

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



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 asked questions and 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 regarding 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. Finalists will be invited to the November meeting to interview in front of the full Commission.

There were no public speakers.

INFORMATION ITEMS

8. Disclosure and Engagement.

Ms. Doran shared that the PEC is coordinating with the FPPC to ensure compliance by candidates with the pre-election deadline of Sept 24, 2020. There are five committees who are non-compliant.

Ms. Doran reminded Commissioners and the public that 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 commended Simon Russell, Ethics Investigator, for his good work. 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 the City Administrator's response to the letter sent by the PEC regarding open meeting laws during the current COVID-19 pandemic and that she would continue to follow up regarding the status of the law.

There was one public speaker.

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The meeting adjourned at 8:26 p.m.