

ATTACHMENT 1

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, March 2, 2020
Hearing Room 1
6:30 p.m.

DRAFT



Commissioners: James E.T. Jackson (Chair), Nayeli Maxson Velázquez (Vice-Chair), Jill M. Butler, 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

PUBLIC ETHICS COMMISSION (PEC or COMMISSION) **REGULAR MEETING MINUTES**

1. Roll Call and Determination of Quorum.

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

Members present: Commissioners Jackson, Butler, MacDonald, Ramachandran, Tuman and Yan.

Commissioner Maxson Velázquez was absent.

Staff present: Whitney Barazoto and Kellie Johnson.

City Attorney Staff: Trish Shafie

2. Staff and Commission Announcements.

Whitney Barazoto, Executive Director, shared that Item 7 would be pulled from the agenda and brought back at a later time.

3. Open Forum.

There were three public speakers.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. January 17, 2019 Special Meeting Minutes
- b. February 3, 2020 Regular Meeting Minutes

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There was one public speaker.

Commissioner Tuman moved, and Commissioner Ramachandran seconded to approve both minutes.

The motion passed 6-0.

5. *In the Matter of Anthony Harbaugh; Case No. 18-11.*

Kellie Johnson, Enforcement Chief, presented the matter.

The Commission asked questions and discussed the matter.

There were two public speakers.

Commissioner Ramachandran moved, and Commissioner MacDonald seconded to find probable cause.

The motion passed 6-0.

Commissioner Butler moved, and Commissioner Yan seconded to refer the matter to a hearing.

The motion passed 6-0.

6. *In the Matter of Andrew Haydel and Lane Partners; Case No. 19-24.*

Ms. Johnson presented the matter.

Commissioners discussed and asked questions.

There were four public speakers.

Zach Wasserman, representative for Andrew Haydel and Lane Partners, was available for questions.

Commissioner Tuman moved and Commissioner MacDonald seconded to table the item and request staff to go back and investigate on the intent and motive behind the contribution.

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1 aye - Tuman
4 nays - MacDonald
1 abstain – Butler, Jackson, Ramachandran, Yan

The motion failed 1-4.

Commissioner Ramachandran moved, and Commissioner Butler seconded to impose a fine of \$3,000.

Commissioners discussed the motion.

Commissioner Jackson recommended a friendly amendment to the motion to increase the fine to \$3,000 and add a warning letter.

3 ayes- Jackson, Ramachandran, Yan
3 nays- Butler, MacDonald, Tuman

The motion failed 3-3.

Commissioner Ramachandran moved, and Commissioner Jackson seconded to increase the fine to \$4,000 plus a warning letter.

3 ayes- Ramachandran, Jackson, Yan
3 nays- Butler, MacDonald, Tuman

The motion failed 3-3.

Commissioner MacDonald moved, and Commissioner Butler seconded to increase the fine to \$5,000 plus a warning letter.

The motion passed 6-0.

7. *In the Matter of The City of Oakland Police Department; (Case No. 16-15).*

This item was removed from the agenda and will be brought back later.

8. *Oakland City Council Salary Adjustment as Required by City Charter.*

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Executive Director Whitney Barazoto presented the item, which is an adjustment to the salaries of Oakland City Councilmembers per the increase in the Consumer Price Index as required by the Oakland City Charter.

There were three public speakers.

Commissioner Yan moved, and Commissioner MacDonald seconded to authorize a salary increase of 7.1 percent for the office of City Councilmember as mandated by City Charter Section 202.

The motion passed 6-0.

DISCUSSION ITEMS

9. Reports on Subcommittees and Commissioner Assignments. Commissioners may discuss subcommittee assignments, create a new subcommittee, or report on work done in subcommittees since the Commission's last regular meeting. Commissioners may also discuss assignments, efforts, and initiatives they undertake to support the Commission's work. Current or recent subcommittees include the following:

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

There were no updates.

There were no public speakers.

INFORMATION ITEMS

10. Disclosure and Engagement.

Ms. Barazoto shared the report of recent education, outreach, disclosure and data illumination activities.

Ms. Barazoto shared that the PEC will host a training along with the FPPC for Candidates and Treasurers on April 8.

There were no public speakers.

11. Enforcement Program.

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

There was one public speaker.

12. Executive Director's Report.

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

Ms. Barazoto shared that the annual retreat is set for April 10, from 4:00-9:00 p.m.

There were no public speakers.

The meeting adjourned at 9:05 pm.