

From: [Gonzales, Chris](#)
To: [Gonzales, Chris](#)
Subject: FW: Notice of dismissed complaint: Public Ethics # 23-31
Date: Tuesday, January 9, 2024 11:05:01 AM
Attachments: [Notice of dismissed complaint 23-31.pdf](#)

From: Gerald Cheney [REDACTED]
Sent: Monday, January 8, 2024 1:00 PM
To: Russell, Simon <SRussell@oaklandca.gov>
Subject: Re: Notice of dismissed complaint: Public Ethics # 23-31

You don't often get email from [REDACTED]. [Learn why this is important](#)

I disagree with your assessment.

The VPT has caused me a \$36,000 loss without, in my opinion, just cause.

On Thu, Jan 4, 2024 at 9:54 AM Russell, Simon <SRussell@oaklandca.gov> wrote:

To Gerald Cheney:

As explained in the attached letter, we have dismissed the public ethics complaint (# 23-31) that you filed against Huey Dang and Chris Le.

We do not have the authority to enforce any internal rules at the Finance Department or second-guess their decision-making authority, in the absence of any violation of the laws that we specifically enforce (e.g. bribery). If you think the named employees may have violated any departmental rules or incorrectly assessed your tax liability, the attached letter provides contact information for the director at the Finance Department to whom you can make a complaint,

Simon Russell (Esq.)

Chief of Enforcement

CITY OF OAKLAND PUBLIC ETHICS COMMISSION
1 Frank Ogawa Plaza (City Hall), Rm. 104 | Oakland, CA 94612
[REDACTED] (desk) | [REDACTED] (cell) | he/him/his
russell@oaklandca.gov | www.oaklandca.gov/pec

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Gerald Cheney
[REDACTED]
Oakland, CA 94611
[REDACTED]

Gerald Cheney

[REDACTED]
Oakland, CA 94611

Enforcement Unit
1 Frank Ogawa Plaza #104
Oakland, CA 94612
Attention: Mr. Simon Russell

1/8/2024

RE: Monterey Blvd. 29-1061-007-07 and 29-1061-007-06

Mr. Russell:

The Finance Department is not dispensing lawful discretionary authority. The Finance Department is ignoring the laws of California, the U. S. Constitution and the City of Oakland's ordinances and standards.

To recite once again:

An owner of a parcel is prohibited by law from recording an easement across another of his own properties for his benefit. City of Oakland Land Survey Department

A development permit will not be issued without street and sewer access. City of Oakland Building Department

The U S Constitution and the State of California protect my rights as a land owner from unlawful abuse. The City of Oakland has no authority to demand that I alter how I legally hold title.

Which laws or regulations is the VPT entitled to ignore, NONE. These are facts, I have made the VPT Administrators aware of them but they choose to ignore them. My justification for a VPT exemption is supported by the City of Oakland Surveyor, the senior plan checker in the Oakland Building Department, and our own expert legal advisor. The VPT administrators have refused to explain how they justify their erroneous decision.

I am not second guessing any department and I did not ask you to either. My request was for the Ethics Committee to do its job. A complaint has been made and you are obligated to investigate if a law has been broken or ignored. Whether the corruption is by intent or corruption by ignorance, the harm is the same. I am being unfairly financially damaged.

Regards,

Gerald Cheney

Cc/ Chris Le, Huey Dang, Erin Sprangan, and Brittany Hines