



Item 6 - Disclosure Report

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TO: Public Ethics Commission
FROM: Alex Van Buskirk, Lead Analyst, Compliance and Disclosure
Jelani Killings, Lead Analyst, Education and Engagement
DATE: September 4, 2024
RE: Disclosure and Engagement Monthly Report for the September 16, 2024,
Special Public Ethics Commission Meeting

This memorandum provides a summary of major accomplishments in the Public Ethics Commission's (PEC or Commission) Disclosure and Engagement program activities since the last regular meeting.

Commission staff disclosure activities focus on improving online tools for public access to local campaign finance and other disclosure data, enhancing compliance with disclosure rules, and conducting data analysis for Public Ethics Commission projects and programs as required.

Engagement activities include training and resources provided to the regulated community, as well as general outreach to Oakland residents to raise awareness of the Commission's role and services and to provide opportunities for dialogue between the Commission and community members.

Compliance with Disclosure Requirements

Commission staff conducts filing officer duties as required by state and local law and aims to help candidates, lobbyists and City officials submit required disclosure reports and ensure residents can easily access campaign finance, lobbyist, and ethics-related data and information.

Campaign Finance Disclosure – In August 2024, the Oakland City Clerk certified candidates for the ten local positions on Oakland's November ballot (City Attorney, five City Council seats, and four OUSD Director seats). Thirty-six candidates qualified for ballot status, and 27 have registered campaign committees. There are three Oakland ballot measures on Oakland's November ballot, with one associated ballot measure committee supporting Measure MM (Wildfire Protection Zone Parcel Tax Measure). There is also the Mayoral recall question on Oakland's November ballot and one committee in support and one committee in opposition to the recall question.

July 31, 2024, marked the semi-annual campaign reporting deadline for all active registered committees, 85 in total, for activity between January 1, 2024, and June 30, 2024. Just one committee for a candidate on the November 2024 ballot required to file has not done so. Another committee, for a candidate who did not qualify for the ballot for the November election, also did not file. These two committees (Committee to Elect Shan Hirsch for City Council, ID# 1464290 and Tariq Ikhara for Oakland City Council 2024, ID# “Pending”) were referred to Enforcement after several contacts were made by Commission staff in an effort to gain compliance. Surface review of filings for activity between January 1, 2024, and June 30, 2024, is in progress and requests for amendments will be made as required upon completion.

August 7, 2024, started the 90-day period leading up to the November election when late contribution reports (FPPC Form 497) and late independent expenditure reports (FPPC Form 496) must be filed within 24-hours for contributions or independent expenditures of \$1,000 or more. Measure W (November 2022) amended the Oakland Campaign Reform Act to require that any committee or person required by state law to file a 24-hour or 10-day Late Independent Expenditure Report (FPPC Form 496) with the Commission also submit a Supplemental Independent Expenditure Disclosure report (OCRA Form 305), including a copy of the content of the communication. After the first pre-election deadline, which is September 26, 2024, Commission staff will screen campaign statements for untimely and unreported late contributions and independent expenditures and assess late fees as required.

As previously noted, the first pre-election filing deadline for the November election falls on September 26, 2024. All candidates on the November ballot must file. Candidates raising or spending \$2,000 or more file their campaign statements on the FPPC Form 460. Candidates intending to keep their campaign activity under \$2,000 must file the FPPC Form 470. Ballot measure committees and other recipient committees with fundraising or spending activity connected with the November ballot must also file for the pre-election deadline.

Campaign statements are available to view and download at the Commission’s [Public Portal for Campaign Finance Disclosure](#). Campaign finance data, graphs, and visualizations are available via Commission-sponsored apps [Show Me the Money](#), [Open Disclosure Oakland](#), [Oakland’s Open Data portal](#), and links on the Public Ethics Commission website.

Lobbyist Registration Program – The Oakland Lobbyist Registration Act (LRA) requires any person that qualifies as a lobbyist to register annually with the Commission before conducting any lobbying activity. Registration renewals were due January 31. To date, 54 lobbyists have registered with the City of Oakland for 2024.



In November 2023, the Oakland City Council adopted amendments to the Lobbyist Registration Act including a new annual lobbyist registration fee as well as a requirement that lobbyists take an online training provided by the Commission. To date, 53 lobbyists have taken the online training provided by the Commission and the Commission has received new annual lobbyist registration fees from 51 of 54 registered lobbyists (there are a few recently registered lobbyists who are in the process of providing payment or requesting a waiver). Commission staff is continuing to monitor online training and new fee payment activity to ensure compliance by registered lobbyists.

July 31, 2024, was the deadline for quarterly lobbyist activity reports covering the period from April 1, 2024 through June 30, 2024 (Quarter 2). Lobbyists reported 228 contacts with Oakland public officials during the first quarter.

The following table shows the distribution of lobbying activities across different municipal decisions and the positions advocated for or against in Quarter 2 (2024).

Municipal Decision	Informational meeting	Policy development	Support	Oppose
Information only	20	0	6	0
Land Use (Permit, Zoning, Study)	0	4	33	10
Ordinance, Policy, or Other Legislative Matter	1	50	32	1
Other Permits, Administrative Decisions	8	0	15	38
Public Contract	0	0	10	0
TOTAL	29	54	96	49

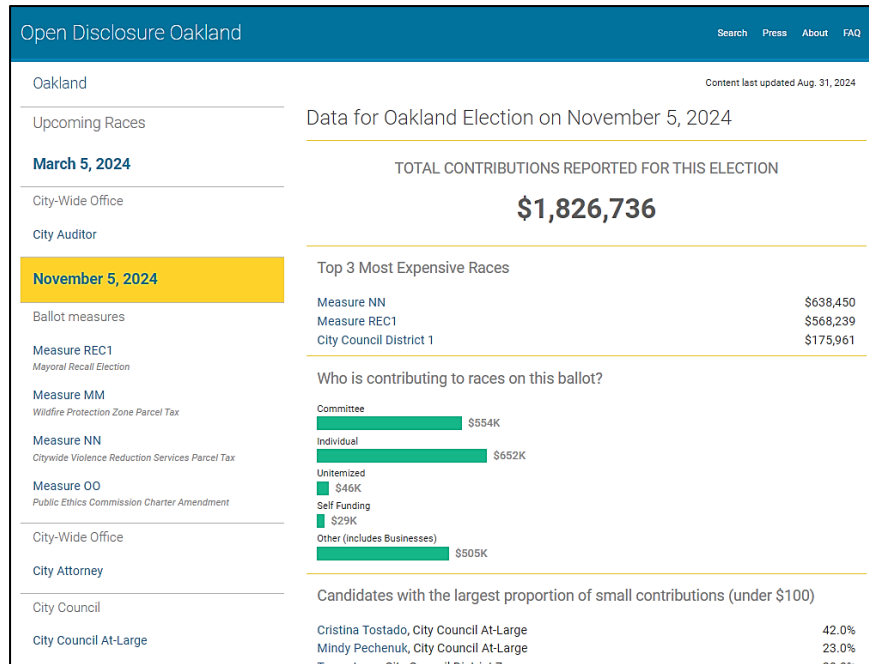
The following table shows the lobbyist client distribution by reported industry in Quarter 2 (2024).

Industry	Number of Clients
Real Estate, Rental and Leasing	20
Non-Profit/Advocacy Organization	14
Information/Technology	12
Finance and Insurance	8
Health Care and Social Assistance	7
Transportation and Warehousing	7
Construction	6
Retail Trade	5
Manufacturing/Industrial	5
Merchandise/Retail	4

An up-to-date list of registered lobbyists and lobbyist activity reports with links to view and download individual reports is available at the Public Ethics Commission’s [Lobbyist Dashboard and Data](#) webpage.

Illuminating Disclosure Data

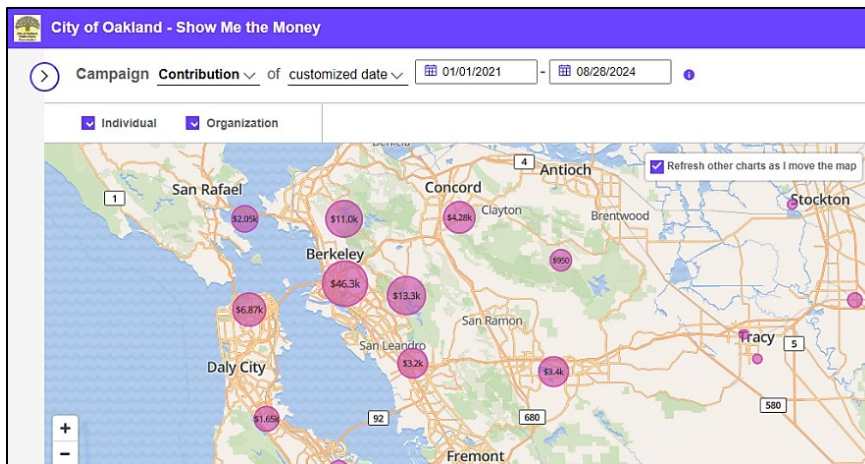
Open Disclosure Oakland – The opendisclosure.io campaign finance app is live with the data for the 2023-2024 election cycle. Open Disclosure Oakland, a nonpartisan tool, was developed by volunteers from [OpenOakland](https://OpenOakland.org), a civic technologist group, in partnership with Commission staff to give all Oakland residents equal access to campaign finance data. The Open Disclosure Oakland website shows funds donated to both political



candidates and ballot measure committees and provides clear summaries of money raised and spent as well as financial trends for each election. The website also includes a search function that makes campaign donation records easy to search and sort, and allows users to search campaign donors by name across multiple campaigns and elections.

Open Disclosure Oakland is updated daily with data imported directly from the [City's campaign finance database](#) and includes a notification system that sends subscribers alerts about new campaign reports.

“Show Me the Money” Campaign Finance Mapping – The City of Oakland [“Show Me the Money”](#) app is live with 2024 campaign finance data. “Show Me the Money” builds a map showing the geographic source of campaign contributions to candidates and totals donated from that location. Oakland residents can dig deeper by clicking each location point, and the



application will reveal the names of top contributors from that area. Up to three candidates may be selected at a time for comparison. Features beyond the contribution map include allowing users to review campaign contribution trends and campaign spending patterns.

Like the Commission's other campaign finance projects, this app is updated daily with data imported directly from the [City's campaign finance database](#). Followers of Oakland elections can find the "Show Me the Money" app via links on the Commission's website, [Oakland's Open Data portal](#), and Open Disclosure Oakland candidate pages.

Thank you to the PEC's two 2024 student volunteers, Anya Lassila and Francis Doran, for performing research and data entry necessary to maintain both apps as well as contributing improvements to the Show Me the Money source code/programming.

Disclosure Priorities Update

At the Commission's August 2023 retreat, the Commission and its staff discussed near and mid-term project priority setting over the next one to two years. The following are the adopted priorities for the Disclosure Program area. Note that there are some items listed as "On Hold" due to staff and budgetary considerations affecting capacity:

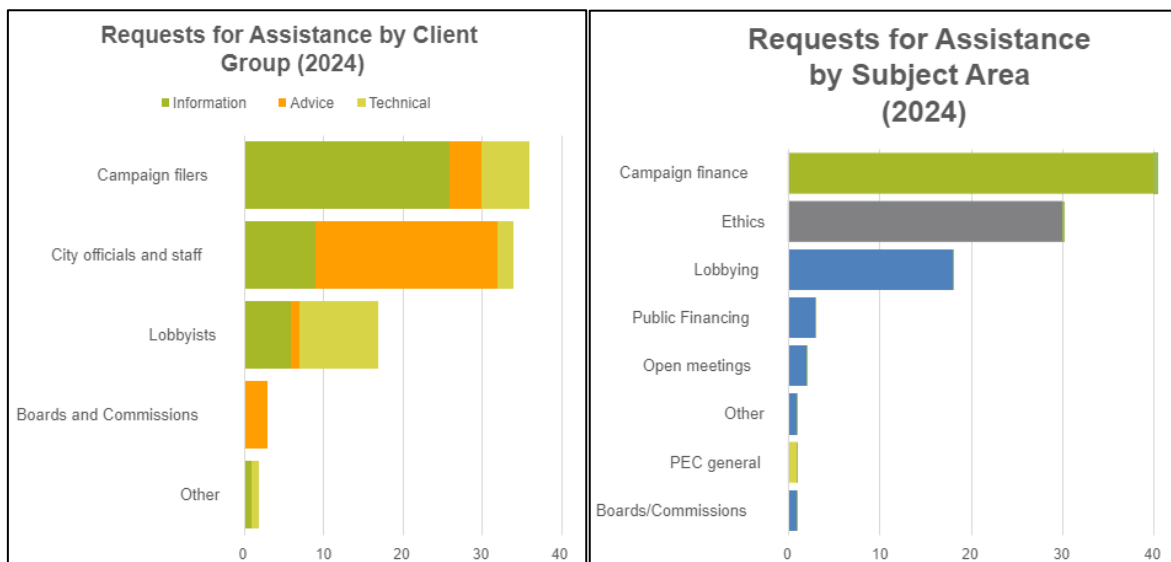
- Near Term (2023), in order of priority:
 - *Update the Lobbyist Registration and Reporting Database: **Complete/In Progress (Ongoing)**.*
 - Updates were completed to the Lobbyist Registration and Reporting Database application to align with form/reporting changes required under the Lobbyist Registration Act; work continues on maintaining and updating the application as needed with assistance from the Information Technology Department (ITD). In addition, Commission staff is continuing to work with ITD and the Finance Department on development of a point-of-sale system for lobbyist registration fee payments.
 - Publish a Public Records Performance Dashboard: **On Hold**.
- Mid Term (2024), in order of priority:
 - *Update the Open Disclosure Portal for 2023 and 2024: **Complete/In Progress (On Going)**.*
 - This Open Disclosure portal/application is in place covering the 2023-2024 election cycle. The project requires Commission staff regularly coordinate with OpenOakland civic technologist volunteers. For example, Commission staff must update the candidate and election data on the backend of the system and provide ongoing quality assurance reviews of the website content. Commission staff will begin a marketing campaign in mid-to-late September advertising the Open Disclosure portal/application.
 - *Update the Show Me the Money Application for 2023 and 2024: **Complete/In Progress (On Going)**.*

- This “Show Me the Money” application is in place covering the 2023-2024 election cycle. The “Show Me the Money” application was developed by Tyler Technologies for the platform supporting the City’s Open Data Portal in 2020. Similar to the Open Disclosure portal/application, Commission staff must update candidate and election data on the backend of the system to maintain the application for new elections.
- Mid/Long Term (2024-2025), as higher priority projects are completed and/or increased staff capacity allow, in order of priority:
 - *Initiate Digital Schedule O Form/Searchable Contractor Database: **On Hold.***
 - *Ensure Implementation of a Ticket Distribution (Form 802) Database, Per 2022 Ticket Policy/Improved Transparency Portal: **On Hold.***

Advice and Engagement

The Commission’s Engagement program seeks to ensure Oakland public servants, candidates for office, lobbyists, and City contractors understand and comply with City campaign finance, ethics, and transparency laws.

Advice and Technical Assistance – Between July 2024 and August 2024, Commission staff responded to 19 requests for information, advice or assistance regarding campaign finance, ethics, Sunshine law, or lobbyist issues.



New Employee Orientation – Commission staff continues to make presentations at the City’s monthly New Employee Orientation (NEO) providing new employees with an introduction to the Public Ethics Commission and overview of the Government Ethics Act (GEA).

In the months of July and August, Staff provided an overview of the City's ethics rules to over 50 new City employees. Employees required to file Form 700 were also assigned the Commission's mandatory online Government Ethics Training for Form 700 Filers.

Board and Commissions Staff Liaison Training – On August 12, PEC staff participated in a joint effort with the Mayor's office, City Clerk, and City Attorney to provide a comprehensive training for City Boards and Commissions staff liaisons. The training covered all relevant laws and responsibilities, including Sunshine and GEA requirements, pertaining to boards and commissions to ensure understanding and compliance. Staff shared about PEC resources, highlighted the PEC's online training for Form 700 filers, and emphasized the importance of maintaining an accurate list of board/commission members to ensure that filing and training requirements are being met.

Candidates and Campaigns – As part of our continuing campaign education efforts, staff issues routine advisories to ensure that candidates and committees are aware of local rules during this election season. In August, Staff sent out three advisories covering the following topics:

- An advisory to remind campaign committees of the 24-hour reporting requirements for contributions and independent expenditures of \$1,000 or more.
- A citywide advisory to remind City staff and officials about the rules related to campaign activity.
- An advisory to elected officials and campaign filers about the Oakland Campaign Reform Act's new social media disclaimer requirements.

Limited Public Financing Program (LPF) – On August 22 and August 23, Staff provided trainings for candidates interested in participating in the Limited Public Financing program. A total of 12 candidates completed the required LPF training provided by Staff to learn about program requirements and the reimbursement process.

The deadline for candidates to opt-in to the LPF program was August 28. A total of 13 candidates opted-in to the public financing program. The next step is for participating candidates to submit their LPF application (LPF Form 2) demonstrating that they have met the eligibility requirements along with their initial reimbursement request (LPF Form 3) by September 20.

Commissioner Recruitment – Distribution of the Commissioner recruitment announcement and application started on July 16 and will continue through the application deadline on September 6. Outreach channels include the Commission website, targeted email distribution lists, social media, and digital ads in local press outlets. Flyers are posted in City Hall offices that are frequented by the public. The Commissioner recruitment webpage includes information about the Commissioner role, desired skills, links to the online application, as well as more information about the Commission. Commissioners also attended National Night Out events to share about the current vacancy.

Online Engagement

Social Media – Commission staff has continued producing monthly social media content highlighting the Commission’s upcoming meetings, commissioner recruitment, and the PEC’s contribution limit survey.

Outreach (Advice and Engagement) Priorities Update

At the Commission’s August 2023 retreat, the Commission and its staff discussed near and mid-term project priority setting over the next one to two years. The following are the adopted priorities for the Outreach Program area with updates. Note that there are some items listed as “On Hold” due to staff and budgetary considerations affecting capacity:

- Near Term (2023):
 - *Recruit for PEC Vacancy: **Complete.***
 - Staff implemented a robust recruitment strategy to fill its 2023 Commission-appointed vacancy that included email blasts to PEC agenda subscribers and community organizations, paid advertisements in both online and printed media outlets, social media posts, and tabling at community events. A Total of 17 applications were received representing the highest number of submitted applications over the previous five years.
 - *Highlight the Need of Additional Enforcement Resources: **Ongoing.***
 - As part of the FY 2024-25 Midcycle Budget process, staff submitted two letters and met with the City Administrator, Budget Director, and elected officials to share the Commission’s need for additional staffing. Commission staff have also discussed staffing needs at City Council meetings, Commission meetings, and in PEC staff reports. The PEC’s understaffing has also been noted in the local press.
- Mid Term (2024):
 - *Increase Awareness of PEC’s Campaign Finance Applications: **In Progress.***
 - Updates for the 2023-2024 election cycle have been made and Staff is developing a communications plan for the launch of the Open Disclosure and Show Me the Money apps scheduled for Sept/Oct.
 - *Increase Awareness of How to File Complaints/Anonymous Complaints with the PEC: **On Hold.***
 - In addition to social media posts, Staff will be developing an educational campaign to inform the public about the PEC and its role, including investigation of complaints. Due to Staff capacity, the educational campaign will likely be implemented in 2025.
- Additional Considerations:
 - *Increase Awareness of the PEC and Its Role: **Ongoing.***

- Staff and Commissioners attended several community events/meetings in 2023 and 2024 to share the role of the Commission and its activities. The Commission created a Subcommittee to review general outreach materials and create a calendar of potential community events for Commissioners to attend. The PEC has also received substantial press coverage this year relating to the public financing programs it administers and its enforcement role.