

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Teleconference
Monday, June 7, 2021
6:30 p.m.



Commissioners: Michael MacDonald (Chair), Jerett Yan (Vice-Chair), Avi Klein, 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 6:30 p.m.

Members present: MacDonald, Yan, Klein, Perteet, and Tuman. Tuman arrived at 6:35 p.m.

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

City Attorney Staff: Trish Shafie

2. Staff and Commission Announcements.

Whitney Barazoto, Executive Director, shared that Item #7 will be pulled from the agenda and will be brought back at another time to allow the complainant to be present.

3. Open Forum.

There were no public speakers.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

- a. May 3, 2021 Regular Meeting Minutes

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There were no public speakers.

Klein moved, and Perteet seconded to adopt the May 3, 2021, Regular Meeting Minutes.

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

Noes: None

Vote: Passed 5-0

5. New Commissioner Selection.

Commissioner candidates who were selected as finalists presented and answered questions posed by Commissioners who then voted by closed ballot to determine which candidate receives the most votes. Ryan Micik received the most votes.

There were no public speakers.

MacDonald moved, and Yan seconded to appoint Ryan Micik as the new commissioner.

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

Noes: None

Vote: Passed 5-0

6. *In the Matter of Thomas Espinosa (Case No. 16-14)*

Commissioners discussed the hearing officer's recommendation of a \$210,000 penalty, reviewing each of the 47 Government Ethics Act violations.

At 8:20 p.m. MacDonald took public comment.

There were no public speakers.

Commissioners continued discussing the counts and the recommended penalties.

At 10:30 p.m., MacDonald called for a break of 4 minutes.

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Commissioners decided that it would be best for this item to be brought back at another meeting.

There were two public speakers.

7. *In the Matter of The City of Oakland Planning and Building Department (Case No. 18-48 and 16-22M).*

This item was pulled from the agenda and will be brought at a later meeting.

There were no public speakers.

DISCUSSION ITEMS

8. Reports on Subcommittees and Commissioner Assignments.

- a. Recruitment Subcommittee** (*ad hoc*/temporary, created on April 5, 2021) - Michael MacDonald (Chair), Jerett Yan, and Arvon Perteet

MacDonald dissolved the Recruitment Subcommittee (*ad hoc*).

INFORMATION ITEMS

9. Disclosure and Engagement.

Ms. Barazoto provided a report of recent education, outreach, disclosure and data illumination activities.

There were no public speakers.

10. Enforcement Program.

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

There was one public speaker.

11. Executive Director's Report.

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

There were no public speakers.

The meeting adjourned at 11:30 p.m.