



















# Item #9 - 2020-6 Enforcement Report (May)



CITY OF OAKLAND

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

Public Ethics Commission  
Enforcement Unit

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

May 18, 2020

Rebecca Kaplan  
Councilmember

## **Re: PEC Complaint No. 20-09; Dismissal of Complaint**

Dear Councilmember Kaplan:

On April 15, 2020, the City of Oakland Public Ethics Commission (PEC) received the attached complaint(s) against you (#20-09) that alleged on April 9, 2020, the City Council held a Special Closed Session Council meeting by teleconference at which one of the “Special Closed Agenda Items” was the appointment of a new City Administrator. The complaint further alleged that you and the City Council President did not supply an appropriate label/description of the item to be discussed in the closed session on the Agenda and that the Council discussed executive salary and benefits during the closed session in violation of the law.

We have reviewed the complaint, the facts and the law. The allegations raised by the complainant do not provide sufficient facts to establish a violation of The California Public Records Act, the Brown Act, Oakland Sunshine Act or other law within the PEC’s jurisdiction. Therefore, we are dismissing this complaint. No action is necessary on your part; this is just a courtesy notice.

A copy of the dismissal letter to the complainant is attached. If you have any questions regarding this matter, please feel free to contact me at (510) 238-4976 or [Kjohnson3@oaklandca.gov](mailto:Kjohnson3@oaklandca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Kellie Johnson". The signature is fluid and cursive.

Kellie F. Johnson  
Enforcement Chief  
City of Oakland Public Ethics Commission