

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

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 6:30 p.m.

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

Staff present: Daniel Purnell, Executive Director

Mark Morodomi, Deputy City Attorney

B. Approval of Draft Minutes of the Meeting of February 7, 2005

The Commission moved, seconded and approved a motion to adopt the draft minutes of the meeting of February 7, 2005, conditioned on the following two corrections: Item E.1 shall note that Complaint No. 04-02 was also deemed to have been dismissed as a result of the complainant's failure to request a new hearing date pursuant to the hearing chair's December 3, 2004 order granting complainant's request for a continuance. Item E.3 shall note that Chairperson Kanz did not participate in the proceedings on Complaint No. 04-07 but recused himself and left the Commission dais. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder, White).

C. Executive Director And Commission Announcements

The Executive Director reported that Commission staff provided three separate training sessions for candidates in the District Two election who may be interested in participating in the limited public matching fund program. The City Council also adopted two amendments to the Limited Public Financing Act that would essentially prohibit matching contributions on money orders and cashiers checks and require all candidates to file complete and accurate campaign statements as a condition of receiving matching funds.

The Executive Director reported that the City Council's Rules Committee held its first hearing on the Commission's proposed amendments to the Lobbyist Registration Act on March 3, 2005. There was no clear Committee consensus on the proposals; Commission staff will reschedule a second hearing at a later date.

The Executive Director reported that the City Council Rules Committee also held its first hearing on the City Attorney's and the City Clerk's proposed amendments to the Sunshine Ordinance on March 3, 2005. While individual Councilmembers expressed their opinions regarding the proposals, the Committee took no action but to continue the hearing on March 17, 2005.

The Executive director reported that the Lobbyist Registration and Campaign Finance Committee held its first meeting on March 2, 2005, to begin a review of the Oakland Campaign Reform Act (OCRA). The next meeting of the Committee will be held on March 30, 2005, at 7:00 p.m. in City Hall.

Commissioner Kasch requested that the Commission direct staff to prepare a report concerning reported allegations that the Port of Oakland Board of Directors conducted an improperly noticed public meeting. The Commission directed staff to provide the report in time for the Commission's April 4, 2005, regular meeting.

The Commission also directed staff to report back on the City of San Francisco's program for mandatory training under its local Sunshine Ordinance.

There was one speaker: Sanjiv Handa

D. Open Forum

There were two speakers: Sanjiv Handa, James Mordecai

I. A Report And Action To Be Taken Regarding The Commission's Annual Retreat

This item was taken out of order by unanimous consent of the Commission. The Commission agreed to hold its annual retreat on Saturday, April 30, 2005, from 9 a.m. to noon. Staff will research potential locations and provide all public notices. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder, White).

There was one speaker: Sanjiv Handa

E. Complaints

1. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 04-08 (Mix)

The Executive Director recused himself and left the chambers for this item. Pursuant to the authority provided in Ordinance No. 12101, the City Administrator appointed Niccolo DeLuca to act in place of the Executive Director for this complaint. The Commission moved, seconded and approved a motion to dismiss Complaint No. 04-08 on grounds that the complaint failed to allege a violation of the Oakland Sunshine Ordinance. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder, White).

There was one speaker: Sanjiv Handa

2. A Staff Report And Action To Be Taken In The Matter Of Complaint Nos. 04-09 and 05-01 [Consolidated] (Mordecai)

The Commission moved, seconded and approved a motion to dismiss Complaint No. 05-01 on the condition that Commission staff compose a letter for Commission review at the April 4, 2005, meeting to express the Commission's concern over the omission of an "open forum"-type item on the City Council's January 3, 2005, agenda and for taking action on items before receiving public comment. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder; Noes: White).

The Commission moved, seconded and approved a motion to request an opinion from the Office of the City Attorney regarding the Commission's authority to enforce provisions of the Oakland Sunshine Ordinance against the Oakland School board. Commission action on Complaint No. 04-09 is reserved until receipt of the opinion. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder, White).

There were two speakers: Sanjiv Handa, James Mordecai

F. Action To Be Taken Regarding Approval Of the Commission's Annual Report For 2004

The Commission moved, seconded and approved a motion to distribute and post the Commission's Annual Report For 2004. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder, White).

G. A Report And Action To Be Taken On Commission Allocation Of Limited Public Matching Funds Among Eligible Candidates During The 2005 District Two Special Election

The Commission moved, seconded and approved a motion to adopt the proposed resolution regarding allocation of limited public matching funds among eligible candidates during the 2005 District Two special election. (Ayes: Kanz, Kasch, Wiener, Bortnick, Wilder, White).

There was one speaker: Sanjiv Handa

H. An Informational Presentation On The Oakland Campaign Reform Act (OCRA)

This item was continued to the April 4, 2005, meeting.

The meeting adjourned at 9:45 p.m.