

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, November 1, 2021
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 AGENDA

1. Roll Call and Determination of Quorum.

The meeting was held via teleconference.

The meeting was called to order at 6:30 p.m.

Members present: MacDonald, Yan, Klein, Leavitt, Micik, Perteet and Tuman.
Tuman joined at 6:39 p.m.

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

City Attorney Staff: Trish Shafie.

2. Staff and Commission Announcements.

MacDonald welcomed new commissioner Leavitt.

3. Open Forum.

There was one public speaker.

GUEST SPEAKER

4. Public Records Response Process in the Department of Planning and Building.

William Gilchrist, Director of the Planning and Building Department, and members of his

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team, shared the updates on the department's process for responding to public records requests.

Commissioners asked questions.

There were two public speakers.

ACTION ITEMS

5. Approval of Commission Meeting Draft Minutes.

- a) September 2, 2021, Special Meeting Minutes
- b) September 17, 2021, Special Meeting Minutes

There were no public speakers.

Micik moved, and Tuman seconded to adopt both the September 2, 2021, Special Meeting Minutes September 17, 2021, Special Meeting Minutes

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

Noes: None

Abstain: Klein and Leavitt

Vote: Passed 5-0

6. *In the Matter of Annie Campbell Washington for Oakland City Council 2018 (PEC Case No. 19-06).*

Leavitt recused herself from this matter, stating that she had previously worked on this campaign, and turned off her video camera.

Kellie Johnson, Enforcement Chief, presented the recommendation to the Commission to approve a stipulation imposing a penalty of \$1,000 on Count 1, and \$1,171 in late fees assessed by the filing officer, for a total of \$2,171. The stipulation had been signed but payment is pending.

Commissioners asked questions.

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The respondent was not present to provide information.

There were no public speakers.

Ms. Johnson reported that no check had been received and asked that the Commission put the matter over to the next meeting.

Perteet moved, and Tuman seconded to continue this matter to a future meeting.

Ayes: MacDonald, Yan, Klein, Micik, Perteet and Tuman.

Noes: None

Vote: Passed 6-0

7. In the matter of East Bay Small Business Council committee, Darrel Carey, Treasurer Kiarra Carey, and Assistant Treasurer Aliyah Carey (PEC Case No. 17-18 and 18-17).

There were no public speakers.

Perteet moved, and Tuman seconded to accept the report updating the addition of the treasurer.

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

Noes: None

Vote: Passed 7-0

8. In the Matter of Matt Hummel for Oakland City Council 4D4 2018, and Donna Smithey (PEC Case No. 19-13).

There were no public speakers.

Perteet moved, and Tuman seconded to accept the report updating the addition of the treasurer.

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

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Noes: None

Vote: Passed 7-0

DISCUSSION ITEMS

9. Reports on Subcommittees and Commissioner Assignments.

MacDonald created two *ad hoc* subcommittees.

Ad hoc Recruitment Subcommittee members: MacDonald (Chair), Klein, and Yan

Ad hoc Enforcement Subcommittee: Perteet (Chair), Micik, and Tuman

There were no public speakers.

INFORMATION ITEMS

10. Disclosure and Engagement.

Suzanne Doran, Lead Analyst, provided a report of recent education, outreach, disclosure and data illumination activities.

There were no public speakers.

11. Enforcement Program.

Ms. Johnson reported on the Commission's enforcement work since the last regular Commission meeting.

There were no public speakers.

12. Executive Director's Report.

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

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There were no public speakers.

CLOSED SESSION

13. Executive Director Performance.

At 8:33 p.m. the Commission met in closed session to discuss the Executive Director's performance. This is a personnel-related matter authorized to occur in closed session pursuant to Government Code Section 54957(b).

There were no public speakers.

Commissioners came back from closed session at 9:56 p.m.

MacDonald shared there was no reportable action.

The meeting adjourned at 9:57 p.m.