



Item 5 - Disclosure Report

Ryan Micik, Chair
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TO: Public Ethics Commission
FROM: Suzanne Doran, Program Manager
Jelani Killings, Ethics Analyst
DATE: February 26, 2024
RE: Disclosure and Engagement Monthly Report for the March 13, 2024,
Regular PEC 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 PEC 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 – A general election is scheduled this year, on November 5, 2024. Ten Oakland offices are up for election: City Attorney; City Council Member At-Large; Councilmembers for Districts 1, 3, 5, and 7; and School Board Directors for Districts 1, 3, 5, and 7. In addition to the November general election, a special election to fill the vacancy in the office of City Auditor is scheduled for March 5, 2024. Twenty-three candidates have declared their intention to run in 2024 elections, and 14 have registered campaign committees.

In an election year, there are four major filing deadlines for campaign statements, two semi-annual statements and two pre-election statements. The special election added additional pre-election deadlines for candidates on the March ballot. During January and February there were three campaign statement deadlines, pre-election deadlines on January 25 and February 22, for candidates on the March special election ballot and the semi-annual statement deadline for all registered committees on January 31, 2024.

Commission staff performed a surface review of 65 campaign statements for missing information and potential contribution limit violations. Requests for amendments or clarifying

information were issued to six filers. Staff contacted non-filers to gain compliance. Five filers were assessed late fees totaling \$440. The following non-filers were referred for enforcement:

Filer	Treasurer	Last Statement
Committee To Elect Shan Hirsch For City Council	Hirsch, Shan	None
Move Oakland Forward Now	Juarez, Mario R	7/4/2023
Oakland Public School Action 2020	Ramos, Francis	8/4/2023

Note: This list does not include current non-filers already referred for prior deadlines.

Campaign statements are available to view and download at the PEC’s [Public Portal for Campaign Finance Disclosure](#).

2023 Campaign Finance Summary: In 2023, Oakland committees reported over \$765,680 in contributions. Similar to prior years, less than half (40 percent) of contributions of \$100 or more listed a donor with an Oakland address. Of the remaining contributions, 53 percent listed a California address outside of Oakland, and 7 percent listed an out-of-state address. Sixty percent of contributions of \$100 or more came from individuals, 25 percent from political committees, and 15 percent from businesses or other organizations. About 60 percent of contributions went to candidate-controlled committees.

Lobbyist Registration Program – The Oakland Lobbyist Registration Act (LRA) requires any person that qualifies as a lobbyist to register annually with the Public Ethics Commission before conducting any lobbying activity. Registration renewals were due January 31. To date 48 lobbyists have registered with the City of Oakland for 2024 (Fifty-eight lobbyists were registered at the end of 2023).



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 Public Ethics Commission. In January and February, Commission staff worked with the IT Department to implement updates to the Lobbyist Registration app to track and monitor payment of the new registration and late fees as well as compliance with the lobbyist training requirement.

The LRA also requires lobbyists to submit quarterly reports disclosing their lobbying activities to ensure that the public knows who is trying to influence City decisions. January 31 was the deadline for quarterly lobbyist activity reports covering the period from October 1 through December 31, 2023. Sixty-eight reports were filed. Staff contacted non-filers to gain compliance. Five lobbyists were assessed late fees and late fees for the three lobbyists without prior late filings were waived in accordance with the Commission’s late policy.

Lobbyists reported 131 contacts with Oakland public officials during the fourth quarter, for a total of 690 contacts to influence City decisions in 2023.

TOP TEN LOBBYIST CLIENTS BY NUMBER OF CONTACTS

LOBBYIST CLIENT	CONTACTS WITH CITY OFFICIALS	PERCENTAGE
EARTHJUSTICE	206	30%
PACIFIC MERCHANT SHIPPING ASSOCIATION	48	7%
OAKLAND ATHLETICS	41	6%
OAKLAND PRO SOCCER LLC	38	6%
BECKER BOARDS	33	5%
SIERRA CLUB	29	4%
HOUSING ACTION COALITION	29	4%
MARSHALL RETAIL GROUP	22	3%
EAST BAY ASIAN LOCAL DEVELOPMENT CORPORATION (EBALDC)	21	3%
PRICEWATERHOUSECOOPERS LLP	20	3%

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

Illuminating Disclosure Data

Campaign Finance – Commission staff continues to collaborate with volunteer developers to ensure the [OpenDisclosure](#) campaign finance website is live with data for the March and November 2024 Elections. OpenDisclosure is a nonpartisan tool developed by civic tech group OpenOakland in partnership with Commission staff to give all Oakland residents equal access to campaign finance data by providing easy to use graphs and search tools.

In addition to OpenDisclosure, the Commission’s [Show Me the Money](#) app visualizes campaign finance data submitted by 2024 candidates and builds maps showing the geographic source of campaign contributions and total donated by location. Followers of Oakland elections can find the [Show Me the Money](#) application via links on the Public Ethics Commission website, [OakData portal](#), and links on [OpenDisclosure](#) candidate pages.

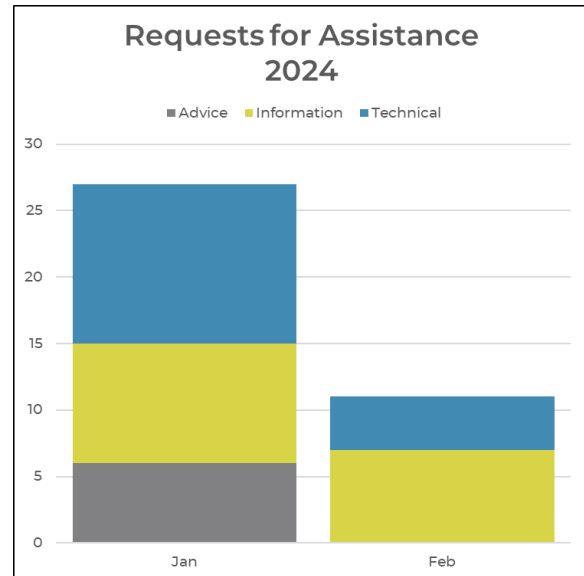
Advice and Engagement

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.

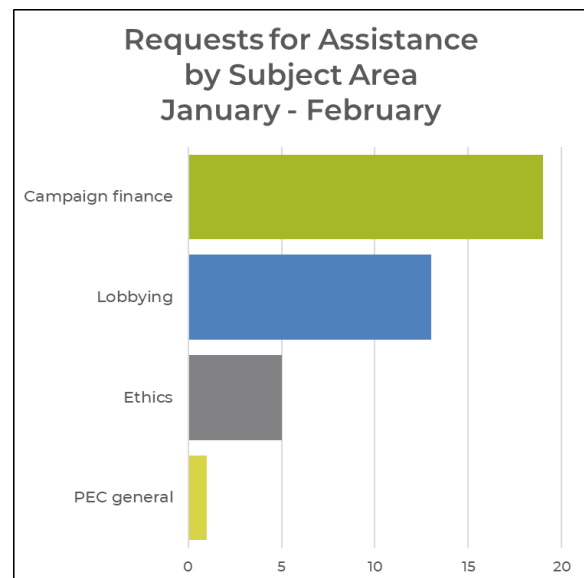
Advice and Technical Assistance – In January and February, Commission staff responded to 38 requests for information, advice or assistance regarding campaign finance, ethics, Sunshine

law, or lobbyist issues. Inquiries from campaign filers (50 percent) and lobbyists (34 percent) made up the majority of requests.

New Employee Orientation – Staff continues to make presentations at the City’s monthly New Employee Orientation (NEO) providing new employees with an introduction to the PEC and overview of the Government Ethics Act (GEA). In the months of January and February, Staff trained over 120 new employees on GEA provisions. Employees required to file Form 700 were also assigned the PEC’s mandatory online Government Ethics Training for Form 700 Filers.



Ethics Training for Form 700 Filers – On February 15, PEC staff conducted a live Government Ethics Training for Form 700 Filers via Zoom. The training was hosted by the Department of Human Resources (HR) and served as an alternative for employees that have not completed the PEC’s online training. A total of 20 employees attended the training.



Supervisor Academy – On January 25, staff facilitated an ethics discussion for the City’s quarterly Supervisory Academy. The discussions are intended to allow for more meaningful dialogue concerning ethical values in decision making with a focus on identifying ethical dilemmas that City staff face in carrying out their daily duties. Staff provided an overview of the Government Ethics Act including conflicts of interests, gift restrictions, and postemployment restrictions. A total of 26 employees attended the training.

Lobbyist Registration Guide – Commission staff made substantial revisions to the PEC’s comprehensive guide to the Lobbyist Registration Act, designed to assist the regulated community in complying with local law. The guide provides a summary of the Oakland Lobbyist Registration Act provisions and was updated to incorporate newly adopted amendments including registration fees and training requirements.

Online Engagement

Social Media – In January and February, Commission staff continued producing monthly social media content highlighting the Commission’s upcoming meetings and Form 700 requirements.