:35 p.m.

Members present: Commissioners Kanz, Bortnick, Kasch, White, Wiener and Wilder

Members excused: Commissioner Below

Staff present: Daniel Purnell, Executive Director
Mark Morodomi, Deputy City Attorney

B. Approval of Draft Minutes of the Meetings Of October 3, 2005

The Commission moved, seconded and approved a motion to adopt the draft minutes of the meeting of October 3, 2005. (Ayes: Kanz, Kasch, White, Wiener and Wilder; Abstain: Bortnick)

C. Executive Director And Commission Announcements

The Executive Director reported that he participated in two training sessions for City staff during the month of October: The first was a session on the Brown Act and Sunshine Ordinance for those City employees involved in the City Council agenda process. The second was a 90-minutes class on how to plan, notice and conduct a public meeting for those City employees who staff Oakland's boards and commissions.

The Executive Director reported that the Commission had received eight applications for the Commission-appointed seat currently held by Commissioner Kasch. The Commission's ad hoc nominating committee is reviewing applications and will be conducting interviews in late November/early December. Selection for the seat will take place at the Commission's January meeting.

The Executive Director also reported that work is progressing on materials to be used for upcoming meetings of the Campaign Finance and Lobbyist Registration Committee, the Sunshine Committee, and the Task Force on Commission Authority and Jurisdiction.

D. Open Forum

There were two speakers: Sanjiv Handa, James Mordecai

E. Complaints

1. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 05-04 (Mordecai)

The Commission moved, seconded and approved a motion to dismiss Complaint No. 05-04 conditioned on the Commission's conducting a legislative inquiry on public participation at School Board meetings including, but not limited to, issues of speaker time and public access. (Ayes: Kanz, Bortnick, Kasch, White, Wiener and Wilder.)

There were two speakers: James Mordecai, Sanjiv Handa

2. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 05-08 (Bartholomew)

(After calling this item, the Executive Director recused himself and left the hearing room for the duration of this item.) The Commission moved, seconded and approved a motion to dismiss Complaint No. 05-08 on grounds that it seeks a form of relief that is not available under the Sunshine Ordinance. The Commission authorized Ms. Bartholomew to proceed with the complaint submitted to the Commission on November 29, 2004. (Ayes: Kanz, Bortnick, Kasch, White, Wiener and Wilder.)

There were two speakers: Marilyn Bartholomew; Sanjiv Handa

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

The Commission moved, seconded and approved a motion to 1) dismiss the allegation pertaining to an unnoticed serial meeting of the City Council; 2) dismiss the allegation pertaining to consideration of the City Auditor's report; and 3) continue consideration of the allegation pertaining to improper public noticing of City Councilmember Ignacio De La Fuente's proposed amendment pending an explanation by Deputy City Attorney Barbara Parker why she believed that the City Council was precluded from considering Mr. De La Fuente's proposed amendment at the City Council meeting of July 19, 2005. (Ayes: Kanz, Bortnick, Kasch, White, Wiener and Wilder.)

There were two speakers: Gene Hazzard; Sanjiv Handa

F. A Report On Campaign Financing And The Implementation Of All Mail Balloting During The May, 2005, Special Election In District Two

The Commission discussed, considered public comment and received the above-stated report. The Commission directed staff to post a copy of the report on the commission's website.

There were two speakers: Sanjiv Handa; Barbara Newcombe

G. A Report And Action To Be Taken Regarding Proposed Amendments To The Lobbyist Registration Act

The Commission moved, seconded and approved a motion to direct the Executive Director to request the City Council Rules Committee to continue its November 10, 2005, consideration of the Commission's proposed amendments to the Lobbyist Registration Act and the modifications proposed by City Councilmember Jane Brunner until after the Commission's December 13, 2005, meeting to permit the Commission to fully discuss and consider Councilmember Brunner's proposed modifications.

There were two speakers: Barbara Newcombe; Sanjiv Handa

The meeting adjourned at 10:15 p.m.