Public Ethics Commission, Executive Director.
Daniel Purnell

Dan:

As short of $$$Cash as the City claims to be, I am completely bewildered as to why they are not on top of this matter with both feet - demanding the money it is owed.

In response to your email (Oct. 14, 09) concerning my public records request for payment records, the entire matter has become untenable. What the City has provided is indecipherable. I am not interested in spread sheets that I cannot read, are inaccurate, incomplete and do not address the payments in question. Both you and Michele Abney reviewed the material provided by the City and as I recall both of you did not understand it either. Additionally, what in the world are the "crystal" reports - that is a new one to me. Further, regarding the internal budget transfers you elude to, the account numbers don't jive with the respective accounts and there is no accounting of the funds. Understandably, I am highly suspect of "claimed" internal fund transfers.

To be clear, all I requested was "PROOF OF PAYMENT" of the Fire District Assessments levied on all public properties (including the City of Oakland) by the City. All I am requesting is the exact same "proof of payment" which the City requires from Oakland property owners applying for low income exemptions on the LLAD, Measure Y and Measure O, Library Tax, and as specified on the application form, under:

No. 3. **Submit proof of payment of the assessment with the LLAD refund application.**

Proof of payment can be any of the following:

a. A copy of your **cancelled check** (front and back) paid to the Alameda County Tax Collector's Office

b. A **paid receipt** issued by the Alameda County Tax Collector's Office.

To be sure, a copy of the public property tax bill, stamped "paid" and properly signed, would suffice --- as simple as that.

It has become painfully obvious that the City of Oakland is either involved in a criminal conspiracy to avoid collection of the public property assessments as a quid pro quo to those properties in question or, the City's accounting system is sorely inadequate, abysmal and borders on non existent. If it is "payments for votes", the matter should be immediately turned over to the District Attorney's Office and someone should go to jail. If it be the latter, "an inexcusable lack of

public record keeping", heads should roll - the whole lot of them should be fired. The creation of, keeping and maintenance of public records (especially financial records) is an absolute and very basic requirement of a City government - there can be no excuse. Considering the money we pay these people, we should have the best in the State.

If the records are lost or were destroyed - recreate them. If they don't exist - create them - the Law requires it. If the City of Oakland is unable to provide access to, or copies of, records of which the Law clearly requires it to create and maintain - its Charter should be suspended and the City taken into receivership by the State.

David E. Mix