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1 FRANK H. OGAWA PLAZA • 3RD FLOOR • OAKLAND, CALIFORNIA 94612

Office of the Mayor
Jerry Brown
Mayor

(510) 238-3141
FAX: (510) 238-4731
TDD: (510) 839-6451

Letter of Nomination

April 20, 2004

The Honorable City Council
One City Hall Plaza, Second Floor
Oakland, CA 94612

Dear Councilmembers:

Upon nomination of the Mayor, the following persons are hereby appointed as members of the following Board or Commission:

Public Ethics Commission

Andrew R. Weiner, Mayoral appointment to serve the term beginning January 21, 2003 and ending January 21, 2006, filling the position formerly held by Victor Ochoa (term: 1/21/00 – 1/21/03).

Caryn Bortnick, Mayoral appointment to serve the term beginning January 21, 2004 and ending January 21, 2007, filling the position formerly held by Jon Sylvester (term: January 21, 2001 – January 21, 2004).

If you have any questions or concerns, please feel free to contact me.

Sincerely,

JERRY BROWN
Mayor

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OAKLAND CITY COUNCIL

DRAFT

RESOLUTION No. _____ C.M.S.

RESOLUTION APPOINTING ANDREW R. WEINER AND CARYN BORTNICK AS MEMBERS OF THE PUBLIC ETHICS COMMISSION

WHEREAS, Oakland City Charter, Section 202 creates the Public Ethics Commission, three of whose members are nominated by the Mayor and approved by the City Council; and

WHEREAS, Ordinance No. 12103 C.M.S. specifies that members of the Public Ethics Commission are to serve three year terms, which are to be staggered so that some appointments will expire every year, and appointments to fill a term of office are only to be for the remainder of that term; now, therefore, be it

RESOLVED, that by the nomination of the Mayor, the following individuals are hereby appointed to the terms set forth below:

Andrew R. Weiner, to complete the term beginning January 21, 2003 and ending January 21, 2006, filling the position formerly held by Victor Ochoa.

Caryn Bortnick, Mayoral appointment to serve the term beginning January 21, 2004 and ending January 21, 2007, filling the position formerly held by Jon Sylvester.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, WAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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ANDREW R. WIENER

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CURRICULUM VITAE

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EDUCATION

- B.A., 1980 Brown University, Providence, Rhode Island
Studies Included Classwork at Oxford University
Trinity College, England
- J.D., 1983 McGeorge School of Law (UOP), Sacramento, California
- Moot Court Honors Board (1982-3)
 - Publications Board (1982-3)
 - Judicial Extern, Hon. Coleman A. Blease, California
Third District Court of Appeal (Summer, 1981)

PROFESSIONAL EXPERIENCE

- 1988 - PRESENT PARTNER/ATTORNEY, HAAS & NAJARIAN
58 Maiden Lane, 2nd Floor, San Francisco, CA 94108
- Responsible for all aspects of a litigation practice, most commonly involving employment law, business torts and construction defects.
- 1985 - 1988 ASSOCIATE/ATTORNEY, MORTON, BENNETT & LACY (Dissolved)
Formerly Located at the Embarcadero Center, San Francisco
- Responsible for primary aspects of a products liability, personal injury and construction litigation practice.
- 1984 - 1985 ASSOCIATE/ATTORNEY, CODDINGTON & WINTERS (Dissolved)
Formerly Located at 3000 Sand Hill Road, Menlo Park, CA
- Responsible for pre-trial aspects of an aviation products liability, personal injury and construction litigation practice.

AV Rating by Martindale-Hubbell

BAR MEMBERSHIPS: State of California (1984), United States District Court, Northern District of California (1984), United States Court of Federal Claims (1988), United States Court of Appeals, Ninth Circuit (1992), and United States District Court for the Eastern, Central and Southern Districts of California (1995).

BAR ASSOCIATIONS

1985 - PRESENT American Bar Association

1989 - PRESENT Bar Association of San Francisco

- Arbitrator, Panel of Fee Arbitrators, 1990-Present
- Arbitrator, Homeless Shelter Arbitration Project, 1992-Present
 - Certificate of Honor, 1998
- Volunteer Legal Services Program, 1990-Present
 - State Bar Commendation, 1990
- Speaker-in-the-Schools Program, 1990-1995
 - Vice-Chairman, 1993-1994
- Disability Rights Committee, 1993-2000

OTHER PROFESSIONAL AND COMMUNITY ACTIVITIES

2002 - Present Mediator/Neutral, Panel of Mediators for the Early Settlement Program of the San Francisco Superior Court.

1991 - 2000 American Arbitration Association – Panel of Commercial Arbitrators.

1992 - Present Arbitrator, Panel of Arbitrators for Civil Cases in the Superior Court and (former) Municipal Court of the City and County of San Francisco.

1993 - Present Member of Board of Directors, Building Education Center, Berkeley, CA, a Non-Profit, Charitable Organization.

1994 - 1997 Instructor, California High School Mock Trial Competition, Lowell High School, San Francisco. Sponsor: The Constitutional Rights Foundation.

CARYN BORTNICK

Senior Attorney with broad expertise representing diverse clients in the public, nonprofit, and private sectors.

EXPERIENCE

Counsel

- Monitored pending legislation and regulatory activity.
- Advised clients regarding compliance with state and federal laws, and the impact of legislation and case law on business practices.
- Investigated and evaluated internal complaints.
- Provided input to manage risks more effectively and to avoid litigation.
- Counseled clients on general human resource and business concerns, including hiring, promotion, discipline, grievances, separation, discrimination, harassment, wage and hour, leaves of absence, disabilities, privacy, and independent contractor arrangements.
- Drafted and reviewed employee handbooks, personnel rules, and related policies.
- Prepared employment contracts and separation agreements.
- Advised officers and directors of fiduciary obligations and Board governance.
- Drafted bylaws and best practices guidelines, including conflict of interest policies and standard of conduct policies.
- Prepared advisory opinions, including analysis of insurance coverage and indemnity questions.

Management

- Trained, supervised, mentored, and evaluated professional and administrative staff.
- Assigned projects, reviewed, supervised, and evaluated progress to completion.
- Prepared budgets and monitored expenditures.
- Retain consultants and experts, monitor projects, and evaluate results.
- Planned and conducted training seminars for in-house staff, clients, and the public.
- Created and implemented effective administrative procedures for supervising complex litigation.
- Developed and implemented case strategies.

Advocacy

- Defended businesses, officers, and employees, in state and federal courts through appeal.
- Liaison between clients and third parties in mediations, arbitrations, and before administrative agencies.
- Responded to administrative complaints.
- Represented clients before elected officials, governmental entities, and Boards of Directors.
- Drafted position statements for use by courts, and for Board presentations.

- Authored more than ten appeals and writ petitions.

Caryn Bortnick

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EMPLOYMENT HISTORY

Law Offices of Caryn Bortnick , Counselor Oakland, California	2002 - Present
Burnham Brown , Senior Associate Oakland, California	1993 - 2002
Derby, Cook, Quinby & Tweedt , Associate San Francisco, California	1987 – 1992
Lossing & Elston , Associate San Francisco, California	1986 - 1987
Financial Strategies, Inc. , Financial Planning Associate Chicago, Illinois	1980 – 1982

EDUCATION

CORO Foundation Community Fellows Program - Public affairs leadership development program San Francisco, California	2003
Southwestern University School of Law Juris Doctor - American Jurisprudence Award, Insurance Law - Exceptional Achievement Award, Health Care Provider's Liability Los Angeles, California	1985
Bradley University Bachelor of Arts, Sociology Peoria, Illinois	1980

PROFESSIONAL AFFILIATIONS

California State Bar
- Public Law Section
- Labor and Employment Section

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