

MEASURE OO
CHARTER AMENDMENT TO SECTIONS 603, 401 AND 403 OF THE
CITY CHARTER AND AMENDMENT TO
OAKLAND MUNICIPAL CODE, CHAPTERS 2.24 AND 3.20

THE QUESTION

Should Measure OO, which, among other provisions, updates the Public Ethics Commission's governance rules, provides for staffing minimums and an additional ethics investigator, and limits gifts from lobbyists, be adopted?



THE SITUATION

In 1996, Oakland voters approved the creation of an independent Public Ethics Commission. Composed of seven volunteer commissioners, the Commission ensures compliance with Oakland's government ethics, campaign finance, transparency, and lobbyist registration laws. A small department of City staff members supports the commissioners.

In 2014, voters gave the commission additional authority and increased its staffing. In the ensuing 10 years, the Commission's investigative workload has increased significantly and now greatly exceeds its staffing capacity. As a result, half of the Commission's investigative workload has been placed on hold.



FISCAL EFFECT

Hiring an additional ethics investigator effective 7/1/26 is estimated to cost \$241,784 for salary and benefits. Separately, the proposed flexibility for classification of several employees could result in savings of \$89,584 or increased costs of \$86,646.

SUPPORTERS SAY

- To be effective, the Commission must have the resources needed to manage its actual workload and should regularly update its governance in light of current professional standards.
- Stricter ethics rules, such as the limitation of gifts from lobbyists to public officials and candidates for public offices, are desirable.



THE PROPOSAL

Measure OO proposes the following changes to existing laws governing the Public Ethics Commission:

- Updates the governance rules affecting conflicts of interest, the qualifications of commissioners, and the commissioners' terms of office and possible grounds for termination.
- Clarifies that, if a quorum of four of the seven commissioners is present, the Commission may take action.
- Limits the City's ability to reduce minimum staffing requirements.
- Adds one ethics investigator effective July 1, 2026. (An extreme fiscal emergency would permit the City to delay this staffing.)
- Gives flexibility regarding the classifications of three staff members
- Allows the Executive Director to choose independent counsel if the City Attorney determines that a conflict of interest would exist if the City Attorney's office were to advise or represent the Commission.
- Requires the City Council to consider any changes proposed by the Commission to laws it enforces or administers.
- Reschedules the Commission's review and recommendations re: the City Auditor's and City Attorney's salaries to be bi-annual rather than annual.
- Amends the Lobbyist Registration Act to lower the limit of payment(s) or incurred expense(s) that directly benefit an elected City officeholder, candidate or member of their immediate family to an annual cumulative maximum of \$50.

OPPONENTS SAY

- Voters should not approve additional funding for the Public Ethics Commission because it has not always done its job of holding public officials accountable or of ensuring government processes are transparent.

