

Item 7 - Disclosure Report



Arvon J. Perteet, Chair
Ryan Micik, Vice Chair
Charlotte Hill
Joe Tuman
Francis Upton IV

Kellie Johnson, Executive Director

TO: Public Ethics Commission
FROM: Suzanne Doran, Lead Analyst
Jelani Killings, Ethics Analyst
Kellie Johnson, Executive Director
DATE: September 30, 2022
RE: Disclosure and Engagement Monthly Report for the October 12, 2022, 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 monthly 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. The goal is for the public and the PEC to be able to monitor filings, view information, and detect inconsistencies or noncompliance (See 2022 Disclose/Illuminate goal 1).

Campaign finance disclosure – The first pre-election filing deadline for the November election fell on September 29. All candidates on the November ballot must file. Candidates raising or spending \$2,000 or more file their campaign statements on FPPC Form 460. Candidates intending to keep their campaign under \$2,000 must file 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.

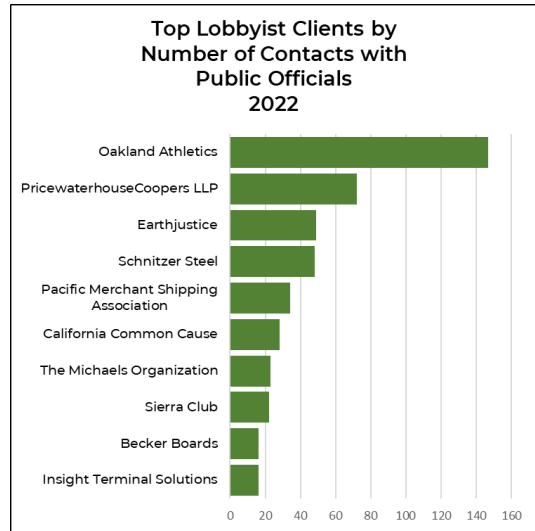
Commission staff is coordinating with the Fair Political Practices Commission (FPPC) enforcement division to ensure timely compliance with pre-election disclosure requirements and swift referral of non-filers. In addition, campaign statements are being screened for untimely and un-reported late contributions, over-the-limit contributions, and contributions from prohibited sources.

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

Lobbyist Registration and Reporting – October 30 marks the next deadline for quarterly lobbyist activity reports covering the period from July 1 through September 30, 2022. To date, 72 lobbyists representing 98 clients are registered in Oakland.

Oakland lobbyists reported \$ \$474,875 in payments from clients to influence City decisions during the first half of 2022, and a total of 625 contacts with City officials have been reported to date. No solicited political contributions were reported through the second quarter.

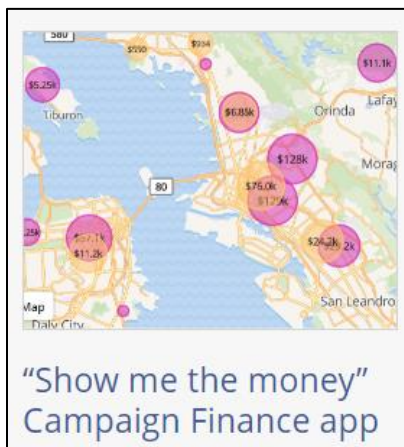


ILLUMINATING DISCLOSURE DATA

The Commission collects, reviews, and provides public access to ethics-related data. As part of this responsibility, Commission staff works to put the information into formats that can be searched and displayed in easy-to-use data visualizations made available for public viewing. This program utilizes a collaborative transparency approach, which reaches beyond the traditional minimum of providing copies of filings to proactively sharing data in user-centered formats to invite participation and feedback (See 2022 Disclose/Illuminate goals 2 – 4).



Election Disclosure Tools – With Commission-sponsored campaign finance apps [Open Disclosure](#) and [Show Me the Money](#) live with data for the 2022 election, Commission staff began outreach in September to raise awareness of election-related disclosure tools and data including announcements on the Commission and City of Oakland websites, email distribution lists, social media posts (Facebook, Twitter, LinkedIn, and Nextdoor), and local newsletters, as well as placing digital and print ads in local press targeting election coverage pages. In addition, Staff contacted community partners such as the League of Women Voters Oakland and Voter’s Edge with outreach materials to link to the campaign finance apps and share with their members.



OpenDisclosure, a nonpartisan tool developed by volunteers from civic tech group OpenOakland with advice and oversight from Commission staff, includes a notification system that sends subscribers alerts about new campaign reports, summaries of how much money candidates raise locally and from out of state donors, as well as top spenders on local ballot issues. “Show Me the Money,” hosted on Oakland’s open data platform, builds maps showing the

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geographic source of campaign contributions to candidates, top contributors, and fund raising and spending patterns over time. Both apps are updated daily with data exported directly from the [city's campaign finance database](#). Followers of Oakland elections can find the apps online at www.OpenDisclosure.io and https://data.oaklandca.gov/campaign_finance/ or via links on the Public Ethics Commission website.

Advice and Engagement

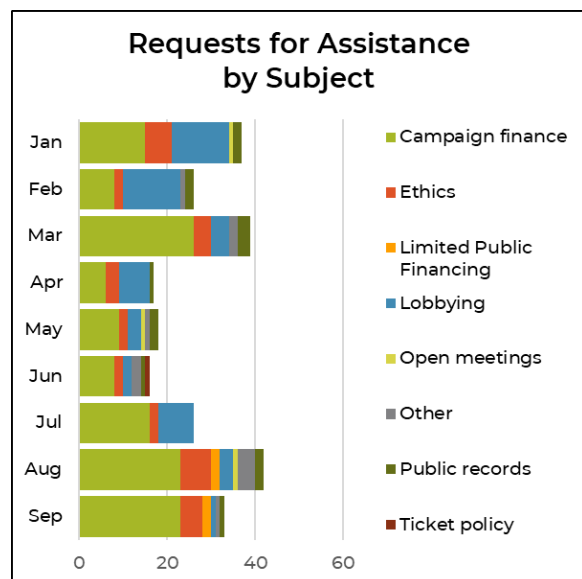
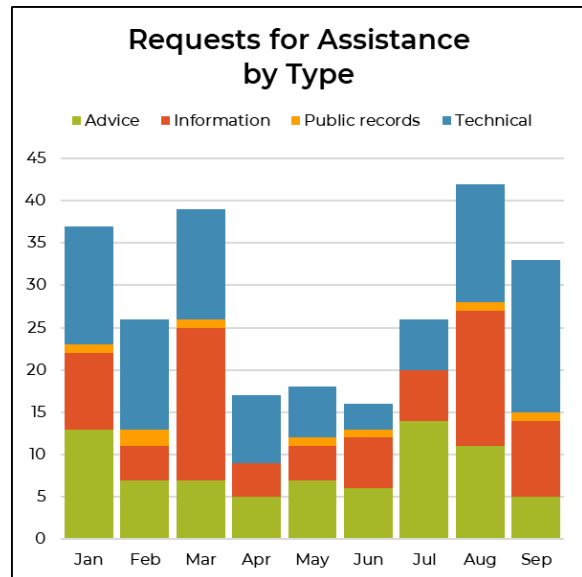
The Commission's Engagement program seeks to ensure Oakland public servants, candidates for office, lobbyists, and City contractors understand and comply with City campaign finance, ethics, and transparency laws (See 2022 Educate/Advise goals 1 – 3, Outreach/Engage goal 3).

Advice and Technical Assistance – In September, Commission staff responded to 33 requests for information, advice or assistance regarding campaign finance, ethics, Sunshine law, or lobbyist issues, for a total of 254 requests in 2022.

Candidates and Campaigns – As part of our continuing campaign education efforts, staff issues monthly advisories to ensure that candidates and committees are aware of local rules during this election season. In September, Staff sent an advisory with tips on avoiding common filing errors.

Ethics Check-In – On September 23, Staff met with senior staff in Councilmember Reid's office for an ethics check-in. Staff provided a brief overview of the Commission and its work and Council staff was provided links to the PEC's online ethics resource guide that includes guides and fact sheets relating to the Government Ethics Act, conflicts of interests, gift restrictions, non-interference provision, and the City's ticket distribution policy. The informal meeting allowed PEC staff to better understand the support needs of councilmembers and their staff in complying with local ethics and transparency laws.

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). On September 21, Staff trained a total of 42 new employees on GEA provisions.



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Limited Public Financing Program (LPF)

Commission staff administers the LPF program and provides training and ongoing interaction with candidates to facilitate program requirements and distribute the maximum amount of available public funds (See 2022 Educate/Advise goal 4).

The deadline for candidates to opt-in to the LPF program was September 1. Seven candidates opted-in to receive public financing. Their next step was to submit their LPF application (LPF Form 2) demonstrating that they met the program's qualification requirements along with their initial reimbursement request (LPF Form 3) by September 19.

Five candidates met the September 19 deadline and will move forward with public financing for the 2022 election. Staff will now reallocate the available funding per the Commission's two-phased approach, resulting in an increase of \$13,275 for each participating candidate. Participating candidates are now eligible for a maximum of \$35,400 in public financing. The table below lists the participating candidates and their respective districts:

Name	District
Nikki Fortunato Bas	2
Harold Lowe	2
Janani Ramachandran	4
Nenna Joiner	4
Kevin Jenkins	6

Staff is now verifying submitted documentation and processing reimbursement claims. Over the next several weeks, staff will work closely with each participating candidate and their treasurer to facilitate claim submission and payments to campaigns.

General Outreach

The Commission conducts outreach activities to ensure Oakland residents and the regulated community know about the Commission and that the Commission is responsive to their complaints and questions about government ethics, campaign finance, or transparency concerns (See 2022 Outreach/Engage goal 2).

Community Outreach/PEC Roadshow – Staff is coordinating with the Neighborhood Services Department to confirm dates for Commissioner presentations in the months of October and November.

Online Engagement

Social Media – Each month Commission staff post social media content to highlight specific PEC policy areas, activities, or client-groups (See 2022 Outreach/Engage goal 4). In September, our posts highlighted the PEC's election disclosure tools and data, Enforcement Chief recruitment, and Commissioner recruitment, as well as disclosure deadlines and candidate resources.