

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



Commissioners: Arvon Perteet (Chair), Ryan Micik (Vice-Chair), Charlotte Hill, Joseph Tuman and Francis Upton IV.

Commission Staff to attend: Kellie Johnson, Executive Director; Suzanne Doran, Lead Analyst; Ana Lara-Franco, Commission Assistant; Simon Russell, Acting Enforcement Chief/Investigator

City Attorney Staff: Trish Shafie, Deputy City Attorney

## **PUBLIC ETHICS COMMISSION REGULAR MEETING MINUTES**

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

The meeting was held via teleconference.

The meeting was called to order at 6:33 p.m.

Members present: Perteet, Micik, Hill and Upton. Tuman arrived at 6:40 p.m.

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

City Attorney Staff: Oliver Luby

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

There were no announcements.

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

There were no public speakers

## **PRELIMINARY ACTION ITEMS**

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

The Commission renewed Resolution 22-01, approved at the January 12, 2022, Regular 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).

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There were no public speakers.

Perteet moved, and Upton seconded to approve the renewal of RESOLUTION NO. 22-01.

Ayes: Perteet, Hill, Micik, Upton IV.

Noes: None

Absent: Tuman

Vote: Passed 4-0

### **ACTION ITEMS**

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

##### **a. August 24, 2022, Special Meeting Minutes**

There were no public speakers.

Tuman moved, and Micik seconded to approve the August 24, 2022, Special Meeting Minutes

Ayes: Perteet, Hill, Micik, Upton, Tuman.

Noes: None

Vote: Passed 5-0

##### **b. September 14, 2022, Regular Meeting Minutes**

There were no public speakers.

Hill moved, and Tuman seconded to approve the September 14, 2022, Regular Meeting Minutes.

Ayes: Hill, Micik, Upton, Tuman.

Noes: None

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Abstain: Perteet who was not present at the meeting.

Vote: Passed 4-0

Oliver Luby, Counsel to PEC, advised the Commission that a motion must be made for an abstention.

Perteet restated his abstention and the reason.

Perteet moved, and Upton seconded to approve the September 14, 2022, Regular Meeting Minutes.

Ayes: Hill, Micik, Upton IV, Tuman.

Noes: None

Abstain: Perteet who was not present at the meeting.

Vote: Passed 4-0

## **DISCUSSION ITEMS**

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

**a. Enforcement Subcommittee** (*ad hoc*, created on November 1, 2021) – Arvon Perteet (Chair), Ryan Micik and Joseph Tuman.

Perteet shared that they met. Perteet dissolved the subcommittee.

**b. Outreach Subcommittee** (*ad hoc*, created on June 8, 2022) – Francis Upton IV (Chair), and Charlotte Hill.

Upton IV shared that they accomplished the work for this cycle and to dissolve the subcommittee. After further discussion, Upton agreed to continue the subcommittee and continue to conduct outreach activities.

**c. Creation of New Subcommittee** (Discussion on creation of a potential *ad hoc* committee with a focus on improving department disclosure systems/response to

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public records requests and self-service access to public records, i.e., OPD Records) – Arvon Perteet (Chair).

Perteet opened this matter to discussion. Upton shared that he would like to focus on public records for police records and the systems in place in fulfilling those requests. Commissioners asked questions.

Perteet decided to table this to after the election. Upton requested that the matter be agendaized monthly. Director Johnson clarified that agenda items can be added, and that Upton can submit a request.

Kellie Johnson, Executive Director, shared that a Recruitment *ad hoc* Subcommittee be created to process the applications for the two Public Ethics Commission vacancies in January 2023.

Perteet created the Recruitment *ad hoc* Subcommittee. Members are Ryan Micik (Chair), Charlotte Hill, and Francis Upton IV.

There were no public speakers.

## **INFORMATION ITEMS**

### **7. Disclosure and Engagement.**

Suzanne Doran, Lead Analyst, provided an overview of education, outreach, disclosure, and data illumination activities for this past month.

There were no public speakers.

### **8. Enforcement Program.**

Simon Russell, Acting Enforcement Chief/Investigator, provided a monthly update on the Commission's enforcement work since the last regular Commission meeting.

There were no public speakers.

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

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

The deadline for the Enforcement Chief has been extended to October 21, 2022.

5 applications have been received for the Commissioner vacancies and the deadline has been extended.

There were no public speakers.

**10. Future Meeting Business.**

Perteet shared that he would like to discuss the election results at the next meeting.

There were no public speakers.

The meeting adjourned at 8:22 p.m.