

CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
One Frank Ogawa Plaza (City Hall)
Regular Commission Meeting
Monday, August 5, 2019
Hearing Room 1
6:30 p.m.



Commissioners: Jodie Smith (Chair), James E.T. Jackson (Vice-Chair), Jill M. Butler, Gail Kong, Nayeli Maxson, 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 Hynes, Deputy City Attorney

REGULAR MEETING MINUTES

1. Roll Call and Determination of Quorum.

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

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

Staff present: Whitney Barazoto, Suzanne Doran, and Kellie Johnson. Ethics Intern Casey Petersen was also present.

City Attorney Staff: Patrick Tang

2. Staff and Commission Announcements.

There were no announcements.

3. Open Forum.

There were three public speakers.

GUEST PRESENTATION

4. Survey of Lobbyist Disclosure Requirements and Accessibility.

Casey Petersen, Commission Intern, provided an overview of her research regarding Lobbyist disclosure requirements and public access to Lobbyist data in Oakland and other California cities as part of her summer project as a volunteer with the Commission.

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There was one public speaker.

ACTION ITEMS

5. Approval of Commission Meeting Draft Minutes.

- a. June 3, 2019 Regular Meeting Minutes

Commissioner Maxson noted a minor edit needed on page 4.

There were no public speakers.

Commissioner Jackson moved, and Commissioner Maxson seconded to approve the minutes with the correction.

The motion passed 5-0.

6. In the Matter of Libby Schaaf For Mayor 2018; Case No. 18-19.1.

Kellie Johnson, Enforcement Chief, presented the report and recommendation.

The Commissioners discussed the matter and asked questions.

There were three public speakers.

Commissioner Jackson moved and Commissioner Maxson seconded to accept the recommendation with a modification to the fine and for the matter to be brought back to the Commission.

The motion passed 4-1. Commissioner Yan voted no.

7. In the Matter of the Office of Mayor Libby Schaaf; Case No. M2019-01.

Ms. Johnson presented the report and recommendation.

The Commission asked questions and discussed the matter.

Marlene Sacks, the complainant, addressed the Commission.

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There were three public speakers.

Commissioner Jackson moved to accept the recommendation to close the mediation and refer the further remaining Government Ethics Act complaint to enforcement for preliminary review.

Commissioner Smith amended the motion to refer the remaining allegations to be referred for enforcement to review the complaint for violations of any law that the Commission has the authority to enforce (not just a potential Government Ethics Act violation).

Commissioner Jackson accepted the amendment.

Commissioner Butler seconded the motion.

The motion passed 4-0.

Commissioner Yan abstained.

DISCUSSION ITEMS

8. Reports on Subcommittees and Commissioner Assignments.

- a. **Limited Public Finance Policy Development Subcommittee** (ad hoc) – Nayeli Maxson (Chair), Jill Butler and James Jackson

Commissioner Maxson shared that the Public Finance efforts may be brought as a ballot measure in 2020. If it does, the Commission will need to be mindful of its involvement in the political campaigning for the measure, if and once it becomes one. Commissioner Maxson added that, meanwhile, Commission members can work on outreach and education regarding the inequities of the current system and potential solutions for reform.

- b. **Subcommittee on Partnerships** (ad hoc) – Gail Kong (Chair) and Jodie Smith

Commissioner Smith shared that Commissioner Kong will have an update at the next meeting.

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INFORMATION ITEMS

9. Education and Engagement Program.

Suzanne Doran, Lead Analyst, provided a report of recent education, outreach, disclosure and data illumination activities. Ms. Doran shared that there is a new alert the public can sign up for to receive new campaign, lobbyist, and Statement of Economic filings.

There were two public speakers.

10. Enforcement Program.

Ms. Johnson reported on the Commission's enforcement work since the last regular Commission meeting. Ms. Johnson also shared that staff received one formal complaint and three requests for mediation.

Gene Hazard, the complainant in Case Nos. 19-11, 19-09, 18-50, addressed the Commission regarding his cases.

There were two public speakers.

11. Executive Director's Report.

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

There were two public speakers.

The meeting adjourned at 10:15 p.m.