

**PUBLIC ETHICS COMMISSION
STIPULATION, DECISION, AND ORDER
SEI Non-Filer – Streamlined Stipulation¹**

PEC CASE NO.: 16-30

RESPONDENT NAME AND POSITION: James W. Moore, former City of Oakland Planning Commissioner

DESCRIPTION OF VIOLATION: Failure to timely file statement(s) of economic interests, in violation of Oakland Government Ethics Act section 2.25.040(B)

TYPE OF SEI	PERIOD COVERED BY SEI	DUE DATE	DATE FILED	FINE AMOUNT²
Annual	January 1 through December 31, 2015	April 1, 2016	January 6, 2017	\$200
Leaving Office	January 1 through August 1, 2016	August 31, 2016	January 6, 2017	\$200

TOTAL FINE AMOUNT: \$400

Complainant, the Enforcement Unit of the Public Ethics Commission, and **Respondent** hereby agree to the following:

1. This Stipulation will be submitted for consideration by the City of Oakland Public Ethics Commission (Commission) at its next regularly scheduled meeting;
2. This Stipulation resolves all factual and legal issues raised in this matter and represents the final resolution to this matter without the necessity of holding an administrative hearing to determine the liability of Respondent;
3. Respondent knowingly and voluntarily waives all procedural rights under the Oakland City Charter, Oakland Municipal Code, and Public Ethics Commission Complaint Procedures, including, but not limited to, the right to personally appear at an administrative hearing held in this matter, to be represented by an attorney at their own expense, to confront all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have the matter judicially reviewed;
4. This Stipulation is not binding on any other law enforcement agency, and does not preclude the Commission or its staff from referring the matter to, cooperating with, or assisting any other government agency with regard to this matter, or any other matter related to it;

¹ A Streamlined Stipulation provides an efficient resolution for common, low-level violations of the Oakland Government Ethics Act that meet the criteria established in the Commission's Enforcement Penalty Guidelines.

² Pursuant to Streamlined Stipulation fine amounts set by the Commission's Enforcement Penalty Guidelines.

5. It is further stipulated and agreed that Respondent violated the Oakland Government Ethics Act as described herein.
6. Respondent agrees to the issuance of the Decision and Order and imposition by the Commission of a fine in the amount specified on the Stipulation, and a cashier's check or money order in said amount, payable to the "City of Oakland," has been submitted by Respondent to be held by the Commission until it issues its Decision and Order.
7. In the event the Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen business days after the Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent in connection with this Stipulation will be reimbursed to them; and
8. In the event the Commission rejects this Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

Dated: _____
Milad Dalju, Enforcement Chief, on behalf of Complainant

Dated: _____
James W. Moore, Respondent

ORDER OF THE COMMISSION:

The foregoing stipulation has been adopted by a majority vote of the Public Ethics Commission as its final decision and order and is effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____
Marc Pilotin, Commission Chair