Commission Membership: Andrew Wiener (Chair), Mario Andrews, (Vice-Chair) Barbara Green-Ajufo, Jonathan Stanley, Alaric Degrafinried, Alex Paul, Ai Mori

Staff Members: Commission Staff:
Daniel Purnell, Executive Director
Tamika Thomas, Executive Assistant
City Attorney Representative:
Alix Rosenthal, Deputy City Attorney

MINUTES OF MEETING

A. Roll Call And Determination Of Quorum

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

Members present: Wiener, Andrews, Green-Ajufo, Stanley, Degrafinried, Paul, Mori

B. Approval Of Draft Minutes Of The Special Meeting Of February 9, 2009, And The Regular Meeting Of March 2, 2009

The Commission adopted a motion to approve the minutes of February 9, 2009, and March 2, 2009. (Ayes: Wiener, Andrews, Green-Ajufo, Stanley, Degrafinried, Paul; Abstain: Mori)

C. Executive Director And Commission Announcements

The Executive Director reported that the Sunshine Committee met on March 5, 2009 to review proposed changes to the Oakland Sunshine Ordinance. The Executive Director reported on upcoming meetings at which he has been asked to provide training to Oakland boards and commissions on public meeting law and Roberts Rules of Order.

D. Open Forum

There was one speaker: Sanjiv Handa

E. Complaints

1. A Staff Report And Action To Be Taken On Complaint No. 08-13 (Mix)

The Commission directed staff to work with Mr. Mix and Fire Bureau personnel to determine whether there are additional records responsive to Mr. Mix's previous requests. Staff shall prepare a supplemental report for subsequent consideration.

There were two speakers: David Mix; Sanjiv Handa

2. A Staff Report And Action To Be Taken On Complaint No. 08-14 (Mix)

The Commission moved, seconded and adopted a motion to dismiss Complaint No. 08-14 on grounds that the City Attorney properly cited the attorney-client privilege as the reason why certain records were withheld from public inspection and copying. (Aye: All)

There were two speakers: David Mix; Sanjiv Handa

3. A Staff Report And Action To Be Taken On Complaint No. 08-15 (Mix)

The Commission moved, seconded and adopted a motion to dismiss Complaint No. 08-15 conditioned upon the completion of training within the next 60 days by the Mayor's administrative staff on public records law. (Aye: All)

There were two speakers: David Mix; Sanjiv Handa

4. A Staff Report And Action To Be Taken On Complaint No. 08-16 (Mix)

The Commission moved, seconded and adopted a motion to dismiss Complaint No. 08-16 on grounds that Mr. Mix received the requested records. (Aye: All)

There were two speakers: David Mix; Sanjiv Handa

5. A Staff Report And Action To Be Taken On Complaint No. 08-17 (Mix)

The Commission moved, seconded and adopted a motion to dismiss Complaint No. 08-17 conditioned upon staff sending a letter to all City Council offices reminding and instructing them on proper procedures for responding to public records requests. The Commission also directed staff to request City Councilmembers to advise what if any procedures are currently in place for responding to public records requests. (Aye: All)

There were two speakers: David Mix; Sanjiv Handa

6. A Staff Report And Action To Be Taken On Complaint No. 08-18 (Mix)

The Commission directed staff to work with Mr. Mix and representatives of the Public Works Agency to confirm whether: 1) there is any record of a response to the email cited on page 12 of 12 of the April 6, 2009, staff report, 2) there is any record pertaining to "Neighbors For A Safe And Green Oakland", and 3) whether the City has any contractual or legal right to the "call sheets" purportedly created by Francisco and Associates in connection with the LLAD vote. Staff shall prepare a supplemental report for subsequent Commission consideration. (Aye: All)

There were two speakers: David Mix; Sanjiv Handa

7. A Supplemental Staff Report And Action To Be Taken On Complaint No. 09-01 (Plazola)

The Commission directed staff to re-agendize its consideration of Complaint No. 09-01 for the May 4, 2009, meeting.

There were no public speakers.

F. A Staff Report And Action To Be Taken Regarding Required Review Of City Council Salaries

The Commission discussed and considered a staff report and directed staff to provide further specific information for inclusion in the May 4, 2009, agenda package.

There were two speakers: Sanjiv Handa; David Mix

G. An Oral Announcement From The Office Of The City Attorney Pursuant To Sunshine Ordinance Section 2.20.130(B) With Respect To The Following Matter:

> OAKPAC, Oakland Metropolitan Chamber Of Commerce et al v. City Of Oakland, The City Of Oakland Public Ethics Commission; U.S. District Court, Northern District Of California; Case. No. C06-6366

Commission Counsel Alix Rosenthal announced the settlement of the above-entitled case in the amount of $75,000.

There was one speaker: Sanjiv Handa

The meeting adjourned in honor of Oakland Police Officers Mark Dunakin, Ervin Romans, Dan Sakai and John Hege.