



CITY OF OAKLAND

ONE FRANK H. OGAWA PLAZA • CITY HALL • 1ST FLOOR, #104 • OAKLAND • CA 94612

Public Ethics Commission
Enforcement Unit

(510) 238-3593
FAX (510) 238-3315
TDD (510) 238-3254

October 12, 2022

Janani Ramachandran



**Re: *Nenna Joiner For Oakland City Council D4 2022* and *Annie Campbell Washington*,
Complaint No. 22-16**

Dear Janani Ramachandran:

On October 4, 2022, the City of Oakland Public Ethics Commission (PEC) received your complaint (#22-16) alleging that on October 3, 2022, the committee *Nenna Joiner For Oakland City Council D4 2022* reported receiving aggregate contributions from Annie Campbell Washington in excess of the \$900 limit. Specifically, you alleged that the committee had reported receiving a \$900 monetary contribution from Ms. Washington on September 7, 2022, as well as an in-kind contribution from Ms. Washington in the form of food for a fundraising event on September 7, 2022, totaling of \$493.27, for an aggregate total of \$1,393.27.

This conduct, if accurate, would have violated the Oakland City Ordinance 3.12.050(B), which establishes a \$900 aggregate contribution limit for contributions from an individual to a candidate-controlled committee.

When I contacted the committee about the matter, they informed me that the attribution of the monetary contribution of \$900 on 9/7/22 was done in error. They said the contribution had actually been from Ed Gerber, and that on the NationBuilder system that they use to record contributions, they had listed Ms. Washington as the “recruiter” for the contribution. Subsequently, when filling out their Form 460, they had referred to their NationBuilder data and accidentally used Ms. Washington’s name instead of Mr. Gerber when reporting the name of the contributor. They verified this by providing me with a copy of the receipt for Mr. Gerber’s online contribution (dated 9/7/22), as well as the NationBuilder entry for the contribution which lists Ms. Washington as the “recruiter.” They subsequently amended their Form 460 to correct the error.

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In light of these facts, we have determined that the committee and Ms. Washington did not violate the contribution limit here. We are therefore dismissing this complaint. No action is necessary on your part; this is just a courtesy notice.

We also advised the committee of its duty to accurately report contributions, and the controlling candidate (Nenna Joiner) of her duty to review the form with care prior to signing it and, if necessary, to correct any errors that a person of reasonable prudence would question based on all the surrounding circumstances (per FPPC regulation 18427(c)). But because the error here was for a relatively small dollar amount, the committee corrected the error within a matter of days, and the committee does not have a prior history of violations, we are choosing not to bring an enforcement action against them at this time.

We are required to inform the Public Ethics Commission of the resolution of this matter at an upcoming public meeting, as part of our regular monthly update on Enforcement actions. That meeting and update will take place on November 9, 2022, at 6:30 p.m. by teleconference and will be posted on the Commission's website in advance of the meeting. The report will be purely informational, and no action will be taken by the Commission regarding this matter, which is now closed. However, you are welcome to call-in to that meeting to listen and/or give public comment if you wish. You may also submit written comments to us before that meeting, and we will add them to the meeting materials.

Thank you for bringing this matter to our attention. If you have other questions regarding this matter, please feel free to contact me.

Sincerely,

Simon Russell

Simon Russell, Acting Enforcement Chief
City of Oakland, Public Ethics Commission
(510) 424-3200
srussell@oaklandca.gov



CITY OF OAKLAND

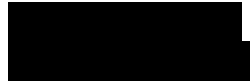
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October 12, 2022

Nenna Joiner For Oakland City Council D4 2022



Re: PEC Complaint No. 22-16; Dismissal & Advisory Letter

To *Nenna Joiner For Oakland City Council D4 2022*, Christina Gilpin (treasurer), and *Nenna Joiner* (controlling candidate):

On October 4, 2022, the City of Oakland Public Ethics Commission (PEC) received a complaint (#22-16) which alleged that on October 3, 2022, you reported receiving aggregate contributions from Annie Campbell Washington in excess of the \$900 limit. Specifically, it was alleged that you had reported receiving a \$900 monetary contribution from Ms. Washington on September 7, 2022, as well as an in-kind contribution from Ms. Washington in the form of food for a fundraising event on September 7, 2022, totaling of \$493.27, for an aggregate total of \$1,393.27.

This conduct, if accurate, would have violated the Oakland City Ordinance 3.12.050(B), which establishes a \$900 aggregate contribution limit for contributions from an individual to a candidate-controlled committee.

When I contacted you about this matter, you informed me that the attribution of the monetary contribution of \$900 on 9/7/22 was done in error. You said the contribution had actually been from Ed Gerber, and that on the NationBuilder system that you use to record contributions, you had listed Ms. Washington as the “recruiter” for the contribution. Subsequently, when filling out your Form 460, you had referred to your NationBuilder data and accidentally used Ms. Washington’s name instead of Mr. Gerber when reporting the name of the contributor. You verified this by providing me with a copy of the receipt for Mr. Gerber’s online contribution (dated 9/7/22), as well as the NationBuilder entry for the contribution which lists Ms. Washington as the “recruiter.” You told me that Ms. Gilpin had been the one

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who filled out the Form 460 and made the error, and Ms. Joiner did not review the form before she signed it as the controlling candidate.

You subsequently amended your Form 460 to correct the error.

In light of these facts, we have determined that you did not violate the contribution limit here. We are therefore dismissing this complaint. No action is necessary on your part; this is just a courtesy notice.

Please be advised that you have a duty to accurately report the name, address, occupation, and employer of each contributor from whom you receive an aggregate total of \$100 or more on your Form 460, under Government Code section 84211(f). Please also be advised that controlling candidates have a duty to review with care every Form 460 prepared for filing by their committee, to correct any inaccuracies and omissions of which they are aware, and cause to be checked, and, if necessary, corrected, any information on the form that a person of reasonable prudence would question based on all the surrounding circumstances (per FPPC regulation 18427(c)). Finally, please be advised that the filing deadline for the Form 460 in question here was September 29, 2022.

We are required to inform the Public Ethics Commission of the resolution of this matter at an upcoming public meeting, as part of our regular monthly update on Enforcement actions. That meeting and update will take place on November 9, 2022, at 6:30 p.m. by teleconference and will be posted on the Commission's website in advance of the meeting. The report will be purely informational, and no action will be taken by the Commission regarding this matter, which is now closed. However, you are welcome to call-in to that meeting to listen and/or give public comment if you wish. You may also submit written comments to us before that meeting, and we will add them to the meeting materials.

I am enclosing a copy of the dismissal letter that we sent to the complainant, for your reference. If you have any questions regarding this matter, please feel free to contact me at (510) 424-3200 or srussell@oaklandca.gov.

Sincerely,

Simon Russell

Simon Russell
Acting Chief of Enforcement
City of Oakland Public Ethics Commission



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October 12, 2022

Annie Campbell Washington



Re: PEC Complaint No. 22-16; Dismissal Letter

To Annie Campbell Washington:

On October 4, 2022, the City of Oakland Public Ethics Commission (PEC) received a complaint (#22-16) which alleged that on October 3, 2022, the committee *Nenna Joiner For Oakland City Council D4 2022* reported that you gave them aggregate contributions in excess of the \$900 limit. Specifically, it was alleged that the committee reported that you gave them a \$900 monetary contribution on September 7, 2022, as well as an in-kind contribution in the form of food for a fundraising event on September 7, 2022, totaling of \$493.27, for an aggregate total of \$1,393.27.

This conduct, if accurate, would have violated the Oakland City Ordinance 3.12.050(B), which establishes a \$900 aggregate contribution limit for contributions from an individual to a candidate-controlled committee.

When I contacted the committee about this matter, they informed me that their attribution to you of the monetary contribution of \$900 on 9/7/22 was done in error. They provided evidence showing that the contribution had actually come from another person, and that their attribution of the contribution to you had been the result of a clerical error. They have subsequently amended the form to correct the error.

In light of these facts, we have determined that you did not violate the contribution limit here. We are therefore dismissing this complaint. No action is necessary on your part; this is just a courtesy notice.

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We are required to inform the Public Ethics Commission of the resolution of this matter at an upcoming public meeting, as part of our regular monthly update on Enforcement actions. That meeting and update will take place on November 9, 2022, at 6:30 p.m. by teleconference and will be posted on the Commission's website in advance of the meeting. The report will be purely informational, and no action will be taken by the Commission regarding this matter, which is now closed. However, you are welcome to call-in to that meeting to listen and/or give public comment if you wish. You may also submit written comments to us before that meeting, and we will add them to the meeting materials.

I am enclosing a copy of the dismissal letter that we sent to the complainant, for your reference. If you have any questions regarding this matter, please feel free to contact me at (510) 424-3200 or srussell@oaklandca.gov.

Sincerely,

Simon Russell

Simon Russell
Acting Chief of Enforcement
City of Oakland Public Ethics Commission

Enclosure