

# Item 5 - Meeting Minutes

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Wednesday, January 12, 2022  
6:30 p.m.



DRAFT

Commissioners: Michael MacDonald (Chair), Jerett Yan (Vice-Chair), Avi Klein, Jessica Leavitt, Ryan Micik, Arvon Perteet, and Joseph Tuman

Commission Staff to attend: Whitney Barazoto, Executive Director; Suzanne Doran, Lead Analyst – Civic Technology and Engagement; Kellie Johnson, Enforcement Chief; Ana Lara-Franco, Commission Assistant; Simon Russell, Investigator

City Attorney Staff: Trish Shafie, Deputy City Attorney

## PUBLIC ETHICS COMMISSION MEETING MINUTES

### 1. Roll Call and Determination of Quorum.

The meeting was held via teleconference.

The meeting was called to order at 6:32 p.m.

Members present: MacDonald, Yan, Leavitt, Micik, and Perteet.  
Klein and Tuman were absent.

Staff present: Whitney Barazoto, Suzanne Doran, Kellie Johnson, Ana Lara-Franco and Simon Russell.

City Attorney Staff: Trish Shafie.

### 2. Staff and Commission Announcements.

There were no announcements.

### 3. Open Forum.

There was one public speaker.

## PRELIMINARY ACTION ITEMS

### 4. Virtual meetings by the Public Ethics Commission.

Commissioners reviewed the resolution establishing certain determinations to justify the ongoing need for virtual meetings following the California State Legislature's

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adoption and Governor's approval of AB 361 on September 16, 2021.

Leavitt moved, and Perteet seconded to approve **RESOLUTION NO. 22-01**.

Ayes: MacDonald, Yan, Leavitt, Micik, and Perteet.

Noes: None

Vote: Passed 5-0

Absent: Klein and Tuman.

## **ACTION ITEMS**

### **5. Approval of Commission Meeting Draft Minutes.**

#### **a. December 6, 2021 Regular Meeting Minutes**

There were no public speakers.

Micik moved and MacDonald seconded to approve the minutes for December 6, 2021.

Ayes: MacDonald, Yan, Leavitt, Micik, and Perteet.

Noes: None

Vote: Passed 5-0.

Absent: Klein and Tuman

### **6. Election of Officers (Chair and Vice-Chair) of the Commission.**

There were no public speakers.

Yan moved to approve the appointment of Arvon Perteet as Chair of the PEC for 2022.  
Leavitt seconded the motion.

Ayes: MacDonald, Leavitt, Micik, and Perteet.

Noes: None

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Abstain: Yan

Vote: Passed 4-0.

Absent: Klein and Tuman

Micik moved to approve the appointment of Michael MacDonald for Vice-Chair. Perteet seconded the motion.

Ayes: MacDonald, Leavitt, Micik, and Perteet.

Noes: None

Abstain: Yan

Vote: Passed 4-0.

Absent: Klein and Tuman

### **7. *In the Matter of Jason Overman (Case No. 18-14).***

Commissioners discussed and asked questions on the matter.

There were no public speakers.

Perteet moved and Leavitt seconded to approve the staff recommendation.

Ayes: MacDonald, Yan, Leavitt, Micik, and Perteet.

Noes: None

Vote: Passed 5-0.

Absent: Klein and Tuman

### **8. *Proposed Amendments to the Limited Public Financing Act (OMC Chapter 3.13).***

Commission staff presented draft amendments to the Limited Public Financing Act to implement statutory amendment recommendations made by the City Auditor in her

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audits of the 2018 and 2020 implementation of the program.

There were no public speakers.

MacDonald moved and Micik seconded to adopt the recommendations.

Ayes: MacDonald, Yan, Leavitt, Micik, and Perteet.

Noes: None

Vote: Passed 5-0.

Absent: Klein and Tuman

## **DISCUSSION ITEMS**

### **9. Reports on Subcommittees and Commissioner Assignments.**

- a. **Enforcement Subcommittee** (*ad hoc*, created on November 1, 2021) – Arvon Perteet (Chair), Ryan Micik, Jerett Yan

MacDonald created a new *ad hoc* Public Records Performance Subcommittee. The members will include MacDonald as Chair, and Leavitt. The third member will be selected at the next meeting.

Perteet shared that the *ad hoc* Enforcement Subcommittee met last month and will continue to meet. A new member will be selected after Yan's term ends January 21, 2022.

MacDonald also mentioned that he would like to create an *ad hoc* Outreach Subcommittee. This will be discussed at a future meeting.

## **INFORMATION ITEMS**

### **10. Disclosure and Engagement.**

Suzanne Doran, Lead Analyst, provided an overview of education, outreach, disclosure and data illumination activities for the 2021 year, as well as an update on activities for this past month.

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There were no public speakers

### 11. Enforcement Program.

Kellie Johnson, Enforcement Chief, provided a year-end summary of the Commission's enforcement work, as well as a monthly update since the last regular Commission meeting.

There were no public speakers

### 12. Executive Director's Report.

Whitney Barazoto, Executive Director, reported on overall projects, priorities, and significant activities for the 2021 year, as well as a monthly update since the Commission's last meeting.

Ms. Barazoto thanked the two outgoing commissioners, Klein and Yan, for their service.

There were no public speakers

### 13. Future Meeting Business.

Perteet proposed to have a retreat in the coming months.

Ms. Barazoto shared that the City Auditor is currently recruiting to fill the upcoming vacancy.

There were no public speakers.

The meeting adjourned at 7:55 p.m.