

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Wednesday June 8, 2022
6:30 p.m.



Commissioners: Arvon Perteet (Chair), Charlotte Hill, Ryan Micik, Joseph Tuman and Francis Upton IV.

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

City Attorney Staff: Trish Shafie, Deputy City Attorney

PUBLIC ETHICS COMMISSION MEETING MINUTES

1. Roll Call and Determination of Quorum.

The meeting was held via teleconference.

The meeting was called to order at 6:31 p.m.

Members present: Perteet, Hill, Micik, Tuman and Upton

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

City Attorney Staff: Tricia Shafie.

2. Staff and Commission Announcements.

Perteet shared that Leavitt and MacDonald have resigned from the Commission, leaving two vacancies.

3. Open Forum.

There were three public speakers

PRELIMINARY ACTION ITEMS

4. Virtual meetings by the Public Ethics Commission.

The Commission renewed Resolution 22-01, approved at the January 12, 2022 Regular meeting, establishing certain determinations to justify the ongoing need for virtual meetings following the California State Legislature's adoption and Governor's approval of AB 361 on September

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16, 2021 (Chapter 165; Statutes of 2021).

There were no public speakers.

Hill moved, and Upton IV seconded to approve the renewal of RESOLUTION NO. 22-01.

Ayes: Perteet, Hill, Micik, Tuman, and Upton

Noes: None

Vote: Passed 5-0

ACTION ITEMS

5. Approval of Commission Meeting Draft Minutes.

a. April 13, 2022, Regular Meeting Minutes

There were no public speakers.

Tuman moved, and Micik seconded to approve the April 13, 2022, Meeting Minutes

Ayes: Perteet, Hill, Micik and Tuman.

Noes: None

Abstain: Upton IV

Vote: Passed 4-0

b. April 21-22, 2022, Special Meeting Minutes

There were no public speakers.

Tuman moved, and Micik seconded to approve the April 21-22, 2022, Meeting Minutes

Ayes: Perteet, Hill, Micik, Tuman, and Upton IV.

Noes: None

Vote: Passed 5-0

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6. In the Matter of Ener Chiu (Case No. 18-16).

Kellie Johnson, Enforcement Chief, recommended that the Commission schedule this matter for an administrative hearing.

There was one public speaker.

Perteet moved, and Upton seconded to approve the staff recommendation to move matter to a hearing officer, specifically a former Public Ethics Commissioner.

Ayes: Perteet, Hill, Micik, Tuman, and Upton IV.

Noes: None

Vote: Passed 5-0

DISCUSSION ITEMS

7. Reports on Subcommittees and Commissioner Assignments.

a. Enforcement Subcommittee (*ad hoc*, created on November 1, 2021) – Arvon Perteet (Chair), Ryan Micik and Joseph Tuman.

Perteet shared that they will continue to discuss next steps.

b. Public Records Performance (*ad hoc*, created on January 12, 2022) – Michael M MacDonald (Chair) and Francis Upton.

Perteet dissolved this *ad hoc* subcommittee

c. Fair Elections Act Subcommittee (*ad hoc*, created on April 13, 2022) – Charlotte Hill (Chair), Ryan Micik, and Arvon Perteet.

Hill shared that they had a meeting on June 6, 2022, and provided several updates to the Fair Elections Act proposal.

Perteet created the Outreach Subcommittee (*ad hoc*). Members are Francis Upton IV (Chair) and Charlotte Hill.

There was one public speaker.

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INFORMATION ITEMS

8. Oakland Campaign Reform Act Contribution Limit and Expenditure Ceiling Annual Adjustment for 2022 – Updated.

Suzanne Doran, Lead Analyst, provided an updated list of Oakland’s campaign contribution limits and expenditure ceiling amounts, adjusted per the increase in the Consumer Price Index as required by the Oakland Campaign Reform Act and readjusted per the new redistricting process completed since then.

There were no public speakers.

9. Disclosure and Engagement.

Ms. Doran provided an overview of education, outreach, disclosure and data illumination activities for this past month.

There were no public speakers.

10. Enforcement Program.

Chief Johnson provided a monthly update on the Commission’s enforcement work since the last regular Commission meeting.

There were no public speakers.

11. Executive Director’s Report.

Whitney Barazoto, Executive Director, reported on overall projects, priorities, and significant activities since the Commission’s last meeting.

There were no public speakers.

12. Future Meeting Business.

Commissioners will vote for a new Vice Chair at the next regular meeting.

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The next meeting scheduled for July 13, 2022, was canceled.

There were no public speakers.

Commissioners went into Closed Session.

CLOSED SESSION

- 13. Personnel.** Pursuant to California Government Code section 54957(b), the Commission met in Closed Session to consider the appointment or employment of the next Executive Director.

There were no public speakers.

Commissioners returned from Closed Session at 9:05 p.m.

The meeting adjourned at 9:07 p.m.