



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

November 10, 2022

Michael Zelinski
[REDACTED]

Via e-mail: [REDACTED]

Re: PEC Complaint No. 21-07; Notice of Dismissal

To Michael Zelinski:

The City of Oakland Public Ethics Commission would like to notify you that it has dismissed your complaint (#21-07) for alleged Oakland Sunshine Act violations against Councilmember Carroll Fife, *et. al.* This is in response to a telephone conversation you had with our previous Enforcement Chief, Kellie Johnson, in which you made a request to withdraw your complaint after discussing the jurisdiction of the Public Ethics Commission.

Thank you for bringing this matter to our attention. If you have any questions, you can reach me at (510) 424-3200 or srussell@oaklandca.gov.

Sincerely,

Simon Russell

Simon Russell
Acting Enforcement Chief
City of Oakland Public Ethics Commission



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Public Ethics Commission
Enforcement Unit

(510) 238-5239
FAX (510) 238-3315
TDD (510) 238-3254

November 10, 2022

Carroll Fife
Councilmember, District 3



Via email: [Redacted]

Re: PEC Complaint No. 21-07; Notification and Dismissal Letter

To Carroll Fife:

On June 23, 2021, the City of Oakland Public Ethics Commission (PEC) received a complaint (#21-07) against you for alleged violations of the Oakland Sunshine Ordinance. Our standard practice is to notify people when a complaint has been filed against them, and in our file on this matter I found a draft notification letter to you from PEC Enforcement Chief Kellie Johnson, dated June 23, 2021. However, I am unable to determine if that letter was ever sent to you. I am therefore sending you the notification letter now, as well as a copy of the complaint, for your reference.

In reviewing our file on this matter, I also saw that Chief Johnson had also drafted a letter to you dated June 28, 2021, informing you that the complainant had withdrawn their complaint, and that we were therefore closing the matter with no further action. The letter also informed you that we would be informing the PEC of the closure of the matter at its meeting of August 2, 2021. (See attached for a copy of that letter). I am unable to tell from our file whether the letter of June 28, 2021, was ever actually sent to you. If it was not, then it should have been, and I am sending it to you now.

The PEC meeting of August 2, 2021, was ultimately canceled. I do not believe we ever informed the PEC of the closure of this matter at any of its subsequent meetings, which we are required to do under our complaint procedures. I am therefore informing the PEC of the resolution of this matter at its next public meeting on December 14, 2022, as part of our regular monthly

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PEC Complaint No. 21-07; Dismissal Letter

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update on Enforcement actions. This is purely informational, and no action will be taken by the Commission regarding this matter. You are welcome to attend that meeting and/or give public comment if you wish, but are not required to do so.

This matter was still classified as open ("Preliminary Review") on the PEC's complaint database. I have changed its status to "Closed" as of today.

I apologize for any confusion or anxiety this inadvertent delay in notifying you, and formally dismissing the complaint, may have caused.

This letter serves as formal notice that the matter is now closed. 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



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ENFORCEMENT UNIT
1 FRANK H. OGAWA PLAZA, #104
OAKLAND, CA 94612
(510) 238-3593
TDD (510) 238-3254

June 23, 2021

Carroll Fife
Councilmember



Re: City of Oakland Public Ethics Commission Complaint 21-07

Dear Councilmember Fife:

On June 23, 2021 the City of Oakland Public Ethics Commission (PEC) received a complaint against you, alleging a violation of the Oakland Sunshine Ordinance. We are conducting a preliminary review of the allegations in the complaint and will contact you as soon as we have concluded our preliminary review.

Respectfully,

#

KELLIE JOHNSON | Enforcement Chief
CITY OF OAKLAND | Public Ethics Commission
City Hall, 1 Frank Ogawa Plaza, Room 104 |
Oakland, CA 94612
Phone: 510.238.238-4976 | Cell 510.508-6105 | Fax: 510.238.3315
Email: KJohnson3@oaklandca.gov
www.oaklandca.gov/pec

#

Enclosure: Copy of complaint



**City of Oakland
Public Ethics Commission**

Staff Initials:
Complaint #: 21-07

Complaint Form

The Public Ethics Commission can investigate complaints of violations of laws related to campaign finance, lobbyist registration, public records, open meetings, and governmental ethics laws. The Commission has limited authority to enforce public records, open meetings, and governmental ethics laws but may be able to issue findings and recommendations, or to take limited action, such as mediation, on these issues.

If you would like to submit a complaint that is within the Commission's jurisdiction, please complete this form, which becomes a public record available for inspection and copying by the public, along with any documents submitted with this form. A copy of this complaint will be made available to the persons identified in the allegations below. For more information about the Commission's complaint process, see the Commission's Complaint Procedures.

A Formal Complaint requires that you complete all of the information on this form, including your name, address, phone number, and signature verifying under penalty of perjury the information you provide in this complaint. The Commission must review and take action on the complaint and notify the complainant about the Commission's final action.

An Informal Complaint is a complaint that does not meet all the requirements of a Formal Complaint. Informal Complaints, such as anonymous complaints and complaints without all of the information required above do not require action or notification to the complainant upon final action. Commission staff reviews informal complaints and can determine whether the complaint should move forward to investigation. Informal tips can be submitted to Commission staff by phone, email, or fax.

Contact Information of Person Making Complaint (This information will be available to the public.)

Name: Michael Zelinski Street Address: [REDACTED]
City: Oakland State: CA Zip Code: 94608
Email: [REDACTED] Phone: [REDACTED]

Type of Alleged Violation. Please select from below which law you allege has been violated:

- ☒ The Oakland Sunshine Ordinance, California Public Records Act, or Ralph M. Brown (open meetings) Act
- ☐ Oakland Campaign Reform Act
- ☐ Oakland Limited Public Financing Act
- ☐ Oakland Lobbyist Registration Act
- ☐ Oakland False Endorsement in Campaign Literature Act
- ☐ Oakland Government Ethics Act
- ☐ Not sure which specific law, ordinance or regulations apply

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Description of Violation. Please complete the lines below or attach a handwritten or typed attachment that provides the following details: If you run out of space, please attach handwritten or typed pages that provide the following details:

- **Name of the person or persons you are alleging committed a violation.** Please include any known address, phone number, email address, title, employment address, etc.:
Oakland City Council Member Carroll Fife, Cat Brooks, W. Kamau Bell, Lateefah Simon,
Julian Glover

- **The facts of the alleged violation.** Please include the date and location of the alleged violation, if known:

I was blocked from the "We Take Care of Us" Virtual Summit, (organized by the Anti Police-Terror Project) for sharing a spread sheet detailing OPD officer involved shootings over the last 30 months. This challenged their narrative.

- **The names, addresses, and phone numbers of any witnesses** who were involved and/or can provide additional information, if known:
Annie Banks, [REDACTED]

- Additional information or documentation that might aid in the investigation of the alleged violation. Please include copies of such documentation and list them here.

When I was blocked a splash screen appeared that notified me the moderator (or perhaps a panelist) blocked me. I contacted Annie Banks, she blamed the block on a technical glitch and would not help me get back into the meeting.

Verification. I certify under penalty of perjury under the laws of the State of California that my attached statements are true and correct.

Executed on June 22, 2021 at Oakland, CA
(Date) (City, State)

[REDACTED]

(Signature)

Complaint Submission. Please complete and submit this form and any attachments by email, mail or fax:

Email: EthicsCommission@oaklandca.gov

Mail: Public Ethics Commission
1 Frank H. Ogawa Plaza, Rm. 104 Oakland, CA 94612

Phone: (510) 238-3593

Fax: (510) 238-3315

Website: www.oaklandca.gov/pec



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Public Ethics Commission
Enforcement Unit

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TDD (510) 238-3254

June 28, 2021

Carroll Fife
Councilmember



via email

Re: PEC Complaint No. 21-07; Notice of Withdrawn Complaint

Dear Councilmember Fife:

The City of Oakland Public Ethics Commission received the attached complaint(s) against you (21-07), alleging violations of the Oakland Sunshine Ordinance. However, the complainant has since informed us that they wish to withdraw the complaint. As such, the PEC is considering this complaint withdrawn and closed. No action is necessary on your part; this is just a courtesy notice.

We are required to inform the Public Ethics Commission of the resolution of this matter at its next public meeting on August 2, 2021, as part of our regular monthly update on Enforcement actions. This is purely informational, and no action will be taken by the Commission regarding this matter. You are welcome to attend that meeting and/or give public comment if you wish, but not required to do so. This letter serves as formal notice that the matter is now closed. If you have any questions, you can reach me at (510) 238-4976 or Kjohnson3@oaklandca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kellie Johnson".

Kellie F. Johnson
Enforcement Chief

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PEC Comliant No. 18-12; Notice of Withdrawal

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