City of Oakland
Public Ethics Commission

For Official Use Only

Stamp Date/Time Received:

Complaint Number: 08 - 15

November 1, 2008

COMPLAINT FORM

#3

Please Type or Print in Ink and Complete Both Sides of this Form.

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

[x] 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

[ ] 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):

Beginning the month of July to present.

The alleged violation occurred at the following place:

City of Oakland

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

On July 29, 2008 I made a public records request to the Mayor's chief of staff, Mr. Chai. To date there has been no response or even an acknowledgement of my request. Please see attached.

ATTACHMENT 1 *(Continued on Reverse Side)*

Please provide specific facts describing your complaint. (If additional space is needed.)

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

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: [redacted]

ADDRE[redacted]

CITY: [redacted]

PHONE NO. (Day) (510) [redacted]

PHONE NO. (Eve) ( ) _____

FAX NO. ( ) _____

E-MAIL _____

PLEASE RETURN THIS FORM TO:

Public Ethics Commission
One Frank Ogawa Plaza, 4th Floor
Oakland, CA 946121

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

ATTACHMENT 1

Item E-3
Date 4/6/09
Page 4 of 6

darlinemix@sbcglobal.net

From: <darlinemix@sbcglobal.net>
To: <officeofthemayor@oaklandnet.com>
Cc: <council@oaklandnet.com>; <jrusso@oaklandcityattorney.org>; "Courtney Ruby" <cruby@oaklandnet.com>; <dpurnell@oaklandnet.com>
Sent: Tuesday, July 29, 2008 4:00 PM
Subject: LLAD Vote Conspiracy and Fraud

Office of The Mayor
Mayor Ron Dellums
Chief of Staff, David Chai

Mr. Chai:

Recently acquired information (Peralta College District Trustee Meeting recording, May 20, 2008) indicates that Mayor Dellums, the City Administrator and you, on behalf of the mayor, called or contacted Chancellor Elihu Harris sometime prior to or on May 20, 2008, in order to persuade him and the trustees to either vote yes or to not vote at all on the proposed LLAD assessment increase.

The recorded detailed conversation, as expressed by Harris at the above Board Meeting, clearly makes the claim that he and the College District were advised by you, the Mayor and the City Administrator, Deborah Edgerly, that if the assessment were approved that the District would not be required to actually pay the assessment. He was informed that the City of Oakland would not press collection and that there is not a provision in Prop 218 for collection or a mechanism to force payment. Further, he claims that the District was actually advised **NOT TO PAY** the assessment.

The remarks made by Harris also included comments regarding the Oakland Public School District and other public entities who had evidently agreed to abstain from voting and comments regarding his desire not to agitate the City or in his words, not be a declaration of war.

My question to you Mr. Chai - IS THE ABOVE TRUE?

Secondly, this letter, in accordance with the California Public Records Act and the City of Oakland Sunshine Ordinance is to be considered a public records request for any and all information (oral public information, section 2.20.200) and documents concerning or relating to activities (letters, e-mails, phone calls, etc.) engaged in by the Mayor, you or the staff or any of his aides, whereby particular parties (parcel owners controlling LLAD votes) were contacted regarding the parties or entities LLAD vote.

Your attention to this matter is greatly appreciated.

David E. Mix

ATTACHMENT 1

Item E-3
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Purnell, Daniel

From: Kidd, Cheryal
Sent: Monday, March 23, 2009 1:23 PM
To: 'darlinemix@sbcglobal.net'
Cc: Purnell, Daniel
Subject: Response to your Public Records Request
Attachments: image001.png

CITY OF OAKLAND

1 FRANK H. OGAWA PLAZA • 3RD FLOOR • OAKLAND, CALIFORNIA 9

Office of the Mayor
Honorable Ronald V. Dellums
Mayor

(510) 23
FAX: (510) 23
TDD: (510) 23

March 20, 2009

Mr. Mix
Oakland, California

Re: Public Records Request

Dear Mr. Mix:

Upon receiving your public records request in July, the Mayor's Office conducted a search for the requested documents. However, we were unable to find any records responsive to your request. Because we did not possess such documents, I mistakenly believed that there was no reason to contact you to this fact. We have recently reviewed your office files and still find no records responsive to the original request.

If there is anything else you need from this office, please let me know.

Sincerely,

ATTACHMEN 2

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