

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 6:30 p.m.

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

Members excused: Commissioner Wiener

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

B. Approval of Draft Minutes of the Meetings Of June 6, 2005

The Commission moved, seconded and approved a motion to adopt the draft minutes of the meeting of June 6, 2005. (Ayes: All).

C. Executive Director And Commission Announcements

The Executive Director reported that the Oakland City Council authorized \$222,750 to fund the Limited Public Financing Act during FY 2005-07. This amount reflects policy amendments enacted earlier this year to limit public financing to district City Council races. Commission staff will be developing outreach material to potential candidates in advance of the 2006 municipal elections.

The Executive Director also reported that he is preparing a report to the Sunshine Committee regarding the application of the Sunshine Ordinance to local non-profit corporations. The committee will be announcing a meeting to discuss the report at a later date.

Commissioner Kasch reported that the Campaign Finance and Lobbyist Registration Committee held a meeting on June 30, 2005, to continue its ongoing review of OCRA and to hear comments from candidates in the District Two special election. The Committee will continue its review of OCRA at a special meeting to be announced for July 25, 2005.

D. Open Forum

There were three speakers: Sanjiv Handa, James Mordecai and Ronald Chan

E. Complaints

1. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 04-06 (Initial Report) and 04-05 (Supplemental Report) (Edrington/Lee)

The Commission moved, seconded and approved a motion to approve staff's recommendation to refer to the Fair Political Practices Commission (FPPC) for review a) Complaint No. 04-05 pertaining to the Just Cause Committee's late and possibly still missing financial information and b) Complaint No. 04-06 pertaining to PUEBLO's alleged activities in support of Measure FF. (Ayes: All)

There were two speakers: Steve Edrington; Bob Hines

2. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 05-03 (Handa)

The Commission moved, seconded and approved a motion to dismiss Complaint No. 05-03 on grounds that the facts fail to support a finding that a violation of the Brown Act or Sunshine Ordinance occurred. (Ayes: Wilder, Kasch, Bortnick, Below; Abstain: Kanz, White) The Commission also directed staff to prepare a report for a future meeting regarding public disclosure of legal settlements.

There were three speakers: Sanjiv Handa, David Mix, James Mordecai

3. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 05-06 (Public Ethics Commission)

The Commission moved, seconded and approved a motion to dismiss Complaint No. 05-06 conditioned upon all members of the Port Board of Directors having completed training in open meeting law within 90 days of the date of dismissal. (Ayes: Kanz, Wilder, Bortnick, White, Below; Abstain: Kasch)

There were five speakers: Harold Jones, James Mordecai, David Mix, Sanjiv Handa, James Allen

4. A Staff Report And Action To Be Taken In The Matter Of Complaint No. 05-07 (Chan)

The Commission moved, seconded and approved a motion to dismiss Complaint No. 05-07 on grounds that the Commission does not have authority to determine alleged violations of the City Council's parliamentary rules and that the facts do not support a conclusion that the Brown Act or Sunshine Ordinance may have been violated. (Ayes: Kanz, Kasch, Bortnick, Below; Noes: White; Abstain: Wilder)

There were five speakers: James Mordecai, Sanjiv Handa, Ronald Chan, Barbara Newcombe, David Mix

F. A Report And Action To Be Taken Regarding Commission Agenda Setting Procedures

The Commission received a written and oral report from the Executive Director on this item; no other action was taken.

There were three speakers: James Mordecai, David Mix, Sanjiv Handa

G. A Report And Action To Be Taken Regarding Public Ethics Commission Review Of Commission Authority

The Commission moved, seconded and adopted a motion to create a temporary ad hoc committee consisting of Commissioners Kanz, White and Bortnick to convene and select members to a seven-member task force created for the purpose of reviewing the Commission's authority and organization and to make recommendations to the Commission for potential modifications to current law. (Ayes: All)

There were four speakers: David Mix, James Mordecai, Sanjiv Handa, Ronald Chan

The meeting adjourned at 10:40 p.m.