

CITY OF OAKLAND
Public Ethics Commission

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Daniel D. Purnell, Executive Director

One Frank Ogawa Plaza, 4th Floor, Oakland, CA 94612 (510) 238-3593 Fax: (510) 238-3315

TO: Public Ethics Commission
FROM: Daniel Purnell
DATE: May 2, 2005

RE: A Report And Action To Be Taken Regarding Proposed Amendments To The Oakland Sunshine Ordinance As Submitted By The City Council Rules And Legislation Committee To The Oakland City Council For Consideration On May 3, 2005

At its regular meeting of April 14, 2005, the City Council Rules And Legislation Committee ("Rules Committee") considered a series of amendments to the Oakland Sunshine Ordinance. The amendments consisted of three parts:

- 1) requirements that the City's executive officers submit agenda-related materials to the City Clerk in time to meet the Sunshine Ordinance's filing deadlines;
- 2) a revised definition of what constitutes a "software or hardware impairment" and providing a limited excuse from public meeting notice requirements due to such impairment; and
- 3) a revised definition of what constitutes a "meeting" and various changes to agenda and notice requirements for regular and special meetings.

The first two sets of amendments were reviewed extensively last year by the Commission. They were part of two separate proposals from the Office of the City Attorney and Office of the City Clerk, respectively.

The third set of amendments was submitted directly to the Rules Committee by Vice Mayor Jane Brunner. Commission Chair Ralph Kanz appeared at the Rules Committee meeting and

requested that the Committee refer Vice Mayor Brunner's amendments to the Commission for review. The Rules Committee chose not to make the referral and forwarded those amendments directly to the City Council along with the other two sets.

Commissioner Kanz has requested that the Commission review the Rules Committee's recommendations at its May 2, 2005, meeting and authorize a Commission representative to convey any Commission comments to the City Council at its meeting on May 3, 2005.

A copy of Vice Mayor Brunner's proposed amendments as submitted to the Rules Committee is attached. **Attachment 1**. The Office of the City Attorney has also prepared a comprehensive "redline" indicating the Rules Committee recommendations in one document. Unfortunately, that document may not be available in time to be submitted for this agenda package. If unavailable, copies of the City Attorney's redline can be obtained from the Office of the City Clerk after Friday, April 22, 2005, or from the City Clerk's website at www.oaklandnet.com. Commission staff will also seek to supplement the agenda package to provide the City Attorney's report before the Commission's May 2, 2005, meeting.

Respectfully submitted,

Daniel D. Purnell
Executive Director