

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, October 7, 2019
Hearing Room 1
6:30 p.m.



Commissioners: Jodie Smith (Chair), James E.T. Jackson (Vice-Chair), Jill M. Butler, Gail Kong, Nayeli Maxson Velázquez, and Jerett Yan

Commission Staff: Whitney Barazoto, Executive Director; Suzanne Doran, Lead Analyst – Civic Technology and Engagement; Kellie Johnson, Enforcement Chief; 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 6:32 p.m.

Members present: Commissioners Smith, Jackson, Kong, and Yan. Commissioner Maxson Velázquez arrived at 6:34 p.m.

Commissioner Butler was absent.

Staff present: Whitney Barazoto, Suzanne Doran, and Kellie Johnson.

City Attorney Staff: Trish Hynes, Deputy City Attorney

2. Staff and Commission Announcements.

Commissioner Smith announced two commission seats open for recruitment.

3. Open Forum.

There was one public speaker.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. August 5, 2019 Regular Meeting Minutes

Commissioner Jackson moved, and Commissioner Yan seconded to approve the August 5, 2019 Regular Meeting Minutes

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The motion passed 4-0.

Commissioner Kong abstained since she was not present at that meeting.

There were no public speakers.

5. In the Matter of Libby Schaaf for Mayor, LLC; Case No. 18-19.1.

At its July meeting, the Commission referred the matter back to Enforcement for further negotiation of the fine amount. Staff renegotiated the fine amount according to the Commission's directive and recommended that the Commission adopt the revised stipulation.

Commissioner Maxson Velázquez moved and Commissioner Jackson seconded to approve the updated stipulation.

The motion passed 5-0.

It was brought to attention that public comment had not been taken.

Chair Smith moved to cure and correct motion to allow public comment.

There were no public speakers.

Commissioner Maxson Velázquez moved and Commissioner Jackson seconded to approve the updated stipulation.

The motion passed 5-0.

6. In the Matter of Melanie Shelby; Case No. 15-03.

Kellie Johnson, Enforcement Chief, presented the matter to the Commission and recommended that the Commission issue a warning letter to resolve this matter. Commissioners discussed the recommendation.

There was one public speaker.

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Commissioner Kong moved, and Commissioner Jackson seconded to accept the recommendation. The motion passed 5-0.

7. In the Matter of Katano Kasaine, Director of the Department of Finance; Case No. M2019-04.

Staff recommended that the Commission close this mediation without further action.

There was one public speaker.

Commissioner Jackson moved and Commissioner Maxson Velázquez seconded to accept the recommendation. The motion passed 5-0.

8. In the Matter of Katano Kasaine, Director of the Department of Finance; Case No. M2019-12.

Staff recommended that the Commission close this mediation without further action. The requestor, Alexis Schroeder, commented on the matter.

There was one public speaker.

Commissioner Jackson moved and Commissioner Maxson Velázquez seconded to accept the recommendation. The motion passed 5-0.

DISCUSSION ITEMS

9. Commission Complaint Procedures.

Chair Smith and Commission staff presented a draft revision to the Commission's Complaint Procedures to align the procedures with the Commission's current staffing structure and to add sections such as a new diversion program, default procedures for a respondent who fails to respond to Commission staff, an explanation of the Commission's mediation process under the Sunshine Ordinance, and additional hearing process details, among other changes.

The matter will be brought back for approval from the Commission.



Commissioners discussed the procedures and asked questions of staff.

There was one public speaker.

10. Reports on Subcommittees and Commissioner Assignments.

Chair Smith created a new *ad hoc* Recruitment Subcommittee. Members are Commissioner Smith, Kong and Jackson.

- a. **Limited Public Finance Policy Development Subcommittee** (ad hoc) – Nayeli Maxson Velázquez (Chair), Jill M. Butler and James Jackson

Commissioner Maxson Velázquez gave an update. Three workshops are being planned which will be co-hosted by the ACLU of Northern California, the Alameda County Labor Council, Ella Baker Center, and Alliance of Californians for Community Empowerment (ACCE).

- b. **Subcommittee on Partnerships** (ad hoc) – Gail Kong and Jodie Smith

Commissioner Kong gave an update, and mentioned that she reached out to Seattle to get information about organizational funding and support for public engagement related to their voucher system.

INFORMATION ITEMS

11. Commissioner Recruitment.

The Commission is recruiting to fill two Commission-appointed vacancies that will occur in January 2020. The application packet is online.

There were no public speakers.

12. Disclosure and Engagement.

Suzanne Doran, Lead Analyst, referred to her written report of recent education, outreach, disclosure and data illumination activities.

There was one public speaker.

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13. Enforcement Program.

Ms. Johnson reported on the Commission's enforcement work since the last regular Commission meeting.

There were no public speakers.

14. Executive Director's Report.

Ms. Barazoto reported on overall projects, priorities, and significant activities since the Commission's last meeting.

There were no public speakers.

The meeting adjourned at 8:46 p.m.