

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, March 4, 2019
Hearing Room 1
6:30 p.m.



Commissioners: Jodie Smith (Chair), James E.T. Jackson (Vice-Chair), Jill Butler, Lisa Crowfoot, Gail Kong, and Nayeli Maxson

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 Hynes, Deputy City Attorney

REGULAR MEETING MINUTES

1. Roll Call and Determination of Quorum.

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

Members present: Commissioners Smith, Jackson, Crowfoot, Kong, and Maxson. Commissioner Butler was absent.

Staff present: Whitney Barazoto, Suzanne Doran, Kellie Johnson, and Simon Russell. Kyle McLean, Intern, was present as well.

City Attorney Staff: Trish Hynes, Deputy City Attorney

2. Staff and Commission Announcements.

Whitney Barazoto, Executive Director, introduced the new Enforcement Chief, Kellie Johnson.

Commissioner Maxson shared there will be a BAYPEC meeting coming up on May 8, 2019 regarding Campaign Finance reform.

The City Auditor's office is recruiting to fill the City Auditor's vacancy on the Public Ethics Commission. The deadline for applicants is March 14, 2019.

Trish Hynes, City Attorney, updated the Commission that OCRA only regulates independent expenditures and not the content on mailers and ads.

3. Open Forum.

There was one public speaker.



ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. February 4, 2019 Regular Meeting Minutes

Commissioner Kong noted a typo on page 2, Item 5, line 4.

Commissioner Jackson moved and Commissioner Crowfoot seconded to approve the minutes with the update.

The motion passed 5-0.

5. Mediation Program.

Commission staff presented a summary of the Commission's Mediation Program. The Commission's discussed the item and made suggestions for clarification.

Commissioner Crowfoot moved and Commissioner Maxson seconded to approve the Mediation Request Form, giving staff discretion to make amendments to the form that incorporate Commissioners' comments and suggestions.

There was one public speaker.

6. Letter from the Public Ethics Commission.

Commissioners reviewed and discussed a draft letter to the Mayor and City Council articulating the Commission's request for additional positions as part of the City budget development process.

Commissioner Jackson moved and Commissioner Kong seconded to approve the letter with edits from Commissioners.

There were two public speakers.

DISCUSSION ITEMS

7. Reports on Subcommittees and Commissioner Assignments.

- a. **Campaign Finance Subcommittee** – Nayeli Maxson (Chair), Lisa Crowfoot, and James Jackson

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Commissioner Maxson provided an update. Commissioner Maxson and Ms. Barazoto spoke with two staff members from the ACLU of Northern California and are participating in the planning of the May 8 convening by the Bay Area Political Equality Convening (BayPEC).

There were no public speakers.

INFORMATION ITEMS

8. Civic and User Engagement Program.

Suzanne Doran, Lead Analyst, provided a report of recent education, outreach, disclosure and data illumination activities, including activities that previously were included in a separate report from Ethics Analyst Jelani Killings.

There were no public speakers.

9. Enforcement Program.

Simon Russell, Investigator and Acting Enforcement Chief through February 28, reported on the Commission's enforcement work since the last regular Commission meeting.

There were no public speakers.

10. Executive Director's Report.

Executive Director Whitney Barazoto noted that the Fair Political Practices Commission is reviewing and updating its regulation governing ticket distribution and use by elected officials, and FPPC staff reached out to Oakland to hear about the City's experience.

The Commission suspended open session and convened for closed session at 7:55 p.m.

There were no public speakers.

CLOSED SESSION

11. Executive Director Performance.

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).

The meeting reconvened for open session at 9:03 p.m. There were no announcements from closed session.

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There were no public speakers.

The meeting adjourned at 9:05 p.m.