

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Monday, December 6, 2021  
6:30 p.m.



## **PUBLIC ETHICS COMMISSION (PEC or COMMISSION) MEETING**

**NOTE: Pursuant to California Government Code section 54953(e), Public Ethics Commission members and staff will participate via phone/video conference, and no physical teleconference locations are required. The following options for public viewing and participation are available:**

- **Television:** KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99, locate City of Oakland KTOP – Channel 10
- **Livestream online:** Go to the City of Oakland’s KTOP livestream page here: <https://www.oaklandca.gov/services/ktop-tv10-program-schedule> click on “View”
- **Online video teleconference:** Click on the link below to join the webinar: <https://us02web.zoom.us/j/88171471481?pwd=ODIQVFFUeVRsZUtHdFU3YU5XcHVadz09>  
Password: 674732
  - To comment by online video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.
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US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592  
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Members of the public may submit written comments to [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov). If you have any questions about how to participate in the meeting, please email [ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov) before or during the meeting.

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Commissioners: Michael MacDonald (Chair), Jerett Yan (Vice-Chair), Avi Klein, Jessica Leavitt, Ryan Micik, Arvon Perteet, and Joseph Tuman

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 AGENDA**

- 1. Roll Call and Determination of Quorum.**
- 2. Staff and Commission Announcements.**
- 3. Open Forum.**

#### **PRELIMINARY ACTION ITEMS**

- 4. Virtual meetings by the Public Ethics Commission.** The Commission will review and take possible action to renew Resolution 20-21, approved at the November 1, 2021, Special 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 16, 2021 (Chapter 165; Statutes of 2021). ([Resolution](#))

#### **GUEST PRESENTATION**

- 5. Audit of the Limited Public Financing Act Program – November 2020 Election.** City Auditor Courtney Ruby will present her findings from her office’s audit of the Public Ethics Commission’s implementation of the Limited Public Financing Act Program. ([Auditor’s Report](#))

#### **ACTION ITEMS**

- 6. Approval of Commission Meeting Draft Minutes.**
  - November 1, 2021 Special Meeting Minutes ([Meeting Minutes](#))
  - November 1, 2021 Regular Meeting Minutes ([Meeting Minutes](#))



7. **New Commissioner Selection.** The Commission received 4 applications for the PEC-appointed vacancy, conducted interviews, and selected three finalists to appear before the full Commission for a public interview. Each finalist will be given four minutes to introduce themselves to the Commission, followed by questions from Commissioners. After all finalists have presented and answered questions, the Commission will vote to select one new member to begin their three-year term on January 22, 2022. Attached are the application materials for each of the following finalists:
  - a. Paxcelli Flores ([Flores Application](#))
  - b. Charlotte Hill ([Hill Application](#))
  - c. Maria Rapier ([Rapier Application](#))
  
8. **Public Ethics Commission Regular Meeting Schedule 2022.** The Commission will review a proposed schedule of regular Commission meetings in 2022. ([Meeting Schedule](#))
  
9. ***In the Matter of Annie Campbell Washington for Oakland City Council 2018 (PEC Case No. 19-06).*** On May 9, 2019, the Commission's filing officer for campaign statements referred former City Council Member Annie Campbell Washington and her Annie Campbell Washington for Oakland City Council 2018 committee to the PEC Enforcement Unit for failing to file a semi-annual campaign statement for the period of July 1, 2018 through December 31, 2018. Enforcement staff found that Campbell Washington and her campaign committee, despite multiple warnings, did not electronically submit the required campaign information pursuant to section 3.12.340 (A) of the Oakland Campaign Reform Act. Staff recommends the Commission approve a stipulation imposing a penalty of \$1,000 on Count 1, and \$1,171 in late fees assessed by the filing officer, for a total of \$2,171. ([Stipulation and Case Summary](#))

## **DISCUSSION ITEMS**

10. **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.
  - a. **Enforcement Subcommittee** (*ad hoc*, created on November 1, 2021) – Arvon Perteet (Chair), Ryan Micik, Jerett Yan

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- b. **Commissioner Recruitment Subcommittee** (*ad hoc*, created on November 1, 2021) – Michael MacDonald (Chair), Avi Klein, Jessica Leavitt

### INFORMATION ITEMS

11. **Disclosure and Engagement.** Lead Analyst Suzanne Doran provides a report of recent education, outreach, disclosure and data illumination activities. ([Disclosure Report](#))
12. **Enforcement Program.** Enforcement Chief Kellie Johnson reports on the Commission’s enforcement work since the last regular Commission meeting. ([Enforcement Report](#))
13. **Executive Director’s Report.** Executive Director Whitney Barazoto reports on overall projects, priorities, and significant activities since the Commission’s last meeting. ([Executive Director’s Report](#); [M2019-16 Mediation Summary](#); [M2020-04 Mediation Summary](#))
14. **Future Meeting Business.** Commissioners and staff may propose topics for action or discussion at future Commission meetings.

The meeting will adjourn upon the completion of the Commission’s business.

A member of the public may speak on any item appearing on the agenda. All speakers will be allotted a maximum of three minutes unless the Chairperson allocates additional time.

Should you have questions or concerns regarding this agenda, or wish to review any agenda-related materials, please contact the Public Ethics Commission at (510) 238-3593 or visit our webpage at [www.oaklandca.gov/pec](http://www.oaklandca.gov/pec).

11/19/21

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Approved for Distribution

Date



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in advance.

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Quý vị cần một thông dịch viên Ngôn ngữ Ký hiệu Mỹ (American Sign Language, ASL), tiếng Quảng Đông, tiếng Quan Thoại hay tiếng Tây Ban Nha hoặc bất kỳ sự hỗ trợ nào khác để tham gia hay không? Xin vui lòng gửi email đến địa chỉ [alarafranco@oaklandca.gov](mailto:alarafranco@oaklandca.gov) hoặc gọi đến số (510) 238-3593 hoặc 711 (với Dịch vụ Tiếp âm) trước đó năm ngày.

**CITY OF OAKLAND**  
**Public Ethics Commission**

**RESOLUTION NO. 21-01**  
**[Proposed renewal 12-6-21]**



**Resolution Summary:**

**ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE PUBLIC ETHICS COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(E), A PROVISION OF AB 361.**

**By action of the Oakland Public Ethics Commission:**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

**WHEREAS**, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

**WHEREAS**, City Council Resolution No. 88075 remains in full force and effect to date; and

**WHEREAS**, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

**WHEREAS**, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

**WHEREAS**, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19 symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

**WHEREAS**, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**CITY OF OAKLAND**  
**Public Ethics Commission**

**RESOLUTION NO. 21-01**  
**[Proposed renewal 12-6-21]**



**WHEREAS**, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

**WHEREAS**, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh/outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

**WHEREAS**, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

**WHEREAS**, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

**WHEREAS**, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households;

**Now therefore be it:**

**RESOLVED:** that the Public Ethics Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and

**RESOLVED:** that, based on these determinations and consistent with federal, state and local health guidance, the Public Ethics Commission determines that conducting in-person meetings would pose imminent risks to the health of attendees; and

**RESOLVED:** that the Public Ethics Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and

**RESOLVED:** that the Public Ethics Commission and its committees will meet by teleconference this month and will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Public Ethics Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

**CITY OF OAKLAND**  
**Public Ethics Commission**

**RESOLUTION NO. 21-01**  
**[Proposed renewal 12-6-21]**



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**CERTIFICATION RE: APPROVAL OF RESOLUTION**

The foregoing Resolution was presented for renewal at a duly noticed meeting of the City of Oakland Public Ethics Commission held on December 6, 2021, where a quorum of the membership of the Commission was present. The Commission approved the resolution by a vote of \_\_\_\_ to \_\_\_\_.

I hereby certify that the foregoing is true and correct.

\_\_\_\_\_  
Whitney Barazoto, Executive Director  
Oakland Public Ethics Commission

\_\_\_\_\_  
Date





CITY HALL · ONE FRANK H. OGAWA PLAZA 4TH FLOOR · OAKLAND CALIFORNIA 94612

Courtney A. Ruby, CPA, CFE  
City Auditor

(510) 238-3378  
FAX (510) 238-7640  
TDD (510) 238-3254  
[www.oaklandauditor.com](http://www.oaklandauditor.com)

October 28, 2021

Whitney Barazoto, Executive Director  
Public Ethics Commission  
City of Oakland  
1 Frank Ogawa Plaza, 11<sup>th</sup> Floor  
Oakland, California 94612

**RE: AUDIT OF THE LIMITED PUBLIC FINANCING ACT – NOVEMBER 2020 ELECTION**

Dear Director, Barazoto:

The Office of the City Auditor (Office) completed an audit of the Limited Public Financing Program (LPFA or Program) as mandated by the Oakland Municipal Code (Municipal Code).

The objective of the audit was to determine whether candidates who received public financing during the November 2020 election cycle complied with the objectives established in the Program (Municipal Code Section 3.13).

The audit found the Oakland Public Ethics Commission's (PEC) overall systems and internal controls are adequate to ensure proper administration of the Program. All candidates were properly deemed eligible for the Program and expenditure reimbursements were appropriate.

In fact, in recent years, the biennial audits of the LPFA have not found any major deficiencies or misuse of funds. The risk of misuse was dramatically reduced when the Program began reimbursing candidates for valid expenditures in 2010 instead of advancing funds, as had occurred previously.

Given the reduction in risk, and consecutive audits demonstrating the PEC's systems are working effectively, our Office recommended the PEC consider drafting an amendment to Oakland's Municipal Code, for the City Council's consideration, to eliminate the requirement of biennial post-election audits of the LPFA.

## Item #5 - Auditor's Report

Whitney Barazoto, Executive Director, Public Ethics Commission  
Limited Public Financing Act, November 2020 Election Audit  
October 28, 2021  
Page 2

If such an amendment is proposed, my office will stand behind the amendment and provide a letter of support or issue a joint statement with the PEC to the City Council.

I want to express our appreciation to the Public Ethics Commission's management and staff for their cooperation during this audit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Courtney Ruby', with a stylized flourish at the end.

COURTNEY A. RUBY, CPA, CFE  
City Auditor

Oakland's City Auditor is an elected official and works for, and reports to, the residents of Oakland. The Auditor's job is to provide oversight to the City's activities. The Auditor has the authority to access and audit City financial and administrative records, plus the policies and procedures of all City agencies and departments.

To make sure this work is done objectively and without bias, the City Auditor is not connected to any other City department and has no day-to-day financial management or accounting duties for the City of Oakland. This autonomy allows for independent analyses, ensuring tax dollars and other resources serve the public interest.

### Office of the City Auditor

1 Frank H. Ogawa Plaza • 4th Floor, City Hall • Oakland, CA 94612

(510) 238-3378

[CityAuditor@OaklandCA.gov](mailto:CityAuditor@OaklandCA.gov)



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**AUDIT TEAM**

**Michael Houston MPP, CIA**  
Assistant City Auditor

**Alessia Dempsey, MSA, CIA**  
Performance Audit Manager

**Mark Carnes, CFP**  
Senior Performance Auditor



**CITY OF OAKLAND**  
Office of the City Auditor

**M E M O R A N D U M**

**DATE:** October 28, 2021

**TO:** City of Oakland Public Ethics Commissioners, Executive Director Barazoto, Mayor Schaaf, President Bas, Members of the City Council, City Administrator Reiskin, City Attorney Parker, and Oakland Residents

**FROM:** City Auditor, Courtney Ruby, CPA, CFE

**SUBJECT:** **Performance Audit of the Limited Public Financing Act - November 2020 Election**

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**SUMMARY**

This audit was conducted pursuant to Oakland Municipal Code 3.13.100 (C), which directs the City Auditor to conduct mandatory post-election audits of all candidates receiving public financing. The Office of the City Auditor conducted a post-election mandated audit of the Limited Public Financing Act for the November 2020 election.

**BACKGROUND**

The City of Oakland's Limited Public Finance Act (LPFA or Program) provides limited public funding to candidates running for elected public office. The Oakland Public Ethics Commission (PEC) – an independent City board made up of Oakland residents charged with ensuring fairness, openness, honesty and integrity in Oakland City government – oversees the LPFA.<sup>1</sup>

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<sup>1</sup> The PEC has seven Commissioners. The Mayor, City Attorney, and City Auditor appoint one Commissioner each and the remaining four are selected by the PEC through a public recruitment process. The PEC's staff – who are City employees – administer the LPFA.

## Item #5 - Auditor's Report

The Program was adopted in 1999 and is defined in Oakland Municipal Code Section 3.13. LPFA funding is available only to the City's seven district City Council seats, as a result of a 2010 amendment to the Program.

The LPFA'S public funding is intended to

- Ensure equal opportunity to participate in elections,
- Even the funding base among participants,
- Encourage competition in elections,
- Allow candidates to spend less time on fundraising,
- Reduce the pressure on candidates to raise enough money to effectively communicate with voters,
- Promote public discussion of important issues, and
- Help preserve public trust in government and elections.

Candidates must meet certain requirements to qualify for public funding through the LPFA. Specifically, participating candidates must

- Be certified to appear on the ballot,
- Be opposed by another candidate for the same office,
- Accept the voluntary expenditure ceiling,<sup>2</sup>
- Attend training (candidate or designee),
- Submit an opt-in form,
- Receive campaign contributions from Oakland residents and/or businesses totaling at least 5 percent of the expenditure ceiling,
- Make qualified campaign expenditures in an aggregate amount of at least 5 percent of the voluntary spending limit for the office being sought,
- Limit contributions to their own campaign to 10 percent or less of the expenditure ceiling,
- Commit to filing all pre- and post-election campaign statements,
- Provide copies of contribution checks, proof of deposit, and/or proof of electronic contributions,
- Provide invoices, proof of payment, and receipt for expenditures, and
- Agree to return any surplus funds after the election.

Since 2010, public funding through the LPFA has been in the form of reimbursements to participating candidates for certain campaign expenditures, including: print advertisements,

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<sup>2</sup> A voluntary expenditure ceiling limits the amount of qualified expenditures a candidate can make. Specifically, Council District candidates cannot make qualified expenditures exceeding one dollar and fifty cents (\$1.50) per resident in the electoral district for each election in which the candidate is seeking elective office.

website design and maintenance costs, television, cable, and radio airtime and production costs.

The source of the LPFA's public funding is the Election Campaign Fund (Fund). The Oakland City Council (Council) appropriated \$155,000 to the Fund for the November 2020 election cycle. There was an additional \$10,230 in the Fund carried over from the previous election. The PEC received \$11,625 or 7.5 percent of funds appropriated for administrative costs and \$153,605 was available to participants,<sup>3</sup> of which \$137,485 was claimed. Seventeen City Council district candidates qualified to appear on the ballot and fifteen of those opted to receive public campaign funding. Seven of the fifteen candidates qualified to receive public campaign financing, and each one was eligible to receive up to \$21,857. Of the seven candidates who received public funds, one stopped their participation in the Program and returned the funds before the election.<sup>4</sup>

### AUDIT OBJECTIVE AND SCOPE

The objective of this audit was to determine whether the PEC has developed and implemented adequate systems to ensure candidates who received public funds complied with the requirements of the LPFA. The following are sub-objectives of this audit.

1. To determine if the PEC's policies and procedures address the provisions of the LPFA for the November 2020 election.
2. To determine if the PEC properly determined candidate eligibility for the LPFA for the November 2020 election.
3. To determine if the PEC properly reimbursed candidates for the November 2020 election.
4. To determine if the PEC complied with its procedures to ensure all candidates properly closed out their election campaign for the November 2020 election.

### METHODOLOGY

In conducting this audit, we

- Assessed internal controls for reviewing, approving, and denying candidates' eligibility for public financing.
- Reviewed the LPFA Candidate Guide and the PEC Staff Manual.
- Interviewed PEC staff and management.

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<sup>3</sup> Participants are City Council district candidates who have opted into the public campaign funding program.

<sup>4</sup> The candidate raised adequate funds on their own and did not need the financing.

## Item #5 - Auditor's Report

- Conducted a walkthrough of the PEC program procedures.
- Tested a sample of 15 reimbursement requests totaling approximately \$118,000 (or 85% of reimbursements based on value).<sup>5</sup>
- Verified the sampled reimbursements were approved prior to the issuance of the reimbursement, supporting documentation was sufficient, and the reimbursement calculations were accurate.
- Confirmed any surplus funds were returned prior to deadline of January 31, 2021.
- Confirmed the candidate who stopped participating in the Program returned all reimbursements before the election.

### STATEMENT OF COMPLIANCE WITH AUDITING STANDARDS

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

### AUDIT RESULTS

The audit found no instances of candidate non-compliance with the LPFA and found that the PEC has implemented an effective process for administering and ensuring compliance with LPFA requirements. Specifically,

1. All candidates received appropriate reimbursements and met key LPFA requirements, including eligibility and post-election requirements, and
2. Overall, policies and procedures address the provisions of the LPFA.

### AUDITOR'S CONCLUSION

In recent years, these post-election audits have not been an effective use of the Office of the City Auditor's limited resources, as the biennial audits of the LPFA have not found any major deficiencies or misuse of funds. Additionally, the risk of misuse was dramatically reduced when the Program began reimbursing candidates for valid expenditures in 2010 instead of advancing funds, as had occurred previously.

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<sup>5</sup> There was a total of 78 reimbursement requests totaling \$139,235. We selected the 15 largest reimbursements totaling approximately \$118,000.

## Item #5 - Auditor's Report

Section 403 of Oakland's City Charter provides the City Auditor with authority to conduct surveys, reviews, and audits deemed to be in the public interest, and allows the City Auditor to audit the books, accounts, money and securities of all departments and agencies of the City. Pursuant to this provision, even if the requirement for post-election audits of the LPFA was eliminated, the City Auditor would retain the authority to audit the LPFA based on a risk assessment of the Program. This assessment would include consultation with the PEC.

### RECOMMENDATION

The PEC should consider drafting an amendment for the City Council's consideration that amends the Oakland Municipal Code to eliminate the requirement of biennial post-election audits of the LPFA.

### PUBLIC ETHICS COMMISSION'S RESPONSE

The PEC's Executive Director agreed with the audit results and the recommendation. The PEC Executive Director's written response to the audit follows this memo.

### ACKNOWLEDGMENT

I want to express our appreciation to the Executive Director of the PEC and her staff for their prompt cooperation during this audit and their commitment to maintaining strong practices in the PEC.



## CITY OF OAKLAND

ONE FRANK H. OGAWA PLAZA • CITY HALL • Suite #104 • OAKLAND • CA 94612

### Public Ethics Commission

(510) 238-3593

(510) 238-3315 Fax

(510) 238-325 TDD



September 17, 2021

Courtney A. Ruby  
City Auditor  
City of Oakland  
1 Frank Ogawa Plaza, 4<sup>th</sup> Floor  
Oakland, CA 94612

Dear Auditor Ruby,

Thank you for your audit of the Public Ethics Commission's administration of the Limited Public Financing Act (LPFA) program for the 2020 election.

As always, we appreciate working with your office in the review of our LPFA implementation. We are pleased to hear that the results of the audit indicate that "[t]he audit found no instances of candidate non-compliance with the LPFA and found that the PEC has implemented an effective process for administering and ensuring compliance with LPFA requirements."

I would like to specifically note the work of my team members, Jelani Killings and Ana Lara, for their dedication to this program and their assistance to all the candidates who participated in the program as they campaigned for the office of district City Councilmember. Mr. Killings and Ms. Lara continued to provide exceptional customer service to candidates in this program during the 2020 election cycle, even while transitioning the program to an all-electronic submission and disbursement process within the COVID-19 shelter-in-place environment. My appreciation to each of them for their ongoing excellence in public service.

We further appreciate your additional suggestion to amend the LPFA to eliminate the audit requirement. I concur with your assessment that this program no longer needs annual auditing and should instead be subject to discretionary audits as you deem necessary. I will add this to our list of potential legislative changes being considered by the Public Ethics Commissioners in the coming months; the decision to pursue the change will depend on Commission priorities as well as other factors, such as potential legislative measures that may be coming forward to change public financing of elections in Oakland.

As you know, our Commission reviewed Oakland's broader system of campaign finance, noting how money in Oakland politics creates and perpetuates disparities across income and race, in its [Race for Power](#) report published in September 2020. That report evaluated outcomes from Oakland's existing public financing program and overall campaign finance system and articulated the ways in which some Oaklanders lack political power. It recommended a new approach for

## Item #5 - Auditor's Report

Oakland to expand and diversify participation and influence in the campaign process by disassembling its current public financing program and instituting a new system, such as one in place in Seattle that gives every resident \$100 in campaign "cash" to give to candidates of their choosing. Such a system shows the most promise for bringing equity to the campaign finance process since it equips all voters with funds to contribute to candidates, while incentivizing candidates to engage with constituents across demographics to solicit the campaign "cash" regardless of wealth or history of prior participation as a voter or campaign funder.

The Commission's report further notes that a new public financing system must also be accompanied by broad public engagement infrastructure-building efforts, similar to those created in Seattle, to ensure a fertile ecosystem of candidates and community leaders, connections between City liaisons and communities, effective communications and outreach, and other elements needed for successful integration of a new system of broader and more diverse participation.

If the Commission pursues such broader legislation to make the above systems changes, then the current LPFA ordinance would be entirely replaced, including the annual audit requirement. I will keep your office updated as the Commission makes decisions regarding its legislative program going forward.

Again, my thanks to you and your team for your review of the Limited Public Financing Act program as implemented in the 2020 election cycle.

Sincerely,



Whitney Barazoto  
Executive Director



CITY OF OAKLAND

Office of the City Auditor

Performance Audit of the Limited Public Financing Act - November 2020 Election

Public Ethics Commission's Recommendation Implementation Plan

City Auditor's Recommendation	Management Action Plan	Responsible Party	Target Date of Completion
The PEC should consider drafting an amendment for the City Council's consideration that amends the Oakland Municipal Code to eliminate the requirement of biennial post-election audits of the LPFA.	The Executive Director will consult with the Public Ethics Commissioners regarding legislative changes to Oakland's public financing system; changes may be an entire redesign of public financing or amendments to the LPFA to eliminate the audit requirement and make other cleanup changes.	Whitney Barazoto, Executive Director	December 31, 2021

CITY OF OAKLAND  
 PUBLIC ETHICS COMMISSION  
 One Frank Ogawa Plaza (City Hall) Special  
 Commission Meeting Teleconference  
 Monday, November 1, 2021  
 6:15 p.m.



DRAFT

Commissioners: Michael MacDonald (Chair), Jerett Yan (Vice-Chair), Avi Klein, Jessica Leavitt, Ryan Micik, Arvon Perteet, and Joseph Tuman

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 SPECIAL MEETING MINUTES**

#### **1. Roll Call and Determination of Quorum.**

The meeting was held via teleconference.

The meeting was called to order at 6:16 p.m.

Members present: MacDonald, Yan, Klein, Leavitt, Micik and Perteet.

Yan arrived at 6:18 p.m.

Tuman was absent.

Staff present: Whitney Barazoto, Suzanne Doran, Kellie Johnson, Ana Lara-Franco

City Attorney Staff: Trish Shafie.

#### **2. Staff and Commission Announcements.**

There were no announcements.

#### **3. Open Forum.**

There were no public speakers.

### **ACTION ITEMS**

#### **4. Virtual meetings by the Public Ethics Commission.**

Commissioners reviewed the resolution establishing certain determinations to justify

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## Item #6a - Meeting Minutes

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall) Special  
Commission Meeting Teleconference  
Monday, November 1, 2021  
6:15 p.m.



the ongoing need for virtual meetings following the California State Legislature's adoption and Governor's approval of AB 361 on September 16, 2021.

MacDonald moved, and Yan seconded to approve RESOLUTION NO. 21-01.

Ayes: MacDonald, Yan, Klein, Leavitt, Micik and Perteet.

Noes: None

Tuman was absent

Vote: Passed 6-0

The meeting adjourned at 6:20 p.m.

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Monday, November 1, 2021  
6:30 p.m.



## DRAFT

Commissioners: Michael MacDonald (Chair), Jerett Yan (Vice-Chair), Avi Klein, Jessica Leavitt, Ryan Micik, Arvon Perteet, and Joseph Tuman

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 AGENDA

### 1. Roll Call and Determination of Quorum.

The meeting was held via teleconference.

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

Members present: MacDonald, Yan, Klein, Leavitt, Micik, Perteet and Tuman.  
Tuman joined at 6:39 p.m.

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

City Attorney Staff: Trish Shafie.

### 2. Staff and Commission Announcements.

MacDonald welcomed new commissioner Leavitt.

### 3. Open Forum.

There was one public speaker.

## GUEST SPEAKER

### 4. Public Records Response Process in the Department of Planning and Building.

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Monday, November 1, 2021  
6:30 p.m.



William Gilchrist, Director of the Planning and Building Department, and members of his team, shared the updates on the department's process for responding to public records requests.

Commissioners asked questions.

There were two public speakers.

### **ACTION ITEMS**

#### **5. Approval of Commission Meeting Draft Minutes.**

- a) September 2, 2021, Special Meeting Minutes
- b) September 17, 2021, Special Meeting Minutes

There were no public speakers.

Micik moved, and Tuman seconded to adopt both the September 2, 2021, Special Meeting Minutes September 17, 2021, Special Meeting Minutes

Ayes: MacDonald, Yan, Micik, Perteet and Tuman.

Noes: None

Abstain: Klein and Leavitt

Vote: Passed 5-0

#### **6. *In the Matter of Annie Campbell Washington for Oakland City Council 2018 (PEC Case No. 19-06).***

Leavitt recused herself from this matter, stating that she had previously worked on this campaign, and turned off her video camera.

Kellie Johnson, Enforcement Chief, presented the recommendation to the Commission to approve a stipulation imposing a penalty of \$1,000 on Count 1, and \$1,171 in late fees assessed by the filing officer, for a total of \$2,171. The stipulation had been signed but payment is pending.

Commissioners asked questions.

## Item #6b - Meeting Minutes

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Monday, November 1, 2021  
6:30 p.m.



The respondent was not present to provide information.

There were no public speakers.

Ms. Johnson reported that no check had been received and asked that the Commission put the matter over to the next meeting.

Perteet moved, and Tuman seconded to continue this matter to a future meeting.

Ayes: MacDonald, Yan, Klein, Micik, Perteet and Tuman.

Noes: None

Vote: Passed 6-0

**7. *In the matter of East Bay Small Business Council committee, Darrel Carey, Treasurer Kiarra Carey, and Assistant Treasurer Aliyah Carey (PEC Case No. 17-18 and 18-17).***

There were no public speakers.

Perteet moved, and Tuman seconded to accept the report updating the addition of the treasurer.

Ayes: MacDonald, Yan, Klein, Leavitt, Micik, Perteet and Tuman.

Noes: None

Vote: Passed 7-0

**8. *In the Matter of Matt Hummel for Oakland City Council 4D4 2018, and Donna Smithey (PEC Case No. 19-13).***

There were no public speakers.

Perteet moved, and Tuman seconded to accept the report updating the addition of the treasurer.

Ayes: MacDonald, Yan, Klein, Leavitt, Micik, Perteet and Tuman.



CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Monday, November 1, 2021  
6:30 p.m.



Noes: None

Vote: Passed 7-0

### **DISCUSSION ITEMS**

#### **9. Reports on Subcommittees and Commissioner Assignments.**

MacDonald created two *ad hoc* subcommittees.

*Ad hoc* Recruitment Subcommittee members: MacDonald (Chair), Klein, and Yan

*Ad hoc* Enforcement Subcommittee: Perteet (Chair), Micik, and Tuman

There were no public speakers.

### **INFORMATION ITEMS**

#### **10. Disclosure and Engagement.**

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

There were no public speakers.

#### **11. Enforcement Program.**

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

There were no public speakers.

#### **12. Executive Director's Report.**

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

CITY OF OAKLAND  
PUBLIC ETHICS COMMISSION  
One Frank Ogawa Plaza (City Hall)  
Regular Commission Meeting  
Teleconference  
Monday, November 1, 2021  
6:30 p.m.



There were no public speakers.

### **CLOSED SESSION**

#### **13. Executive Director Performance.**

At 8:33 p.m. the Commission met in closed session to discuss the Executive Director's performance. This is a personnel-related matter authorized to occur in closed session pursuant to Government Code Section 54957(b).

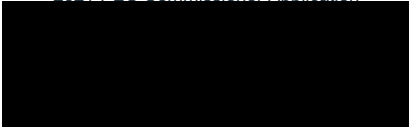
There were no public speakers.

Commissioners came back from closed session at 9:56 p.m.

MacDonald shared there was no reportable action.

The meeting adjourned at 9:57 p.m.

Form Name: 2021 PEC Commissioner Application  
Submission Time:  
Browser:  
IP Address:  
Unique ID:  
Location:



Public Ethics Commission Application

Contact Information

Name	Paxcelli Flores
Address	
Phone	
Evening Phone	
Email	il.com

Please answer the following questions

Are you an Oakland resident?	Yes
Years of residency in Oakland	3
Your City Council District	District 6
List any City of Oakland Boards or Commissions (including this Commission) on which you currently or have previously served:	none
Do you attest that you already have or will attend a PEC meeting before your final interview with the Commission?	Yes
If you said yes to the previous question, please let us know what date you attended or will attend.	11/1/2021
Are you currently employed by the City of Oakland or do you have any direct and substantial financial interest in any work, business, or official action by the City?	No
Are you currently or are you planning to run for elective office in Oakland?	No

## Item #7a - Flores Application

Are you currently or are you planning to endorse, support or oppose an Oakland candidate or ballot measure? No

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Are you currently or are you planning to work on behalf of an Oakland candidate or ballot measure? No

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Are you a registered Oakland lobbyist? No

---

Are you required to register as a lobbyist? No

---

Do you receive compensation from an Oakland lobbyist? No

---

Do you receive gifts from an Oakland lobbyist? No

---

List any languages other than English that you speak fluently. Spanish

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How did you hear about this vacancy? The Oaklandside

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### Supplemental Questions

1. Why do you want to serve on the Public Ethics Commission? I think it would be a cool thing to do to uphold accountability.

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2. What skills and experience will you bring to the Commission? (Include any governmental experience, activities with civic and business organizations, neighborhood groups, or any other experience that would contribute to your effectiveness as a Commissioner.) I can bring my lived experiences as well as professional and academic background. I am also fluent in Spanish and am an immigrant. My perspective is unique.

---

3. What issues, projects, or goals would you like to pursue while serving on the Commission? Uphold accountability, community engagement and equitable results for all districts.

---

4. What do you think are the City's most pressing ethics, campaign finance, or transparency challenges? Creating opportunity for all people, equitable distribution of funds and police oversight

---

5. What else would you like the subcommittee to know as your application is considered? I am a curious individual, never have done this before. I don't have any political aspirations just want to make sure the City I live in is a great place to live for all its residents.

---

Please provide two references

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## Item #7a - Flores Application

### Reference 1

---

Name Lin Chin

---

Address [REDACTED]

---

Phone [REDACTED]

---

Email [REDACTED] mail.com

---

### Reference 2

---

Name Janina Navarro

---

Address [REDACTED]

---

Phone [REDACTED]

---

Email [REDACTED] com

---

### Submit your resume

---

Upload your resume [REDACTED]

---

### Sign and submit application

---

Signature [REDACTED]

---

*(Handwritten signature)*

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Date/Time Oct 29, 2021

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## PAXCELLI FLORES

5 [www.linkedin.com/in/Paxcelli](https://www.linkedin.com/in/Paxcelli)

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### **Private and Nonprofit Sector Administration and Management**

*Progressive Leader Focused on Collaboration, Relationships, Process & Equitable Results*

Over eight years of cross-sector leadership leveraging strategic partnership, launching high impact programs and building resourceful organization systems. Experienced program manager with expertise balancing innovation, pragmatism and sustainable results. Highly interactive trainer and coach for program impact and high participant engagement. Specializing in strategic communication.

Operational Management

Project Management

Brand Management

Stakeholder & Key Account Management

Community Engagement

Cross Functional Team Leadership

Market Research & Analytics

Strategic Planning

Communication

Bilingual Spanish & English

### **Career Highlights**

- Designed a marketing strategy and led a team of 6 to create a growing social media presence resulting in a tripling of program participation
- Directed 25 events per year, including virtual public events reaching more than 10,000 program participants and partners in 2018-2021
- Presented policy recommendations to increase program accessibility to the Housing and Community Development Department and Board of Supervisors. All recommendations were approved for implementation

### **Work History**

**January 2021 – Present**

#### **Special Projects Manager, Down Payment Assistance Loan Program, *Hello Housing***

Responsible for driving equitable program growth through the redesign and implementation of the marketing plan. Promoted programs to maximize participation; created on-going programs for participants, real estate agents, and key partners. Directed all marketing communications for the program with a focus on equity.

Activities included – key stakeholder management, working with the Housing and Community Development department of the County of Alameda and city partners, project planning and execution on projects such as community roundtables, as well as training and coaching program partners to ensure alignment with program participation guidelines.

- Designed marketing materials and publicized events through social media, email marketing and community engagements that reached 50,000 unique impressions and increased attendance at stakeholder education programs by 100%
- Conducted ongoing educational workshops for community members and stakeholders, reducing participant attrition by 5% and increasing lender partner participation by 20%
- Planned the overall communication strategy, developed messaging that promoted the programs across various media outlets including traditional television, podcasts and print as well as seminar and conference speaking opportunities, press releases, advertising and social media (e.g. Facebook, Instagram, Twitter, etc.)
- Pursued diversified partnerships with other nonprofit organizations, individuals, and corporations, to raise program visibility, resulting in a 109% increase in social media program awareness

## Item #7a - Flores Application

**2017-2020**

### **Program Associate, Down Payment Assistance Loan Program, *Hello Housing***

- Created, updated, and maintained program databases, spreadsheets, and participant records; developed and streamlined office and meeting procedures; coordinated and participated in all conference calls and meetings and prepared meeting summaries
- Curated and translated social media posts, webpage content and presentations into Spanish across multiple channels and across projects
- Communicated COVID -19 protocols as they affected the program and participants
  - Tracked trends relating to 200 applicants concerned about potential funding implications
  - Analyzed data regarding loan expirations for loans that were impacted by the Shelter in Place order, and advocated for loan reservation deadline changes by the County, enabling participation for 200 aspiring homebuyers
- Led an internal DE&I SWOT analysis
  - Resulted in improved employee morale and recognition from management. This instilled a sense of dedication, commitment and pride for BIPOCs in the organization

**Jan 2018 – Jul 2018**

### **Project Associate, *Conscious Construction***

Responsible for all aspects of office administration including data collection and financial records reconciliation.

Activities included maintaining project documentation, task assignments, scheduling and providing logistical support to project staff and management.

- Managed multiple projects simultaneously; continuous re-prioritizing and delegation of tasks to project team members in Spanish and English
- Collaborated closely with project team on weekly meeting agendas, budgeting, scheduling and administrative tasks necessary for managing the pre-construction phase
- Created database containing over 200 vendor contacts
- Liaison for project manager with Spanish-speaking construction crew of 15 to facilitate conflict resolution

**2015 – 2018**

### **Operations Manager, *Lingruen Associates***

Responsible for the efficient functioning of a busy small business.

Activities included organizing meetings and managing database, creating and implementing new office policies, handling administrative functions, vendor management, inventory management, payroll and providing routine customer service.

- Managed schedules, organized office functions, and oversaw daily operations of office with 10 employees
- Answered, screened and redirected a daily average of 50 telephone calls and 20 emails with professionalism and efficacy
- Provided pre-inspection briefings to a team of five inspectors and post inspection briefings to customers and other stakeholders
- Hired, trained, and on-boarded five new employees

## **EDUCATION/ CERTIFICATIONS**

- M.A. in Professional Communication, concentration in Strategic Communication  
University of San Francisco
- B.S. in Business Administration, concentration in Finance  
San Francisco State University
- LinkedIn Learning Certifications: Diversity, Inclusion, and Belonging/ Inclusive Leadership/  
Communicating about Culturally Sensitive Issues/ Confronting Bias

Form Name:  
Submission Time:

2021 PEC Commissioner Application

# Item #7b - Hill Application

## Public Ethics Commission Application

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### Contact Information

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Name	Charlotte Hill
Address	[REDACTED]
Phone	[REDACTED]
Evening Phone	[REDACTED]
Email	[REDACTED]@mail.com

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### Please answer the following questions

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Are you an Oakland resident?	Yes
Years of residency in Oakland	2
Your City Council District	District 1
List any City of Oakland Boards or Commissions (including this Commission) on which you currently or have previously served:	none
Do you attest that you already have or will attend a PEC meeting before your final interview with the Commission?	Yes
If you said yes to the previous question, please let us know what date you attended or will attend.	November 1, 2021
Are you currently employed by the City of Oakland or do you have any direct and substantial financial interest in any work, business, or official action by the City?	No
Are you currently or are you planning to run for elective office in Oakland?	No

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## Item #7b - Hill Application

Are you currently or are you planning to endorse, support or oppose an Oakland candidate or ballot measure? No

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Are you currently or are you planning to work on behalf of an Oakland candidate or ballot measure? No

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Are you a registered Oakland lobbyist? No

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Are you required to register as a lobbyist? No

---

Do you receive compensation from an Oakland lobbyist? No

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Do you receive gifts from an Oakland lobbyist? No

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List any languages other than English that you speak fluently. none

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How did you hear about this vacancy? PEC email

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### Supplemental Questions

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**1. Why do you want to serve on the Public Ethics Commission?**

I am grateful to have the opportunity to share with you here why I believe I would ably ensure fairness, openness, honesty, and integrity in City government.

Throughout my career, I've been drawn to ensuring fairness and ethics in government because I feel that it is central to the proper functioning of our democracy. Put simply, people do not participate in politics when they distrust the political system. I care deeply about building democratic processes that work for the people and want to do my part to ensure honest, inclusive government for Oakland residents.

---

## Item #7b - Hill Application

**2. What skills and experience will you bring to the Commission? (Include any governmental experience, activities with civic and business organizations, neighborhood groups, or any other experience that would contribute to your effectiveness as a Commissioner.)**

I am a postdoctoral researcher at the University of California, Berkeley, where I study, among other things, how democratic policies and institutions-including campaign finance, ethics, and lobbying reforms-can build public trust in government and lead voters to participate more in the political process. Before moving to Oakland in early 2020, I sat on the San Francisco Elections Commission, where I helped oversee City and County elections.

I have a PhD and a master's degree from the Goldman School of Public Policy at UC Berkeley, as well as a BA in Peace and Conflict Studies (again from UC Berkeley). I am a devoted advocate of a more inclusive, representative, and accountable democracy and am very interested in using my skills and experience to improve Oakland government.

I recently served on the national boards of both Represent.Us and FairVote, national leaders in nonpartisan election reform, and am a regular participant in conversations around democratic reforms such as small-dollar campaign finance systems and expanded registration and voting access. During the 2016 election campaign, I testified in front of the San Francisco Ethics Commission on behalf of a San Francisco ballot initiative regulating lobbying activity; the initiative won with widespread community support. My career and volunteer experience supporting democratic reforms, paired with my familiarity with the political science literature on elections and voting, will help me maintain a critical, constructive eye when considering issues that come before the Public Ethics Commission.

---

## Item #7b - Hill Application

### 3. What issues, projects, or goals would you like to pursue while serving on the Commission?

I was excited to learn about the Commission's Campaign Finance/Public Financing Subcommittee-in particular, its intention to introduce legislation reforming Oakland's campaign finance regime to expand access to lower-income residents. However, it is unclear whether this subcommittee's work continued past 2018. It is unlikely that the motivating challenge articulated in a PEC newsletter-that there is "a near-total dominance of high-dollar donors and significant disparities in political giving by zip code"-has been sufficiently addressed or resolved in the past three years. I would like to understand the current status of this subcommittee and, if possible, help bring new energy and focus to its work.

More generally, I would like to help identify additional opportunities for increasing public participation in government. Lawmakers are certainly responsive to campaign contributors, but they also are more accountable to voters who regularly participate in elections and attend community meetings and hearings. While it might seem outside the scope of this Commission at first glance, I believe that increasing the public's political participation, broadly defined, is critical to fulfilling the Commission's objectives of ensuring fairness and promoting trust in our local political system.

I also strongly believe that one of the best ways to increase public trust is for government to operate transparently, quickly, and effectively whenever engaging directly with Oakland residents. There is perhaps no clearer example of Oakland's shortcomings on this front than in regards to its public records request backlog. As the PEC found in its own survey of Oakland residents, many locals cannot obtain their personal police records. If appointed to the Commission, I would work to identify places such as this where the City is failing to adequately serve the needs of the community-and then attempt to improve these systems so that Oakland residents feel that local government is responsive to them.

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### 4. What do you think are the City's most pressing ethics, campaign finance, or transparency challenges?

While there are certainly ongoing issues with bribery and corruption that the PEC has been tackling, I continue to think that the skewed nature of public engagement in local government, with wealthy residents dramatically overrepresented as campaign funders and voters, is a more pervasive and insidious problem that deserves increased attention. If appointed to the Commission, I would attempt to balance the narrow-albeit critically important-work of addressing specific instances of "hard" corruption with the broader work of re-envisioning how the public can engage with the City. My goal would always be to ensure that government reflects the priorities and preferences of all residents.

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## Item #7b - Hill Application

5. What else would you like the subcommittee to know as your application is considered?

I believe Oakland can build public trust through continued community engagement, prompt and fair resolution of complaints and disputes, and proactive efforts to expand political access for groups historically left out of the political process. If I am selected to be a commissioner, I will work to further these goals. And I will participate diligently in all meetings and dedicate myself to making sure Oakland residents can feel confident in our political process.

Please provide two references

### Reference 1

Name	Pedro Hernandez
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED] ail.com

### Reference 2

Name	Ann Ravel
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED] ail.com

### Submit your resume

Upload your resume [REDACTED]

### Sign and submit application

Signature	[REDACTED]
Date/Time	Oct 01, 2021

**Charlotte Hill**



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EDUCATION

University of California, Berkeley

PhD Public Policy, July 2021

MPP Public Policy, May 2017

BA Peace and Conflict Studies, May 2009

SELECTED ADVOCACY and PUBLIC POLICY ACTIVITIES

Board Member FairVote, 2017-2021

Board Member RepresentUs, 2014-2015, 2017-2021

Commissioner/V.P. San Francisco Elections Commission, 2018-2020  
Oversaw City and County elections. Developed and managed a special project focused on increasing public participation in San Francisco elections. Helped develop and implement an improved process for holding accountable the director of the Department of Elections.

Senior Advisor Vote From Home 2020, 2020  
Managed communications and research efforts to boost take-up of vote-by-mail policies among low-propensity voters, especially young adults and people of color.

Sr. Communications Director RepresentUs, 2016  
Managed national communications for two statewide anti-corruption ballot initiatives (Washington and South Dakota). Supported a successful effort to pass San Francisco's lobbyist gift ban.

Sr. Communications Manager Change.org, 2011-2014

Board Member New Leaders Council San Francisco, 2012-2013

PUBLICATIONS

[All-Mail Voting in Colorado Increases Turnout and Reduces Turnout Inequality](#) (with Adam Bonica, Jake M. Grumbach, and Hakeem Jefferson). 2021. *Electoral Studies*.

## Item #7b - Hill Application

[Rock the Registration: Same-Day Registration Increases Turnout of Young Voters](#) (with Jake M. Grumbach). Forthcoming. *Journal of Politics*

Democratizing the Presidential Debates (with Ann Ravel). 2020. In [The Best Candidate: Presidential Nomination in Polarized Times](#), ed. Eugene D. Mazo, Cambridge University Press.

[The Registration and Turnout Effects of Automatic Voter Registration \(with Eric McGhee and Mindy Romero\)](#).

[Can Youth Voter Suppression Induce Backlash? Pilot Study Results](#).

[Vote From Home 2020 Survey Results: Perceptions of Vote By Mail](#).

[Young People Face Higher Voting Costs and Are Less Informed About State Voting Laws](#).

Age Group Identity and Political Participation (with Sam Trachtman and Sarah Anzia).

### SELECT OP-EDS

[Democrats can't count on voters being made enough about suppression to overcome it](#). 2021. *Washington Post*

[America votes by 50 sets of rules. We need a Federal Elections Agency](#) (with Lee Drutman). 2020. *New York Times*

[We should never have to vote in person again](#) (with Adam Bonica, Jake M. Grumbach, and Hakeem Jefferson). 2020. *New York Times*

[An excitingly simple solution to youth turnout, for the primaries and beyond \(op-ed\)](#) (with Jake M. Grumbach). 2019. *New York Times*

[The real reason the NRA's money matters in elections](#). 2018. *Vox*

### ADDITIONAL RESEARCH EXPERIENCE

University of California, Berkeley

Co-principal investigator on civic education experiment project with Prof. Amy Lerman, 2020-present. Project involves teaching high school students about voter pre-registration and measuring the impact on their civic attitudes and behaviors.

Graduate student researcher for campaign finance project with Prof. Sarah Anzia, 2018. Project involved studying how local interest groups donate to city council candidates in select US cities.

## Item #7b - Hill Application

Graduate student researcher for trust in government project with Prof. Amy Lerman, 2016-2017. Project involved researching the history of public trust in federal government.

Graduate student researcher for constitutional law project with Prof. Bertrall Ross, 2015. Project involved examining how poor Americans might be considered a protected class.

Student assistant for civic engagement course development project with Prof. Nora Silver, 2015. Project involved developing a new course for UC Berkeley graduate students on the drivers of successful social movements in the US and abroad.

### GRANTS, SCHOLARSHIPS, and FELLOWSHIPS

University of California, Berkeley

Goldman School of Public Policy Departmental Fellowship, 2018-2020

Mike Synar Graduate Research Fellowship, 2020

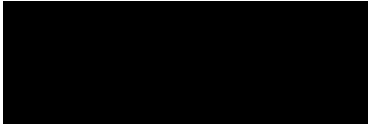
Goldman School of Public Policy Graduate Fellowship, 2014-2015

Jacob K. Javits Political Leadership Scholarship, 2014-2015

Mildred Jordan Sharp Scholarship, 2008

Alumni Association Leadership Award, 2007

Form Name: 2021 PEC Commissioner Application  
Submission Time:  
Browser:  
IP Address:  
Unique ID:  
Location:



Public Ethics Commission Application

Contact Information

Name	Maria Rapier
Address	[Redacted]
Phone	[Redacted]
Evening Phone	[Redacted]
Email	[Redacted]@il.com

Please answer the following questions

Are you an Oakland resident?	Yes
Years of residency in Oakland	5
Your City Council District	District 4
Do you attest that you already have or will attend a PEC meeting before your final interview with the Commission?	Yes
If you said yes to the previous question, please let us know what date you attended or will attend.	November 1, 2021
Are you currently employed by the City of Oakland or do you have any direct and substantial financial interest in any work, business, or official action by the City?	No
Are you currently or are you planning to run for elective office in Oakland?	No
Are you currently or are you planning to endorse, support or oppose an Oakland candidate or ballot measure?	No



## Item #7c - Rapier Application

Are you currently or are you planning to work on behalf of an Oakland candidate or ballot measure?	No
Are you a registered Oakland lobbyist?	No
Are you required to register as a lobbyist?	No
Do you receive compensation from an Oakland lobbyist?	No
Do you receive gifts from an Oakland lobbyist?	No
How did you hear about this vacancy?	nextdoor app

### Supplemental Questions

<b>1. Why do you want to serve on the Public Ethics Commission?</b>	I have previously worked for the National Employment Lawyers Association and oversaw Ethics CLE training for over 2,000 plaintiffs side lawyers. Currently in my role as Program Specialist with the State Bar of California I make confidential and ethical decision making in working with a team. I have been eager to volunteer and act locally while thinking globally. I would love the opportunity to assist the commission.
<b>2. What skills and experience will you bring to the Commission? (Include any governmental experience, activities with civic and business organizations, neighborhood groups, or any other experience that would contribute to your effectiveness as a Commissioner.)</b>	Continuing Legal Education for attorneys, specific ethics training, and elimination of bias training. As an employee of the State Bar of California I have taken numerous ethics trainings and am able to collaborate, analyze and make decisions based on accurate data.
<b>3. What issues, projects, or goals would you like to pursue while serving on the Commission?</b>	I would like to work on any project aimed at ensuring fairness, openness, honesty and integrity in Oakland City government. Areas of expertise include employment law/workers rights, working for people with disabilities, indigenous community and legal malpractice and legal areas entities in general.
<b>4. What do you think are the City's most pressing ethics, campaign finance, or transparency challenges?</b>	Ethics issues such as corruption with building and regulatory inspections, including bribes. Police officers lack of implicit bias training, including real word on the job training and continuing education. Landlord ethical treatments of tenants and lack of adhering to housing conditions. Transparency with licensing, public comments, and general communications with stakeholders and members of the public.

## Item #7c - Rapier Application

5. What else would you like the subcommittee to know as your application is considered?

I am a working professional mother of 3 children, two of which attend Oakland Public Schools. I am very comfortable in board settings, and have facilitated groups with many challenges including change theory and through leadership transitions. I have a Masters degree in Nonprofit business management, and earned my undergraduate degree in public policy.

Please provide two references

### Reference 1

Name	Teri Chaw
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED].com

### Reference 2

Name	Kate Bennett
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED].com

### Submit your resume

Upload your resume	[REDACTED]
--------------------	------------

### Sign and submit application

Signature	[REDACTED]
Date/Time	Sep 29, 2021

## Item #7c - Rapier Application

Maria Rapier  
she/her  
Program  
Specialist  
[REDACTED]  
Oakland, CA 94602  
[REDACTED]  
[REDACTED]ail.com

---

### About

Prepared to thrive in the legal, academic and nonprofit sectors, to grow with innovative, forward thinking, and practical organizations. A passionate and dedicated professional with over 15 years of experience and expertise in office organizational change, data analysis, recruitment, marketing & social media strategies and research.

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### Experience

- **State Bar of California**

Program Analyst, Office of Admissions/Testing Accommodations  
September 2021- present San Francisco, CA

Research information by identifying, locating and extracting relevant data in order to obtain sufficient, valid and reliable data for analysis and decision making purposes. Reviews processes and maintains program transactions, records and other documents; assists in the preparation and maintenance of statistical data, reports, correspondence, special studies, and conducts research. Participates in a variety of complex and detailed programmatic responsibilities involving problem solving. Evaluates program effectiveness by comparing outcomes to goals in order to determine whether to take corrective actions or recommend modification to processes and procedures. Performs research into program and quality control regulations and procedures; prepares reports on findings; identifies problems of non-compliance; recommends corrective action regarding discrepancies. Conducts audits to determine if there are program inconsistencies or non-compliance. Provides input in developing and evaluating program policies and procedures and evaluates and proposes changes concerning the methods of operation.

Program Specialist, Office of Admissions/Testing Accommodations  
March 2021 - September 2021 San Francisco, CA

Process medical, educational and historical data for test takers with physical, learning, visual, and other disabilities and neurodivergent. Analyze cases and files of examiners applying for testing accommodations for the California Bar Examination (and affiliated examiners tests). Including processing medical forms, including highly sensitive information. Processing documents and forms from various law schools and other jurisdictions. Coordinate with events, Committees, and legislative developments to ensure that ADA rights are ensured and that the integrity of the exams are consistent with State agency guidelines. High attention to detail, high organizational skills, and team player attitude. Close relationships

## Item #7c - Rapier Application

with Council, medical professionals, committee, state and publicly elected officials. Ethics training, CORI training, implicit bias training and remote communications best practices training.

- **National Employment Lawyers Association (NELA)**

Membership Manager & CLE Project Coordinator

October 2018 - present Oakland, CA

Manage data, retention and recruitment for over 2,000 national members of NELA. Participate in communications strategy, strategic planning process, development, and event coordination. Draft and implement annual budgets, draft proposals and coordinate RFP and CLE project management. Coordinate with Executive Board members to assist in growth for the organization. Secure Exhibitors and Sponsors for conventions, seminars, and webinars. Coordinate event logistics and apply for Continuing Legal Education accreditation nationally. Marketing for Continued Legal Education training events, marketing for membership benefits, marketing for brand awareness and writing for social media posts. Work alongside the Development Director in securing grants and researching possible foundations for one-time gifts, marketing with Development for cy pres giving, marketing with Development for planned giving campaigns. Directly supervise Administrative Assistant and hire and assist in recruiting summer/fall interns and key support staff.

- **National Employment Lawyers Association**

Membership Associate

January 2018 - October 2018, Oakland, CA

Working alongside the Executive Director I coordinated all aspects of membership and helped draft a Strategic Planning Process for 2019-2023 - sent daily, weekly and monthly membership renewals and invoices. Managed membership database, coordinated marketing efforts with Communications Consultant and participated in a Change Management retreat. Facilitated hiring and recruitment of Administrative Assistant, hiring Events Coordinator and Summer/Fall Interns. Event planning and coordination for Annual Convention, Spring and Fall Seminars, hotel liaison and logistics lead.

- **Employee Rights Advocacy Institute For Law & Policy**

Research Assistant

March 2016 - March 2017, Oakland, CA

"The Institute" is a 501(c) (3) organization that exists to end Forced Arbitration in the American workplace. As an assistant I worked closely with the Director of Development to secure grants, solicit Foundational giving and market the organization to a wide network consisting of attorneys and the general public. Communication efforts vis a vis Annual Reports, Quarterly Newsletters and campaign letters.

- **Pine Ridge Girls' School**

Consultant

## Item #7c - Rapier Application

January - September 2015, Pine Ridge Indian Reservation in South Dakota  
(remote)

Working closely with the Executive Director and Board, I organized fundraising strategies for long-term donor commitment. By providing SWOT Analysis and social media strategies for PR growth and communication, Pine Ridge was able to contextualize their needs and strengths. I met bi-weekly with Board Members to discuss strategy and challenges facing the school. Sought available Grants and gifts via social media, and provided outreach for women's giving circles and Corporate Donors.

- **Slate.com**

Social Media Research Assistant

August 2014-August 2015 NY, NY

Content research for 'The Slatest' blog, author of weekly 'Caption Contest' for 'The Browbeat' blog. Produced daily reports of trends on topics in the news and on social media. Maintained reports and participated in monthly editorial meetings.

- **Greater New York Councils, Boy Scouts of America**

Registrar

August 2006-August 2014

Registrar for 49,000 youth and adult members of the Boy Scouts of Greater New York City area. Maintained records and files of past and current members, processed data, reports and dashboards. Ensured compliance and accuracy of records and assisted Directors, CEO and volunteers alike in maintaining records, awards and charitable giving data.

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### Education

Milano School of Management, at The New School / Master of Science in Nonprofit Management

September 2013 - August 2015, New York City, NY

The New School / Bachelor of Arts

January 2009 - May 2013, New York City, NY

- 
- Sexual Harassment Prevention For Supervisors Certificate: Creating A Workplace of Respect; Certificate of Completion

## Item #7c - Rapier Application

### Skills & Training

- Expert Insights on Unconscious Bias
- Overcoming Unconscious Bias in the Workplace
- Understanding Unconscious Bias: Overcoming Your Own Unconscious Biases
- Navigating Micro-Aggressions in the Workplace
- Conflict Resolutions, Effective Team Communication, Handling Team Conflict
- Expert Insights on Ethics
- NELA 2020 Staff Retreat Design Team Member; Susan Mooney, Change Management Consultant

Salesforce, Wordpress, G Suite, QuickBooks, Constant Contact, Higher Logic, iMIS, Word, Excel, Adobe Creative Suite, SPSS, Prezi, Google Docs/Sheets/Calendar CQ5, Slack, Event Planning

### Professional Associations &

### Awards

---

Member ACLEA Association for Continuing Legal Education Professionals  
Member ASAE The Center for Association Leadership  
Charlotte Newscombe Scholarship, Tempe Diablos Scholarship, Dean's Merit Scholarship

References Please contact me for phone numbers and email addresses of my professional references:

- Teri Chaw, Retired Executive Director, National Employment Lawyers Association - Direct Supervisor Reference
- Nareeya Nalivka, Finance Manager, Pacific Institute - Event Management Reference
- Kate Bennett, fmr Program Analyst  
State Bar of California  
Technical systems reference

# Item #8 - Meeting Schedule 2022



Michael B. MacDonald, Chair  
Jerett Yan, Vice-Chair  
Avi Klein  
Jessica Leavitt  
Ryan Micik  
Arvon Perteet  
Joe Tuman

Whitney Barazoto, Executive Director

TO: Public Ethics Commission  
FROM: Ana Lara-Franco, Commission Assistant  
Whitney Barazoto, Executive Director  
DATE: November 19, 2021 for the December 6, 2021 PEC meeting  
RE: 2022 Regular Meeting Schedule

Below is a proposed schedule for regular Commission meetings in 2022. Unless otherwise specified, meetings occur on the second Wednesday of each month. If COVID-19 shelter-in-place restrictions are still standard in 2022, then Commission meetings will continue to be conducted via teleconference as posted on each meeting agenda.

2022 REGULAR MEETING SCHEDULE		
DATE	TIME	ROOM
January 12, 2022	6:30 PM	Hearing Room 1
February 9, 2022	6:30 PM	Hearing Room 1
March 9, 2022	6:30 PM	Hearing Room 1
April 13, 2022	6:30 PM	Hearing Room 1
May 11, 2022	6:30 PM	Hearing Room 1
June 8, 2022	6:30 PM	Hearing Room 1
July 13, 2022	6:30 PM	Hearing Room 1
August 10, 2022	6:30 PM	Hearing Room 1
September 14, 2022	6:30 PM	Hearing Room 1
October 12, 2022	6:30 PM	Hearing Room 1
November 9, 2022	6:30 PM	Hearing Room 1
December 14, 2022	6:30 PM	Hearing Room 1

**Item #9 - Stipulation and Case Summary**

1 Kellie F. Johnson  
2 Enforcement Chief  
3 CITY OF OAKLAND PUBLIC ETHICS COMMISSION  
4 1 Frank Ogawa Plaza, Rm. 104  
5 Oakland, CA 94612  
6 Telephone: (510) 238-4976

7 Petitioner

8 BEFORE THE CITY OF OAKLAND

9 PUBLIC ETHICS COMMISSION

10 In the Matter of

) Case No.: 19-06

) **STIPULATION AND EXHIBIT**

11  
12 ANNIE CAMPBELL WASHINGTON FOR  
13 OAKLAND CITY COUNCIL 2018

)  
) **Date:** 10/20/2021

14 Respondent.

)  
) **Place:** 1 Ogawa Plaza, Hearing Rm. 1  
15 Oakland, CA 94612

16  
17 **STIPULATION**

18 Petitioner, the Enforcement Unit of the City of Oakland Public Ethics Commission, and Respondent  
19 Annie Campbell Washington, agree as follows:

- 20
- 21 1. This Stipulation will be submitted for consideration by the City of Oakland Public Ethics  
22 Commission (Commission) at its next regularly scheduled meeting;
  - 23 2. This Stipulation resolves all factual and legal issues raised in this matter and represents the  
24 final resolution to this matter without the necessity of holding an administrative hearing to  
25 determine the liability of Respondents;
  - 26 3. Respondent knowingly and voluntarily waive all procedural rights under the Oakland City  
27 Charter, Oakland Municipal Code, and Public Ethics Commission Complaint Procedures,  
28 including, but not limited to, the right to personally appear at an administrative hearing



## Item #9 - Stipulation and Case Summary

1 held in this matter, to be represented by an attorney at his own expense, to confront all  
2 witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to  
3 have the matter judicially reviewed;

4 4. This Stipulation is not binding on any other law enforcement agency, and does not preclude  
5 the Commission or its staff from referring the matter to, cooperating with, or assisting any  
6 other government agency with regard to this matter, or any other matter related to it;

7 5. In 2018, Respondent, a candidate for Oakland City Council, violated the Oakland Campaign  
8 Reform Act by failing to file a Semi-Annual Campaign Statement for the period of July 1,  
9 2018 through December 31, 2018, as required by section 3.12.340 (A) of the Oakland  
10 Campaign Reform Act.

11 6. The attached exhibit (Exhibit) is a true and accurate summary of the facts in this matter and  
12 is incorporated by reference into this Stipulation;

13 7. The Commission will impose upon Respondent a total administrative penalty in the amount  
14 of \$2,171 (\$1,000 penalty, +\$1,171 late fees = \$2,171);

15 8. A cashier's check from Respondent, in said amount, made payable to the "City of Oakland,"  
16 is submitted with this Stipulation as full payment of the administrative penalty, to be held  
17 by the Commission until the Commission issues its decision and order regarding this matter;

18 9. In the event the Commission refuses to accept this Stipulation, it shall become null and  
19 void, and within fifteen business days after the Commission meeting at which the  
20 Stipulation is rejected, all payments tendered by Respondents in connection with this  
21 Stipulation will be reimbursed to them; and

22 10. In the event the Commission rejects the Stipulation and a full evidentiary hearing before the  
23 Commission becomes necessary, neither any member of the Commission, nor the Executive  
24 Director, shall be disqualified because of prior consideration of this Stipulation.

**Item #9 - Stipulation and Case Summary**



1 Dated: 10/22/2021

2 \_\_\_\_\_  
Kellie F. Johnson, Enforcement Chief of the City of Oakland  
Public Ethics Commission, Petitioner

3  
4 Dated: \_\_\_\_\_

Anne Campbell Washington  
Anne Campbell Washington (Oct 22, 2021 12:46 PDT)  
\_\_\_\_\_

Annie Campbell Washington, Respondent

5  
6  
7  
8  
9  
10 **DECISION AND ORDER**

11 The foregoing Stipulation of the parties to “In the Matter of Annie Campbell Washington for  
12 Oakland City Council 2018,” PEC Case No. 19-06, including all attached exhibits, is hereby accepted  
13 as the final Decision and Order of the City of Oakland Public Ethics Commission, effective upon  
14 execution below by the Chair.

15  
16  
17 Dated: \_\_\_\_\_

\_\_\_\_\_

Michael MacDonald, Chair  
City of Oakland Public Ethics Commission






# Stipulation in the Matter of Annie Campbell Washington

Final Audit Report

2021-10-22

Created:	2021-10-22
By:	Ana Lara-Franco (ALaraFranco@oaklandca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAagf4wcjVTPFzn-Td22k6UWbJtP-1EC_i

## "Stipulation in the Matter of Annie Campbell Washington" History

-  Document created by Ana Lara-Franco (ALaraFranco@oaklandca.gov)  
2021-10-22 - 7:13:46 PM GMT- IP address: 209.232.103.92
-  Document emailed to Anne Campbell Washington (anniewashington@gmail.com) for signature  
2021-10-22 - 7:14:10 PM GMT
-  Email viewed by Anne Campbell Washington (anniewashington@gmail.com)  
2021-10-22 - 7:45:27 PM GMT- IP address: 66.249.84.93
-  Document e-signed by Anne Campbell Washington (anniewashington@gmail.com)  
Signature Date: 2021-10-22 - 7:46:02 PM GMT - Time Source: server- IP address: 169.229.139.254
-  Agreement completed.  
2021-10-22 - 7:46:02 PM GMT

**Item #9 - Stipulation and Case Summary**  
**EXHIBIT**  
**In the Matter of Annie Campbell-Washington**  
**PEC 19-06 Case Summary**

**INTRODUCTION**

1  
2 On January 3, 2019, the City of Oakland Public Ethics Commission (PEC) Campaign Filing Officer  
3 Suzanne Doran emailed to former City Council Member Annie Campbell Washington the first warning  
4 “Notice of Non-filer Non-compliance” for failure to file a Semi-Annual Campaign Statement for the  
5 period of July 1, 2018 through December 31, 2018. On May 9, 2019, for Annie Campbell Washington for  
6 Oakland City Council 2018, the Filing Officer referred the matter to PEC Enforcement Unit for Non-  
7 filer enforcement. After investigating the Respondent’s campaign filings, PEC staff determined that  
8 Campbell-Washington and her campaign committee, despite multiple warnings, did not electronically  
9 file the required campaign information pursuant to section 3.12.340 (A) of the Oakland Campaign  
10 Reform Act (OCRA). Staff recommends that the Commission approve a stipulation that Annie  
11 Campbell Washington for Oakland City Council 2018 violated the Oakland Campaign Reform Act for a  
12 penalty of \$1,000 on Count 1, and \$1,171 in late fees, totaling \$2,171 in fines and penalties.

**SUMMARY OF LAW:**

13  
14  
15 All statutory references and discussions of law pertain to the referenced statutes and laws as they  
16 existed at the time of the violations.

17 **O.M.C. § 3.12.340 (A)** OCRA requires that any person required by State or local law to file a campaign  
18 statement or report with the local filing officer, shall file the statement or report in an electronic  
19 format with the Public Ethics Commission.

**TIMELINE OF EVENTS:**

20  
21  
22 1/03/2019 PEC Filing Officer emailed a warning notice of Non-compliance to the Respondent.  
23 2/19/2019 PEC Filing Officer sent a formal letter and notice of Non-compliance to the  
24 Respondent.  
25 3/05/2019 PEC Filing Officer contacted the Respondent and spoke to her by telephone  
26 regarding the Non-compliance.  
27  
28

# Item #9 - Stipulation and Case Summary

## EXHIBIT

### In the Matter of Annie Campbell-Washington PEC 19-06 Case Summary

1 3/27/2019 PEC Filing Officer sent a formal letter and notice of Non-compliance to the  
2 Respondent.

3 4/01/2019 PEC Filing Officer emailed a notice of Non-compliance to the Respondent.

4 5/09/2019 PEC Enforcement notified Respondent via formal letter that a Non-compliance report  
5 was submitted for formal Enforcement.

6 6/06/2019 PEC Enforcement via formal letter offered to the Respondent an early resolution  
7 settlement offer.

#### 8 9 **FACTUAL SUMMARY AND ANALYSIS:**

10 In 2018, the Respondent was a candidate for Oakland City Council District 4 and established a  
11 committee for "Annie Campbell Washington for Oakland City Council 2018." The Respondent had  
12 been an elected member of the Oakland City Council and had previously filed required campaign  
13 forms with the City since 2015. In 2018, the Respondent abruptly ended her campaign for City  
14 Council. After ending her campaign, she failed to file a Semi-Annual Campaign Statement for the  
15 period of July 1, 2018, through December 31, 2018. The PEC Filing Officer made numerous attempts to  
16 gain the Respondent's compliance, including warning the Respondent that she was subject to daily  
17 late filer fees for failing to timely file her Semi-Annual Campaign Statement. Despite PEC staff best  
18 efforts to gain the Respondent's compliance, she did not submit the required campaign filing.

19  
20 In May 2019, the Filing Officer referred the matter pursuant to PEC Enforcement. Enforcement  
21 notified the Respondent by formal letter that a Non-compliance complaint was submitted for formal  
22 investigation. Shortly thereafter, on June 6, 2019, PEC staff proposed that the Respondent agree to  
23 an early resolution of her matter with a small fine. The Respondent did not respond to Enforcement.

#### 24 **VIOLATION(S):**

25 Annie Campbell Washington violated the following Oakland Municipal Code sections:

26 **Count 1: Failure to File Campaign Statement/Report Non-Filer and Non-Reporter**

# Item #9 - Stipulation and Case Summary

## EXHIBIT

### In the Matter of Annie Campbell-Washington PEC 19-06 Case Summary

1 On or about February 1, 2019, Respondent, Annie Campbell Washington, violated O.M.C. 3.12.340 (A)  
2 of the Oakland Campaign Reform Act when she failed to file a Semi-Annual Campaign Statement for  
3 the period of July 1, 2018 through December 31, 2018.

#### PENALTIES:

4  
5  
6 Oakland Campaign Reform Act authorizes the Commission to impose maximum administrative  
7 penalties of up to \$5,000, or three times the amount not properly reported (whichever is greater),  
8 per violation of the Oakland Campaign Reform Act. The Base Level penalty for this violation is \$1,000  
9 plus 1% of all financial activity not timely reported.

10  
11 The PEC will consider all relevant mitigating and aggravating circumstances surrounding a violation  
12 when deciding on a penalty, including, but not limited to, the following factors:

- 13 1. The seriousness of the violation, including, but not limited to, the extent of the public impact  
14 or harm;
- 15 2. The presence or absence of any intention to conceal, deceive, or mislead;
- 16 3. Whether the violation was deliberate, negligent, or inadvertent;
- 17 4. Whether the violation was isolated or part of a pattern;
- 18 5. Whether the respondent has a prior record of violations and/or demonstrated knowledge of  
19 the rule or requirement at issue;
- 20 6. The extent to which the respondent voluntarily and quickly took the steps necessary to cure  
21 the violation (either independently or after contact from the PEC);
- 22 7. The degree to which the respondent cooperated with the PEC's enforcement activity in a  
23 timely manner;
- 24 8. The relative experience of the respondent.

25  
26 The PEC has broad discretion in evaluating a violation and determining the appropriate penalty based  
27 on the totality of circumstances. This list of factors to consider is not an exhaustive list, but rather a  
28

# Item #9 - Stipulation and Case Summary

## EXHIBIT

### In the Matter of Annie Campbell-Washington PEC 19-06 Case Summary

1 sampling of factors that could be considered. There is no requirement or intention that each factor –  
2 or any specific number of factors - be present in an enforcement action when determining a penalty.  
3 As such, the ability or inability to prove or disprove any factor or group of factors shall in no way  
4 restrict the PEC's power to bring an enforcement action or impose a penalty

#### Aggravating Factors

5  
6  
7 Here, the circumstances of the Respondent's conduct establish aggravating factors that should  
8 increase the severity of the penalty:

- 9 1. The Respondent was an experienced City Council Member.
- 10 2. The Respondent has demonstrated knowledge of the rule and was aware of the filing  
11 obligations.

#### Mitigating Factors

- 14 1. Respondent submitted the outstanding campaign filing forms.

#### **PROPOSED RESOLUTION**

15  
16  
17 Staff recommends the Commission approve the Stipulation and impose a \$1,000 penalty for a  
18 violation of OCRA plus \$1,171 in late fees, for a total of \$2,171.

# Item #11 - Disclosure Report



Michael B. MacDonald, Chair  
 Jerett Yan, Vice-Chair  
 Avi Klein  
 Jessica Leavitt  
 Ryan Micik  
 Arvon J. Perteet  
 Joe Tuman

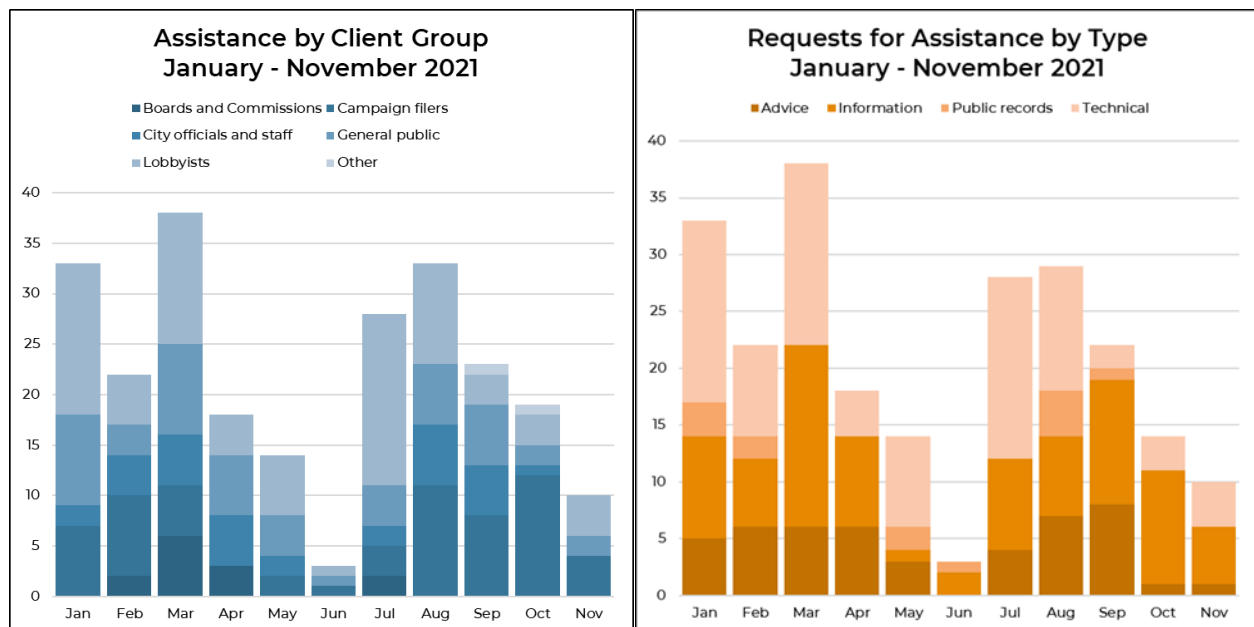
Whitney Barazoto, Executive Director

TO: Public Ethics Commission  
 FROM: Suzanne Doran, Lead Analyst  
 Jelani Killings, Ethics Analyst  
 Whitney Barazoto, Executive Director  
 DATE: November 19, 2021  
 RE: Disclosure and Engagement Report for December 6, 2021 meeting

This memorandum provides a summary of major accomplishments in the Public Ethics Commission’s (PEC or Commission) Disclosure and Engagement program activities since the last monthly meeting. Commission staff disclosure activities focus on improving online tools for public access to local campaign finance and other disclosure data, enhancing compliance with disclosure rules, and conducting data analysis for PEC projects and programs as needed. Engagement activities include training and resources provided to the regulated community, as well as general outreach to Oakland residents to raise awareness of the Commission’s role and services and to provide opportunities for dialogue between the Commission and community members.

## Advice and Engagement

**Advice and Technical Assistance** – In November, Commission staff responded to ten requests for information, advice or assistance regarding campaign finance, ethics, lobbyist registration or public records issues, for a total of 231 requests fulfilled in 2021 to date.





## Item #11 - Disclosure Report

**Campaign Activity Advisory** – On November 1, staff issued an advisory regarding campaign activity by officeholders and City staff to inform City employees and officials who are engaging in campaign or ballot measure-related work about the laws that apply to them. As election season commences, Commission staff will continue providing advisories to City employees and officials, candidates, and campaign committees to ensure compliance with state and local campaign rules.

**New Employee Orientation** – Staff continues to make presentations at the City’s monthly New Employee Orientation (NEO) providing new employees with an introduction to the PEC and overview of the Government Ethics Act (GEA). On November 15, staff trained 15 new employees on GEA provisions.

**Publications** – Staff is currently updating the Oakland Campaign Reform Act Guide and the Lobbyist Registration Act Guide for publication in early 2022. These comprehensive guides are intended to assist the regulated community in complying with local laws.

### **Sunshine Performance/Public Records Requests**

In May, the Commission approved steps outlined in its report [Spotlight on Oakland’s Public Records System](#) to continue its work to ensure that Oakland’s public records request system is effective and ensures departmental compliance with state and local law. Next steps included development of an ongoing evaluation tool to monitor the City’s records request performance. During the second half of 2021, Commission staff:

- Developed an initial set of key performance indicators (KPIs) to measure compliance with the requirements of the CA Public Records Act and Oakland Sunshine Ordinance in terms of timeliness, transparency, quality of service, and best practices.
- Collaborated with the IT department to automate extraction of the raw request data.
- Developed a process to clean and prepare the raw data and calculate department statistics and initial performance metrics.
- Prepared a quality of service satisfaction survey to issue to request system users.

In addition to determining and putting into operation technical requirements for the performance tool, discussions with other City staff to gather feedback and encourage collaboration from internal stakeholders are ongoing.

### **General Outreach**

**Social Media** – Communications in November focused on introducing new Commissioners and upcoming meetings.

# Item #12 - Enforcement Report



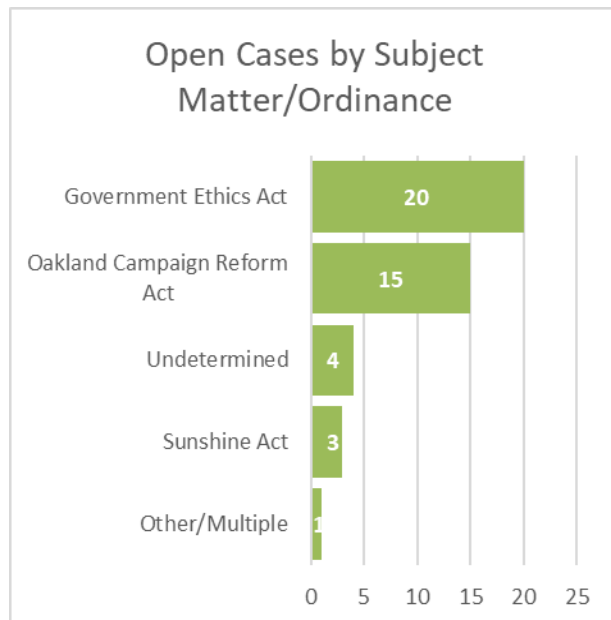
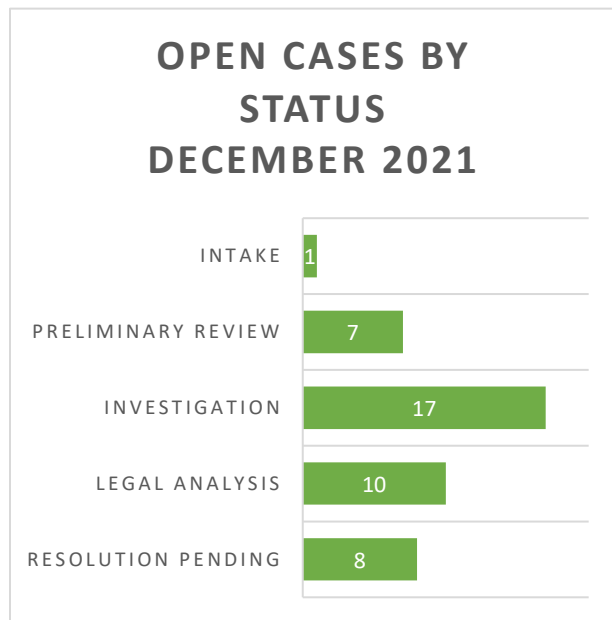
Michael McDonald, Chair  
Jerett Yan, Vice-Chair  
Avi Klein  
Jessica Leavitt  
Ryan Micik  
Arvon Perteet  
Joseph Tuman

Whitney Barazoto, Executive Director

TO: Public Ethics Commission  
FROM: Kellie Johnson, Enforcement Chief  
DATE: November 15, 2021  
RE: Enforcement Program Update for the December 4, 2021, PEC Meeting

## Current Enforcement Activities:

Since the last Enforcement Program Update on November 1, 2021, Commission staff received one new complaint. This brings the total Enforcement caseload to 43 open cases: 7 matter(s) in the intake or preliminary review stage, 17 matters under active investigation, 10 matters under post-investigation analysis, and 8 matters in settlement negotiations or awaiting an administrative hearing.



Since the last Enforcement Program Update in November 2021, the following status change(s) have occurred:

1. ***In the Matter of Annie Campbell Washington for Oakland City Council 2018 (Case No. 19-06).*** On January 3, 2019, the City of Oakland Public Ethics Commission (PEC) Campaign Filing Officer emailed to former City Council Member Annie Campbell Washington the first warning “Notice of Non-filer Non-compliance” for failure to file a Semi-Annual Campaign Statement for the period of July 1, 2018 through December 31, 2018 for her committee Annie Campbell Washington for Oakland City Council 2018. After receiving no reply from the Respondent, on May 9, 2019, the Filing Officer referred the matter to PEC Enforcement Unit for Non-filer enforcement. Enforcement opened an investigation into the Respondent’s campaign filings, PEC staff determined that Campbell-Washington and her campaign committee, despite multiple warnings, did not electronically file the required campaign information pursuant to section 3.12.340 (A) of the Oakland Campaign Reform Act (OCRA). This matter came before the Commission on November 1, 2021 and was set over to the December Commission public meeting. Staff recommends that the Commission approve a stipulation that Annie Campbell Washington for Oakland City Council 2018 violated the Oakland Campaign Reform Act for a penalty of \$1,000 on Count 1, and \$1,171 in late fees, totaling \$2,171 in fines and penalties. (See Agenda Items)
2. ***In the Matter of Jason Overman (Case No. 18-14).*** On May 9, 2018, the City of Oakland Public Ethics Commission (PEC) received a complaint alleging that Respondent, Jason Overman violated the Oakland Campaign Reform Act. Staff opened an investigation to determine whether the Respondent violated the Oakland Campaign Reform Act’s Contractor Contribution Ban by making campaign contribution(s) to City of Oakland elected officials, candidates, or their controlled committees. After close consideration of all of the facts and the law, and the reasons explained in the attached memorandum, Staff recommends that the Commission approve a stipulation that Jason Overman violated the Oakland Campaign Reform Act and impose the following fines and financial penalties: \$500 on count 1 and \$500 on count 2, plus the unlawful amount \$1,600. (total sum of \$2,600). (See Agenda Items)

# Item #13 - Executive Director's Report



Michael B. MacDonald, Chair  
Jerett Yan, Vice-Chair  
Avi Klein  
Jessica Leavitt  
Ryan Micik  
Arvon Perteet  
Joe Tuman

Whitney Barazoto, Executive Director

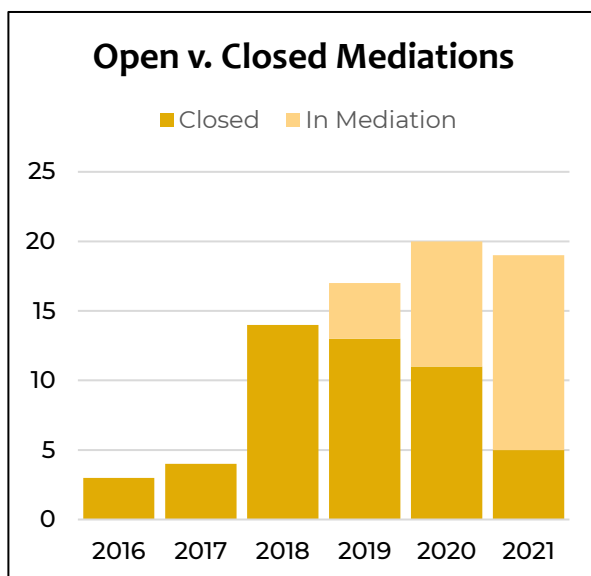
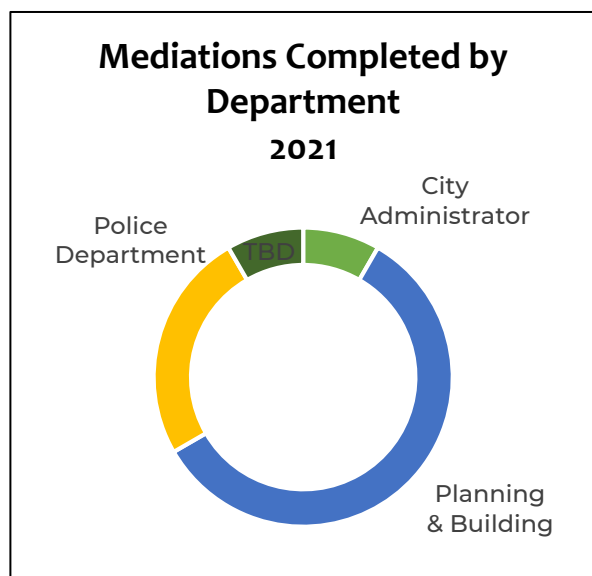
TO: Public Ethics Commission  
FROM: Whitney Barazoto, Executive Director  
DATE: November 18, 2021  
RE: Executive Director's Report for the December 6, 2021, PEC Meeting

This memorandum provides an overview of the Public Ethics Commission's (PEC or Commission) significant activities this past month that are not otherwise covered by other program reports. The attached overview of Commission Programs and Priorities includes the ongoing goals and key projects for 2020-21 for each program area. (Commission Programs and Priorities attached)

## Mediations

Pursuant to the Oakland Sunshine Ordinance, the Commission conducts mediation of public records requests made by members of the public to City departments for records within the department's control. The PEC has 27 open mediations. Following a mediation, Commission staff provides a written summary of the mediation to the Commission and can also make recommendations for further Commission action. The following mediation was conducted by staff and subsequently closed this past month (reports attached):

1. In the Matter of the Office of the Mayor (Case No. 2019-16); (Mediation Summary attached)
2. In the Matter of the Department of Public Works (Case No. 2020-04); (Mediation Summary attached)



**Commissioner Recruitment**

The Commission is currently reviewing candidates to fill the seat currently held by Commissioner Avi Klein who will be termed out on January 21, 2022. The new, 3-year term begins January 22, 2022 and ends January 21, 2025. PEC staff received applications and assisted the Recruitment Subcommittee in conducting interviews on November 17, with three finalists selected for final PEC consideration at the December meeting.

**PUBLIC ETHICS COMMISSION**  
**Programs and Priorities 2021**

<b>Program</b>	<b>Goal</b>	<b>Desired Outcome</b>	<b>Key Projects for 2021</b>
<b>Lead/ Collaborate (Policy, Systems, Culture)</b>	PEC facilitates changes in City policies, laws, systems, and technology and leads by example to ensure fairness, openness, honesty, integrity and innovation.	Effective campaign finance, ethics, and transparency policies, procedures, and systems are in place across City agencies	<ol style="list-style-type: none"> <li>1. Oakland Sunshine Report Card, ongoing compliance</li> <li>2. Campaign Public Finance Redesign</li> <li>3. City Ticket Policy</li> </ol>
<b>Educate/ Advise</b>	Oakland public servants, candidates for office, lobbyists, and City contractors understand and comply with City campaign finance, ethics, and transparency laws.	The PEC is a trusted and frequent source for information and assistance on government ethics, campaign finance, and transparency issues; the PEC fosters and sustains ethical culture throughout City government.	<ol style="list-style-type: none"> <li>1. Ethics training and advice: a) elected officials, b) City employees (1000), b) board/commission members, and c) consultants</li> <li>2. Sunshine training – Open meetings; public records</li> <li>3. New trainings as needed for diversion</li> </ol>
<b>Outreach/ Engage</b>	Citizens and regulated community know about the PEC and know that the PEC is responsive to their complaints/questions about government ethics, campaign finance, or transparency concerns.	The PEC actively engages with clients and citizens demonstrating a collaborative transparency approach that fosters two-way interaction between citizens and government to enhance mutual knowledge, understanding, and trust.	<ol style="list-style-type: none"> <li>1. Sunshine mediations</li> <li>2. Communications/outreach to client groups</li> <li>3. PEC social media outreach</li> <li>4. Website – PEC dashboards for enforcement cases and mediations</li> </ol>
<b>Disclose/ Illuminate</b>	<p>PEC website and disclosure tools are user-friendly, accurate, up-to-date, and commonly used to view government integrity data.</p> <p>Filing tools collect and transmit data in an effective and user-friendly manner.</p>	<p>Citizens can easily access accurate, complete campaign finance and ethics-related data in a user-friendly, understandable format.</p> <p>Filers can easily submit campaign finance, lobbyist, and ethics-related disclosure information.</p>	<ol style="list-style-type: none"> <li>1. Filing Officer/Compliance – assess, follow-up, and refer</li> <li>2. Government Integrity E-Data Project – Lobbyist Registration, Form 700, Form 803, Show Me the Money App</li> <li>3. Open Disclosure – continue coordination and development</li> </ol>
<b>Detect/ Deter</b>	PEC staff proactively detects potential violations and efficiently investigates complaints of non-	Public servants, candidates, lobbyists, and City contractors are motivated to comply with	<ol style="list-style-type: none"> <li>1. Investigations</li> <li>2. Collaborate with other government law enforcement agencies</li> </ol>

## Item #13 - Executive Director's Report

	compliance with laws within the PEC's jurisdiction.	the laws within the PEC's jurisdiction.	
<b>Prosecute</b>	Enforcement is swift, fair, consistent, and effective.	Obtain compliance with campaign finance, ethics, and transparency laws, and provide timely, fair, and consistent enforcement that is proportional to the seriousness of the violation.	<ol style="list-style-type: none"> <li>1. Conduct legal analyses, assess penalty options, negotiate settlements, make recommendations to PEC</li> <li>2. Case priority: 1) the extent of Commission authority to issue penalties, 2) the impact of a Commission decision, 3) public interest, timing, and relevancy, and 4) Commission resources.</li> <li>3. Resolve all 2016 cases</li> </ol>
<b>Administration/ Management</b>	PEC staff collects and uses performance data to guide improvements to program activities, motivate staff, and share progress toward PEC goals.	PEC staff model a culture of accountability, transparency, innovation, and performance management.	<ol style="list-style-type: none"> <li>1. Annual Report</li> <li>2. Budget – new positions</li> <li>3. Enforcement database upgrade</li> <li>4. Review data to adjust activities throughout the year</li> <li>5. Ongoing: professional development and staff reviews</li> </ol>

# Item #13b - M2019-16; Mediation Summary



Michael B. MacDonald, Chair  
Jerett Yan, Vice-Chair  
Avi Klein  
Jessica Leavitt  
Ryan Micik  
Arvon Perteet  
Joe Tuman

Whitney Barazoto, Executive Director

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TO: Whitney Barazoto, Executive Director  
FROM: Jelani Killings, Ethics Analyst  
DATE: October 29, 2021  
RE: *In the Matter of the Mayor's Office (Case No. M2019-16); Mediation Summary*

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## I. INTRODUCTION

On October 1, 2019, the Commission received a request for mediation alleging that the Mayor's Office failed to disclose records in response to a public records request made by the Requester on September 25, 2019. On October 2, 2019, Staff initiated its mediation program pursuant to the Oakland Sunshine Ordinance.

Because the responding department has provided all responsive documents per the requests, Staff closed the mediation without further action.

## II. SUMMARY OF LAW

One of the primary purposes of the Oakland Sunshine Ordinance is to clarify and supplement the California Public Records Act (CPRA), which requires that all government records be open to inspection by the public unless there is a specific reason not to allow inspection.<sup>1</sup> The CPRA requires each agency to make public records promptly available to any person upon request.<sup>2</sup>

Any person whose request to inspect or copy public records has been denied by any City of Oakland body, agency, or department, may demand mediation of his or her request by Commission Staff.<sup>3</sup> A person may not file a complaint with the Commission alleging the failure to permit the timely inspection or copying of a public record unless they have requested and participated in the Commission's mediation program.<sup>4</sup>

Once the Commission's mediation program has been concluded, Commission Staff is required to report the matter to the Commission by submitting a written summary of the issues presented, what efforts were made towards resolution, and how the dispute was resolved or what further efforts Commission Staff would recommend to resolve the dispute.<sup>5</sup>

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<sup>1</sup> Oakland Municipal Code § 2.20.010(C); California Government Code § 6250 et seq.

<sup>2</sup> Government Code § 6253(b).

<sup>3</sup> O.M.C. § 2.20.270(C)(1).

<sup>4</sup> O.M.C. § 2.20.270(F).

<sup>5</sup> Complaint Procedures § IV (C)(5).



## Item #13b - M2019-16; Mediation Summary

### III. SUMMARY OF FACTS

On September 25, 2019, the City received, via web, the following public records request (No. 19-4786):

Please provide personnel information for Special Assistant to the Mayor III, including:

--Start date for David Silver with any department or agency within the City of Oakland, i.e., the date he came into employment in a position that responds to or can be terminated by either the City Administrator or Mayor.

--The date David Silver began receiving a salary from the city of Oakland.

On October 1, 2019, the Mayor's Office released a link to the City's Legistar platform for a passed City Resolution titled:

Subject: Acceptance Of Grant Funds From The Oakland Public Education Fund  
From: Office Of The Mayor Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The Oakland Public Education Fund In The Total Amount Of Two Hundred Seven Thousand Dollars (\$207,000) To Be Used To Provide Full Funding For The Mayor's Director Of Education For The Remainder Of Fiscal Year 2017 (November 2016-June 2017)

Subsequently, the Mayor's Office closed the request.

On October 1, 2019, the Requester responded:

Please re-open the request and provide the documents requested, closing the response after this response violates the law.

Please provide the documents that show Silver's start date at the city of Oakland, as an employee at the city of Oakland. Please provide the day and date Silver began receiving a salary directly from the City of Oakland.

On October 1, 2019, the Commission received a complaint alleging that the Mayor's Office had failed to provide all the requested documents in response to public records requests No. 19-4786.

On October 2, 2019, Staff initiated its mediation program and notified the Mayor's Office of the mediation request.

On October 2, 2019, the Mayor's Office released a document to the Requester in response to public records request 19-4786.

On October 4, 2019, the Mayor's Office released an additional document to the Requester.

On October 7, 2019, the Mayor's Office closed the request stating:

We released all of the requested documents.

## Item #13b - M2019-16; Mediation Summary

On October 26, 2021, Staff followed up with the Requester to see if they had received all the responsive documents to their public records request (19-4786) and that the mediation would be closed. The Requester confirmed that they had received the responsive records.

### IV. RECOMMENDATION

Because the Mayor's Office provided the responsive records for the public records request, and because the Requester indicated that he had received all the responsive documents, Staff closed the mediation without further action.

# Item #13c - M2020-04; Mediation Summary



Michael B. MacDonald, Chair  
Jerett Yan, Vice-Chair  
Avi Klein  
Jessica Leavitt  
Ryan Micik  
Arvon Perteet  
Joe Tuman

Whitney Barazoto, Executive Director

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TO: Whitney Barazoto, Executive Director  
FROM: Jelani Killings, Ethics Analyst  
DATE: October 29, 2021  
RE: *In the Matter of the Public Works Department (Case No. M2020-04); Mediation Summary*

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## I. INTRODUCTION

On February 20, 2020, the Commission received a request for mediation alleging that the Public Works Department failed to disclose records in response to a public records request made by the Requester on November 14, 2019. On February 24, 2020, Staff initiated its mediation program pursuant to the Oakland Sunshine Ordinance.

Because the responding department determined that there were no responsive documents per the request, Staff closed the mediation without further action.

## II. SUMMARY OF LAW

One of the primary purposes of the Oakland Sunshine Ordinance is to clarify and supplement the California Public Records Act (CPRA), which requires that all government records be open to inspection by the public unless there is a specific reason not to allow inspection.<sup>1</sup> The CPRA requires each agency to make public records promptly available to any person upon request.<sup>2</sup>

Any person whose request to inspect or copy public records has been denied by any City of Oakland body, agency, or department, may demand mediation of his or her request by Commission Staff.<sup>3</sup> A person may not file a complaint with the Commission alleging the failure to permit the timely inspection or copying of a public record unless they have requested and participated in the Commission's mediation program.<sup>4</sup>

Once the Commission's mediation program has been concluded, Commission Staff is required to report the matter to the Commission by submitting a written summary of the issues presented, what efforts were made towards resolution, and how the dispute was resolved or what further efforts Commission Staff would recommend to resolve the dispute.<sup>5</sup>

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<sup>1</sup> Oakland Municipal Code § 2.20.010(C); California Government Code § 6250 et seq.

<sup>2</sup> Government Code § 6253(b).

<sup>3</sup> O.M.C. § 2.20.270(C)(1).

<sup>4</sup> O.M.C. § 2.20.270(F).

<sup>5</sup> Complaint Procedures § IV (C)(5).

## Item #13c - M2020-04; Mediation Summary

### III. SUMMARY OF FACTS

On November 14, 2019, the City received, via web, the following public records request (No. 19-5574):

Emails and documents mentioning or pertaining to the homeless encampment known as "Oakport/66th avenue". Emails from or to public works office

On February 20, 2020, the Commission received a complaint alleging that the Public Works Department had failed to respond to the public records request No. 19-5574.

On February 24, 2020, Staff initiated its mediation program and notified the Public Works Department of the mediation request.

On June 24, 2020, the Public Work Department closed the request stating:

The Oakland Public Works Dept. does not have any responsive information regarding this request.

On October 26, 2021, Staff followed up with the Requester regarding their public records request and informed them that the mediation would be closed. The Requester had no further inquiries and acknowledged closure of the request.

### IV. RECOMMENDATION

Because the Public Works Department indicated that they had no responsive documents for the public records request, and because the Requester had no further inquiry for responsive documents, Staff closed the mediation without further action.