

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, June 3, 2019
Hearing Room 1
6:30 p.m.



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

REGULAR MEETING MINUTES

1. Roll Call and Determination of Quorum.

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

Members present: Commissioners Smith, Jackson, Butler, Kong, Maxson, and Yan.

Staff present: Whitney Barazoto, Suzanne Doran, and Kellie Johnson. Ethics Intern Casey Petersen was also present.

City Attorney Staff: Trish Hynes, Deputy City Attorney

2. Staff and Commission Announcements.

Chair Smith announced that a seat is open on the Commission. The current vacancy will be filled by a mayoral appointee.

Members of the public who might be interested in applying are encouraged to contact the Mayor's Office for more information.

3. Open Forum.

There were no speakers.

ACTION ITEMS



4. Approval of Commission Meeting Draft Minutes.

- a. May 6, 2019 Regular Meeting Minutes

There were no speakers.

Commissioner Kong moved and Commissioner Maxson seconded to approve the minutes.

The motion passed 5-0. Commissioner Jackson abstained since he was not present at the May meeting.

5. Limited Public Financing Program Audit for the 2018 Election.

The City Auditor's office conducted an audit of the Public Ethics Commission's administration of the Limited Public Financing Act Program for the November 2018 election. Staff from the City Auditor's office presented the audit findings and answered questions from the Commissioners.

Commissioner Jackson moved and Commissioner Kong seconded to accept the report.

There were no public speakers.

The motion passed 6-0.

6. Mediation Case No. 18-02M.

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

There were no public speakers.

Commissioner Jackson moved and Commissioner Butler seconded to adopt the recommendation.

The motion passed 6-0.

7. Mediation Case No. 18-06M.

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

There was one public speaker.

Commissioner Maxson moved and Commissioner Yan seconded to adopt the recommendation.

The motion passed 6-0.

8. Mediation Case No. 18-24M.

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

There were no public speakers.

Commissioner Kong moved and Commissioner Jackson seconded to adopt the recommendation.

The motion passed 6-0.

9. Mediation Case No. 18-39M.

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

Commissioners discussed the matter and asked questions.

There were no public speakers.

Commissioner Maxson moved and Commissioner Kong seconded to send the report back for staff to verify IT search and complete set of responsive records.

The motion failed 2-4.

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

The motion passed 5-0. Commissioner Maxson abstained.



10. Mediation Case No. M2019-03.

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

There were no public speakers.

Commissioner Maxson moved and Commissioner Jackson seconded to adopt the recommendation.

The motion passed 6-0.

11. Mediation Case No. M2019-10.

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

There were no public speakers.

Commissioner Kong moved and Commissioner Butler seconded to adopt the recommendation.

The motion passed 6-0.

12. PEC Core Values for Inclusive Engagement.

Executive Director Whitney Barazoto explained that, at the Commission's May 6 meeting, Commissioners discussed creation of a set of values for inclusive engagement following an earlier discussion at its April 4 retreat about inclusive leadership and how to incorporate more inclusive practices into its processes. Commissioners provided input on the draft at the May meeting, and staff presented a revised set of values for Commission consideration and potential approval.

There were no public speakers.

Commissioner Kong moved and Commissioner Maxson seconded to approve the revised set of PEC Core Values for Public Communication.

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The motion passed 6-0.

DISCUSSION ITEMS

13. Reports on Subcommittees and Commissioner Assignments.

a. Campaign Finance Subcommittee – Nayeli Maxson (Chair) and James Jackson

Commissioner Maxson shared that Commissioner Maxson, Butler and Kong attended the BAYPEC meeting along with PEC staff.

b. Subcommittee on Partnerships (ad hoc) – Gail Kong and Nayeli Maxson

Commissioner Kong shared that they are working on connecting with foundations.

Chair Smith dissolved the standing Campaign Finance Subcommittee and created an *ad hoc* Limited Public Finance Policy Development subcommittee. Commissioner Maxson will serve as Chair and Commissioner Butler and Commissioner Jackson will serve as members.

Commissioner Maxson will no longer serve on the Subcommittee on Partnerships.

Commissioner Kong will serve as Chair and Commissioner Smith will serve as a member.

There were no public speakers.

INFORMATION ITEMS

14. Education and Engagement Program.

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

There were no public speakers.

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15. Enforcement Program.

Ms. Johnson reported on the Commission's enforcement work since the last regular Commission meeting. She shared that Kyle McLean, Ethics Mediator, is no longer with the Public Ethics Commission.

There were no public speakers.

16. Executive Director's Report.

Ms. Barazoto introduced Casey Petersen, Summer Ethics Intern and shared that Meredith Wang will also join as a summer intern.

Ms. Barazoto acknowledged and expressed appreciation for Kyle McLean's work on mediation cases.

There were no public speakers.

The meeting adjourned at 8:44 p.m.