

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Wednesday, January 12, 2022
6:30 p.m.



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 MINUTES

1. Roll Call and Determination of Quorum.

The meeting was held via teleconference.

The meeting was called to order at 6:32 p.m.

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

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

City Attorney Staff: Trish Shafie.

2. Staff and Commission Announcements.

There were no announcements.

3. Open Forum.

There was one public speaker.

PRELIMINARY ACTION ITEMS

4. Virtual meetings by the Public Ethics Commission.

Commissioners reviewed the resolution establishing certain determinations to justify the ongoing need for virtual meetings following the California State Legislature's

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adoption and Governor's approval of AB 361 on September 16, 2021.

Leavitt moved, and Perteet seconded to approve **RESOLUTION NO. 22-01**.

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

Noes: None

Vote: Passed 5-0

Absent: Klein and Tuman.

ACTION ITEMS

5. Approval of Commission Meeting Draft Minutes.

a. December 6, 2021 Regular Meeting Minutes

There were no public speakers.

Micik moved and MacDonald seconded to approve the minutes for December 6, 2021.

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

Noes: None

Vote: Passed 5-0.

Absent: Klein and Tuman

6. Election of Officers (Chair and Vice-Chair) of the Commission.

There were no public speakers.

Yan moved to approve the appointment of Arvon Perteet as Chair of the PEC for 2022.
Leavitt seconded the motion.

Ayes: MacDonald, Leavitt, Micik, and Perteet.

Noes: None

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Abstain: Yan

Vote: Passed 4-0.

Absent: Klein and Tuman

Micik moved to approve the appointment of Michael MacDonald for Vice-Chair. Perteet seconded the motion.

Ayes: MacDonald, Leavitt, Micik, and Perteet.

Noes: None

Abstain: Yan

Vote: Passed 4-0.

Absent: Klein and Tuman

7. *In the Matter of Jason Overman (Case No. 18-14).*

Commissioners discussed and asked questions on the matter.

There were no public speakers.

Perteet moved and Leavitt seconded to approve the staff recommendation.

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

Noes: None

Vote: Passed 5-0.

Absent: Klein and Tuman

8. *Proposed Amendments to the Limited Public Financing Act (OMC Chapter 3.13).*

Commission staff presented draft amendments to the Limited Public Financing Act to implement statutory amendment recommendations made by the City Auditor in her

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audits of the 2018 and 2020 implementation of the program.

There were no public speakers.

MacDonald moved and Micik seconded to adopt the recommendations.

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

Noes: None

Vote: Passed 5-0.

Absent: Klein and Tuman

DISCUSSION ITEMS

9. Reports on Subcommittees and Commissioner Assignments.

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

MacDonald created a new *ad hoc* Public Records Performance Subcommittee. The members will include MacDonald as Chair, and Leavitt. The third member will be selected at the next meeting.

Perteet shared that the *ad hoc* Enforcement Subcommittee met last month and will continue to meet. A new member will be selected after Yan's term ends January 21, 2022.

MacDonald also mentioned that he would like to create an *ad hoc* Outreach Subcommittee. This will be discussed at a future meeting.

INFORMATION ITEMS

10. Disclosure and Engagement.

Suzanne Doran, Lead Analyst, provided an overview of education, outreach, disclosure and data illumination activities for the 2021 year, as well as an update on activities for this past month.

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There were no public speakers

11. Enforcement Program.

Kellie Johnson, Enforcement Chief, provided a year-end summary of the Commission's enforcement work, as well as a monthly update since the last regular Commission meeting.

There were no public speakers

12. Executive Director's Report.

Whitney Barazoto, Executive Director, reported on overall projects, priorities, and significant activities for the 2021 year, as well as a monthly update since the Commission's last meeting.

Ms. Barazoto thanked the two outgoing commissioners, Klein and Yan, for their service.

There were no public speakers

13. Future Meeting Business.

Perteet proposed to have a retreat in the coming months.

Ms. Barazoto shared that the City Auditor is currently recruiting to fill the upcoming vacancy.

There were no public speakers.

The meeting adjourned at 7:55 p.m.