

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, November 2, 2020
6:30 p.m.



Commissioners: James E.T. Jackson (Chair), Jill M. Butler (Vice-Chair), Avi Klein, Michael MacDonald, Janani Ramachandran, Joseph Tuman and Jerett Yan

Commission Staff to attend: Whitney Barazoto, Executive Director; Suzanne Doran, Lead Analyst – Civic Technology and Engagement; Kellie Johnson, Enforcement Chief; Simon Russell, Investigator

City Attorney Staff: Trish Shafie, Deputy City Attorney

PEC MEETING MINUTES

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: Jackson, Butler, MacDonald, Ramachandran. Tuman joined at 6:40
Yan joined at 6:51p.m.

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

City Attorney Staff: Trish Shafie

2. Staff and Commission Announcements.

There were no announcements

3. Open Forum.

There were two public speakers.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. October 5, 2020 Regular Meeting Minutes

There were no public speakers.

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, November 2, 2020
6:30 p.m.



Butler moved, and MacDonald seconded to adopt the October 5, 2020, meeting minutes.

Vote: Passed 4-0

Ayes: Jackson, Butler, MacDonald, Tuman

Abstain: Ramachandran

Noes: None

5. Public Ethics Commission Regular Meeting Schedule 2021.

The Commission reviewed a proposed schedule of regular Commission meetings in 2021.

There were no public speakers.

Ramachandran moved, and Tuman seconded to adopt the 2021 PEC meeting schedule.

Vote: Passed 5-0

Ayes: Jackson, Butler, MacDonald, Ramachandran and Tuman

Noes: None

6. New Commissioner Selection.

Chair Jackson explained that the Commission's ad-hoc recruitment subcommittee met in September to interview Commissioner applicants for two PEC-appointed vacancies. The subcommittee received 11 applications, invited 7 candidates for an interview, and selected four finalists to appear before the full Commission for a public interview. Two of the finalists withdrew their application, leaving two final candidates.

Each finalist was given four minutes to introduce themselves to the Commission, followed by questions from Commissioners. Commissioners discussed how to proceed on filling the two positions.

There were two public speakers.

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, November 2, 2020
6:30 p.m.



Tuman moved to fill the longer term first. MacDonald added a friendly amendment to fill the current vacant seat first. Ramachandran added a friendly amendment to vote anonymously.

Commissioners discussed and asked questions. Jackson reminded Commissioners that a motion had been set forward. No second was brought. Motion failed.

Commissioners discussed the procedure and asked questions. Whitney Barazoto, Executive Director, shared that she would call for the vote and ask Commissioners to raise their hands via Zoom controls.

Jackson moved and Yan seconded the motion to take an up or down vote on each candidate and then vote on which seat to fill.

Vote: Passed 6-0

Ayes: Jackson, Butler, MacDonald, Ramachandran, Tuman and Yan

Noes: None

Next, Commissioners proceeded with voting whether each of the finalists should be appointed as commissioners. Ms. Barazoto asked the commissioners to vote as follows:

Do you support Avi Klein for a commissioner position?

Ayes: 6

Noes: None

Do you support Arvon Perteet for a commissioner position?

Ayes: 6

Noes: None

Ms. Barazoto then asked for a vote on whether Avi Klein should fill the current vacant seat which expires Jan 21, 2022:

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, November 2, 2020
6:30 p.m.



Ayes: 6

Noes: None

Tuman moved and Butler seconded to accept the results from both elections and to appoint Avi Klein to the current vacant seat and Arvon Perteet to the seat beginning January 22, 2021.

7. *In the Matter of the City of Oakland Fire Department and Assistant Fire Marshal Vincent Crudele (Case No. M2020-16).*

Kellie Johnson, Enforcement Chief, Staff presented to the Commission that the mediation be closed without further action. Commissioners asked questions and discussed the matter.

There were two public speakers.

MacDonald moved, and Ramachandran seconded to accept the recommendation.

Vote: Passed 6-0

Ayes: Jackson, Butler, MacDonald, Ramachandran, Tuman and Yan

Noes: None

DISCUSSION ITEMS

Reports on Subcommittees and Commissioner Assignments.

- a. *Sunshine Review Subcommittee* (*ad hoc*/temporary, created on May 8, 2020)
– Michael MacDonald (Chair), Jill Butler and Joe Tuman**

MacDonald shared that the subcommittee continues to meet and are working on having a draft report ready for January.

- b. *Commissioner Recruitment Subcommittee* (*ad hoc*/temporary, created on August 3, 2020) – James Jackson (Chair), Michael MacDonald, and Jerett Yan**

Jackson congratulated the two new commissioners and, with the work of the Recruitment subcommittee have been completed, he dissolved the subcommittee.

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, November 2, 2020
6:30 p.m.



INFORMATION ITEMS

8. Disclosure and Engagement.

Suzanne Doran, Lead Analyst, provided a report of recent education, outreach, disclosure and data illumination activities. Ms. Doran shared the following updates: all 2020 campaign committee filers are compliant and shared a new app “Show Me the Money” which can compare up to three committees and their contributions to date. The app also shows where those contributions are coming from.

There were two public speakers.

9. Enforcement Program.

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

MacDonald asked that future reports highlight the number of Sunshine Ordinance complaints.

There were two public speakers.

10. Executive Director’s Report.

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

There was one public speaker.

The meeting adjourned at 8:51 p.m.