

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, December 2, 2019
Hearing Room 1
6:30 p.m.



Commissioners: Jodie Smith (Chair), James E.T. Jackson (Vice-Chair), Jill M. Butler, Gail Kong, Joseph Tuman, Nayeli Maxson Velázquez, 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 Hynes, Deputy City Attorney

PUBLIC ETHICS COMMISSION (PEC or COMMISSION)
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, Butler, Kong, and Tuman.
Commissioner Maxson Velázquez arrived at 6:35 p.m. Commissioner Yan was absent.

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

City Attorney Staff: Ravi Patel, Deputy City Attorney (substituting for Trish Hynes)

2. Staff and Commission Announcements.

There were no announcements.

3. Open Forum.

There were four public speakers.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. November 4, 2019 Regular Meeting Minutes

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

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There were no public speakers.

The motion passed 6-0.

5. In the Matter of Shotspotter, Inc.; Complaint No. 14-29.

Kellie Johnson, Enforcement Chief, presented the case and recommended approval of the stipulation.

Commissioner Jackson recused himself from this matter.

Commissioners had follow up questions.

There was one public speaker.

Commissioner Kong moved and Commissioner Tuman seconded to accept the staff recommendation. Commissioner Jackson abstained.

The motion passed 5-0.

6. In the Matter of Jumoke Hinton Hodge; Complaint No. 17-07.

Ms. Johnson presented the case and recommended Commission approval of the streamline stipulation, which includes a \$500 fine.

There were no public speakers.

Commissioner Tuman moved and Commissioner Jackson seconded to approve the recommendation.

The motion passed 6-0.

7. In the Matter of Joseph Betesh; Complaint No. 19-07.

Ms. Johnson presented the matter and recommended Commission approval of the streamline stipulation, which includes a \$2,000 fine.

There was one public speaker.

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Commissioner Maxson Velázquez moved and Commissioner Kong seconded to approve the staff recommendation.

The motion passed 6-0.

8. In the Matter of Mayor Libby Schaff; Case No. M2019-02.

Ms. Johnson recommended that the Commission close the mediation without further action.

Ralph Kanz, the complainant, addressed the Commission.

There was one public speaker.

Commissioner Maxson Velázquez moved and Commissioner Tuman seconded to approve the staff recommendation.

The motion passed 6-0.

9. In the Matter of the City of Oakland Planning and Building Department; Case No. M2019-06.

Ms. Johnson recommended that the mediation be closed without further action because the responsive documents have been received and the request is closed.

There was one public speaker.

Commissioner Maxson Velázquez moved and Commissioner Jackson seconded to approve the staff recommendation.

The motion passed 6-0.

10. In the Matter of Councilmember Dan Kalb and the City of Oakland Department of Transportation; Case No. M2019-11.

Ms. Johnson recommended that the Commission close the mediation without further action because the responsive documents have been received and the request is closed.

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There were no public speakers.

Commissioner Jackson moved and Commissioner Tuman seconded to approve the staff recommendation.

The motion passed 6-0.

DISCUSSION ITEMS

11. Boards and Commissions Agenda Posting Compliance.

Whitney Barazoto, Executive Director, presented a report by staff summarizing a proactive compliance review of online agenda postings by City boards and commissions.

There were no public speakers.

12. Reports on Subcommittees and Commissioner Assignments.

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

Commissioner Maxson Velázquez shared that PEC staff and herself facilitated a community meeting regarding public engagement in the campaign process.

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

There were no updates.

- c. **Commissioner Recruitment Subcommittee** (ad hoc) – James Jackson, Gail Kong, and Jodie Smith

Commissioner Smith shared that the 1st interviews were held, and that the subcommittee selected six finalists to interview at the January meeting before the full commission.

There were no public speakers.

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INFORMATION ITEMS

13. Disclosure and Engagement.

Suzanne Doran, Lead Analyst, provided a report of recent education, outreach, disclosure and data illumination activities.

14. Enforcement Program.

Ms. Johnson reported on the Commission's enforcement work since the last regular Commission meeting. She shared that all of 2014's complaints have been closed.

15. Executive Director's Report.

Ms. Barazoto reported on overall projects, priorities, and significant activities since the Commission's last meeting. She added that the Commission will select its Chair and Vice-Chair for 2020 at the upcoming January meeting.

The meeting adjourned at 8:40 p.m.