

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, December 3, 2018
Hearing Room 1
6:30 p.m.



DRAFT

Commissioners: Jonathan Stein (Chair), Jodie Smith (Vice-Chair), Jill Butler, Lisa Crowfoot, James E.T. Jackson, Gail Kong, and Krisida Nishioka

Commission Staff to attend: Whitney Barazoto, Executive Director; Suzanne Doran, Lead Analyst – Civic Technology and Engagement; Simon Russell – Investigator

City Attorney Staff: Trish Hynes, Deputy City Attorney

REGULAR MEETING MINUTES

1. Roll Call and Determination of Quorum.

The meeting was called to order at 6:30 p.m.

Members present: Commissioners Stein, Smith, Butler, Crowfoot, Kong, Jackson, Nishioka.

Staff present: Suzanne Doran and Simon Russell.

City Attorney Staff: Trish Hynes, Deputy City Attorney

2. Staff and Commission Announcements.

Chair Stein welcomed the new commissioner, Jill Butler.

Whitney Barazoto, Executive Director, was absent.

3. Open Forum.

There was one speaker.

CONSENT ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. November 5, 2018, Regular Meeting Minutes

Chair Stein mentioned that, while the minutes reflected the Executive Director announcing that the Commission received 13 applications for the Commissioner vacancy, the Commission later received an additional seven applications from the Mayor's Office via the City's online application system following that announcement on November 5. No change to the minutes was needed since they are an accurate reflection of what was known and said at that meeting, but he wanted to clarify the final number of applications received.



DRAFT

Commissioner Jackson moved and Commissioner Nishioka seconded to approve the minutes.

Later in the evening, the minutes were recalled for public comment. After a few instances in which the Chair cured and corrected prior votes on this item, the motion passed 6-0, with Commissioner Butler abstaining.

Commissioner Crowfoot moved and Commissioner Nishioka seconded to approve the minutes following public comment.

The motion passed 6-0, with Commissioner Butler abstaining since she was not a commissioner at the last meeting.

There were no public speakers.

ACTION ITEMS

5. Campaign Finance Compliance for the November 2018 Election – Follow-Up Report.

Commissioner Smith moved and Commissioner Jackson seconded to approve the staff recommendations in the follow up report.

The motion passed 6-0

There was one public speaker.

DISCUSSION ITEMS

6. Limited Public Financing Program Implementation 2018.

Commission staff provided an overview of the Limited Public Financing Program utilization for the November 2018 Election.

There were two public speakers.

7. Subcommittee Reports.

- a. **Campaign Finance Subcommittee** – Jonathan Stein (Chair), Lisa Crowfoot, and James Jackson

Commissioner Stein shared that he is working with Ms. Barazoto on a report that will analyze the effectiveness of Oakland's campaign laws.



DRAFT

There were no public speakers.

- b. **Education and Outreach Subcommittee** – Krisida Nishioka (Chair), James Jackson, and Gail Kong

Commissioner Nishioka commented on staff efforts during the campaign cycle.

There were no public speakers.

- c. **Complaint Procedures Subcommittee** (*ad hoc*, created 3/26/18) – Krisida Nishioka and Jodie Smith

Commissioner Smith shared that they are working a draft revision.

There was one public speaker.

- d. **Penalty Guidelines Subcommittee** (*ad hoc*, created 3/26/18) – Lisa Crowfoot and Gail Kong

Commissioner Crowfoot moved to disband the committee. Commissioner Stein disbanded the subcommittee.

There were no public speakers.

- e. **Ticket Policy Guidance Subcommittee** (*ad hoc*, created 9/11/18) – James Jackson and Gail Kong

There were no updates. Commissioner Stein will get clarification from Ms. Barazoto regarding the referral to the Complaint Procedures *ad hoc* subcommittee.

There were no public speakers.

- f. **Commissioner Recruitment Subcommittee** (*ad hoc*, created 11/5/18) – Jonathan Stein, Lisa Crowfoot, and Krisida Nishioka

Commissioner Crowfoot shared they interviewed twenty applicants. Seven applicants were referred from the Mayor's Office Board and Commissions application process.



DRAFT

The subcommittee will refer candidates to be interviewed at the January meeting by the full commission.

There were no public speakers.

INFORMATION ITEMS

8. Disclosure Program.

Suzanne Doran, Lead analyst, provided a report of recent disclosure and data illumination activities.

Commissioners discussed the possibility of having the data from the lobbyists reports to be published in a similar matter as the campaign data in Open Oakland.

There were two public speakers.

9. Education and Engagement Program.

Commissioners reviewed the report on the Commission's education and outreach activities.

Commissioner Kong asked about the increase in information and advice requests and the impact on staffing.

There were no public speakers.

10. Enforcement Program.

Commissioners reviewed a report on the Commission's enforcement work since the last regular Commission meeting.

Commissioner Stein shared that Case No. 17-17 has been re-opened.

Commissioner Crowfoot reiterated request for bar charts with enforcement updates.

There were no public speakers.

11. Executive Director's Report.

The Commission accepted the report. Commissioner Stein thanked Milad Dalju for his work for the City and shared that the recruitment for Deputy Director Enforcement Chief is open, with a deadline of December 21, 2018.

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There were no public speakers.

The meeting adjourned at 7:33 p.m.