

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, October 5, 2020
6:30 p.m.



DRAFT

Commissioners: James E.T. Jackson (Chair), Jill M. Butler (Vice-Chair), Michael MacDonald, Janani Ramachandran, Joseph Tuman and Jerett Yan

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

City Attorney Staff: Trish Shafie, Deputy City Attorney

PEC MEETING MINUTES

1. Roll Call and Determination of Quorum.

The meeting was held via teleconference.

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

Members present: Jackson, Butler, MacDonald, Tuman and Yan. Ramachandran was absent.

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

City Attorney Staff: Trish Shafie

2. Staff and Commission Announcements.

There were no announcements

3. Open Forum.

There were two public speakers.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. August 3, 2020 Regular Meeting Minutes
- b. August 21, 2020 Special Meeting Minutes

There were no public speakers.

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MacDonald moved, and Butler seconded to adopt the Aug 3, 2020 minutes.

Vote: Passed 5-0

Ayes: Jackson, Butler, MacDonald, Tuman, and Yan

Noes: None

MacDonald moved, and Tuman seconded to adopt the Aug 21, 2020 minutes.

Vote: Passed 5-0

Ayes: Jackson, Butler, MacDonald, Tuman, and Yan

Noes: None

5. OpenDisclosure 2020 Online Web-Application Demonstration.

Suzanne Doran, Lead Analyst, and OpenDisclosure project team members provided a demonstration of the online application visualizing campaign data for the 2020 election.

There was one public speaker.

Commissioners made comments and asked questions.

MacDonald moved, and Tuman seconded to accept the report.

Vote: Passed 5-0

Ayes: Jackson, Butler, MacDonald, Tuman, and Yan

Noes: None

6. In the Matter of Supervisor Rich Fielding City of Oakland Building and Planning (Complaint No. 16-11).

Kellie Johnson, Enforcement Chief, recommended this complaint be closed.

There were no public speakers.



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Commissioners made comments and asked questions.

Butler moved, and MacDonald seconded to adopt the recommendation.

Vote: Passed 5-0

Ayes: Jackson, Butler, MacDonald, Tuman, and Yan

Noes: None

7. *In the Matter of Haydel and Lane Partners (Complaint No. 19-24).*

Mr. Wasserman, Mr. Haydel's lawyer, requested reconsideration of the penalty amount proposed by the Commission in March 2020.

Mr. Wasserman shared his comments on why they are requesting a reconsideration.

Commissioners made comments and asked questions. Chair Jackson agreed with the lowering of the penalty. Commissioners discussed the matter.

There were two public speakers.

MacDonald moved, and Tuman seconded to adopt the recommendation.

Vote: Passed 4-1

Ayes: Butler, MacDonald, Tuman, and Yan

Noes: Jackson

DISCUSSION ITEMS

Reports on Subcommittees and Commissioner Assignments.

- a. **Sunshine Review Subcommittee** (*ad hoc*/temporary, created on May 8, 2020)
– Michael MacDonald (Chair), Jill Butler and Joe Tuman

MacDonald shared they are continuing to meet and reviewing the report card.



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b. Commissioner Recruitment Subcommittee (*ad hoc*/temporary, created on August 3, 2020) – James Jackson (Chair), Michael MacDonald, and Jerett Yan)

Jackson shared they are currently evaluating the candidates. Finalist will be invited to the November meeting to interview in front of the whole commission.

There were no public speakers.

INFORMATION ITEMS

8. Disclosure and Engagement.

Ms. Doran shared that the PEC is cooperating with the FPPC to comply with the pre-election deadline of Sept 24, 2020. There are five committees who are non-complaint.

A political action committee submitted a Solicited Contribution Report - OCRA Form 303

Open Oakland meets every Tuesday at 6:30 p.m. via Zoom

There were no public speakers.

9. Enforcement Program.

Ms. Johnson shared that the PEC has a new intern, Carly Johnson, who will be handling Sunshine mediations. She also wanted to shine on the work the Simon Russell, Ethics Investigator, is doing a great job. Tuman thanked the Chief for a great report.

There was one public speaker.

10. Executive Director's Report.

Whitney Barazoto, Executive Director, reported on overall projects, priorities, and significant activities since the Commission's last meeting. Ms. Barazoto shared that the PEC responded to the letter sent by the PEC regarding the open meeting laws during the current COVID-19 pandemic.

There was one public speaker.

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The meeting adjourned at 8:26 p.m.