Rec'd 1/26/10

City of Oakland

For Official Use Only

Public Ethics Commission

Stamp Date/Time Received:

COMPLAINT FORM

Complaint Number: 10-02

Please Type or Print in Ink and Complete this Form.

This complaint concerns a possible violation of: (please check all that apply)

☐ The Oakland Sunshine Ordinance, California Public Records Act or Brown Act. (Access to public meetings or documents.)

☒ Oakland Campaign Reform Act

☐ Oakland City Council's Rules of Procedure/Code of Ethics

☐ Oakland Limited Public Financing Act

☐ Oakland Conflict of Interest regulations

ATTACHMENT 1

☐ Oakland Lobbyist Registration Act

☐ Oakland False Endorsement In Campaign Literature Act

☒ I am/We are not sure which specific law, ordinance or regulations apply. However, I am/We are requesting that the Ethics Commission determine if my/our complaint is within its jurisdiction.

The alleged violation occurred on or about the following date(s)

On or there about, May 11, 2009 and June 30, 2009

The alleged violation occurred at the following place:

City of Oakland; Person responsible - Jill Knowland, Finance Director, Chabot Space and Science Center. Also Measurer C committee, R. Zachary Wasserman

Please provide specific facts describing your complaint. (Or attach additional pages as necessary.)

According to the declaration by Jill A. Knowland, Finance Director/CFO of Chabot Space and Science Center, signed and attested to, November 5, 2009, under the penalty of perjury, Knowland made contributions to a ballot measure (Measure C) by use of, "funds raised specifically for this purpose...". Her action qualifies as a "recipient committee". She failed to report that action in not filing the - continued below.

The persons you allege to be responsible for the violation(s) are:

required forms with the Oakland City Clerk's office. While reference was made to this issue at the Ethics Commission meeting of January 4, 2010, by the complainant, a public speaker, and raised in my e-mail of December 1, 2009, (not answered) the issue itself was not discussed nor was a determination made regarding same. Further, the motion made at the January 4th meeting regarding the combined - continued below

Any witnesses who were involved and/or who can provide additional information are: (Please indicate names and phone numbers, if available.)

complaints failed to address or resolve this particular issue or address this specific complaint. Additionally, please see the seven (7) individual issues raised in the above December 1, 2009 e-mail, which is to be considered part of this complaint.

ATTACHMENT 1

PLEASE NOTE:

There may be other laws that apply to the violation(s) you are alleging. The time limit to commence a legal proceeding to enforce those laws may not be extended by filing this complaint. You should contact an attorney immediately to protect any rights available to you under the law.

By filing this complaint with the Public Ethics Commission it, and all other materials submitted with it, becomes a public record available for inspection and copying by the public.

NAME: David E. Mix PHONE NO.(Day):(510) 339 - 1519

ADDRESS: 1133 Glencourt Dr. PHONE NO.(Eve.):( ) same

CITY: Oakland STATE: CA ZIP: 94611

FAX NO.: ( ) same as phone

E-MAIL: _____

PLEASE RETURN THIS FORM TO:

Public Ethics Commission
One Frank Ogawa Plaza, 4th floor
Oakland, CA 94612

Phone: (510) 238-3593
FAX:(510) 238-3315

Submit by Email

Print Form

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Item E-3
Date 4/7/10
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Declaration of Jill A Knowland
Finance Director/CFO
Chabot Space & Science Center

I, Jill A. Knowland, declare as follows:

I am the Finance Director and CFO of the Chabot Space & Science Center ("Center") and of the Chabot Space & Science Center Foundation ("Foundation"). I am responsible for and knowledgeable about financial matters, bank accounts and source of funds for both the Center and the separate Foundation. The Center itself is a Joint Powers Agency whose members include the Oakland Unified School District, City of Oakland, and the East Bay Regional Park District. The Chabot Space & Science Center Foundation is a separate 501 (c)(3) California Non-Profit Public Benefit Corporation, further described as a Type III Supporting Organization.

I have reviewed the contributions that the Foundation made to the Economic Stimulus Committee for Oakland in support of Measure C on the June, 2009 Oakland ballot. The Foundation made two contributions to this Committee, one for $15,000 on May 11, 2009 and one for $13,000 on June 30, 2009. These contributions were made from the savings account that the Foundation maintains at Union Bank for all donations made to the Foundation. The sources of funds for this account include donations from individuals, corporations and foundations. The ontributions to the Economic Stimulus Committee came from funds raised specifically for this purpose from individuals as well as other unrestricted funds raised by the Foundation and held within this account. Because the Foundation's account at Union Bank is a savings account, we do not have checks associated with that account. No funds from any public agency are deposited in the Foundation account. Funds from public agencies, along with receipts from tickets and sales at the Center are deposited into an operating account for the Center at One California Bank. No contributions to Measure C were made by the Center.

Typically, funds are transferred directly from the Foundation's account to the Center's account to reimburse the Center for expenses it has incurred that are consistent with the Foundation's charitable mission and with any specific restrictions placed on the funds by a donor. Because it was important not to comingle the Foundation's funds that we contributed to the Economic Stimulus Committee, we did not transfer the money to the Center's account but rather had Union Bank issue cashier's checks directly to the Committee. Attached to this declaration are letters directing the issuance of those checks and copies of the cashiers' checks.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Oakland, California on November 5, 2009.

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Jill A. Knowland