

Item 7 - Disclosure Report



Arvon J. Perteet, Chair
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Charlotte Hill
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Kellie Johnson, Executive Director

TO: Public Ethics Commission
FROM: Suzanne Doran, Lead Analyst
Jelani Killings, Ethics Analyst
Kellie Johnson, Executive Director
DATE: September 2, 2022
RE: Disclosure and Engagement Monthly Report for the September 14, 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

Campaign finance disclosure – On August 18, the Oakland City Clerk certified the candidates for the eight local positions on Oakland's November 8 ballot. Twenty-eight candidates qualified for ballot status, and 20 have registered campaign committees. There are also ten Oakland ballot measures on this November's ballot, and six ballot measure committees.

August 1 marked the campaign statement deadline for all registered committees, 69 in total, for activity between January 1 and June 30. All candidates on the November 2022 ballot required to file have filed their statements. Two committees were assessed late fees. Six non-filers remain, four of which are non-responsive committees from prior elections previously referred for PEC and/or FPPC enforcement. Surface review of the filings is complete and requests for amendments and enforcement referrals will be made as required.

August 10 started the 90-day period leading up to the 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. After the September 29 deadline, staff will screen campaign statements for untimely and un-reported late contributions and independent expenditures and assess late fees as required.

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Since August 10, \$363,900 in late contributions received have been reported, with the bulk of the funds (98 percent) going to ballot measure committees.

The next pre-election filing deadline for the November election falls 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.

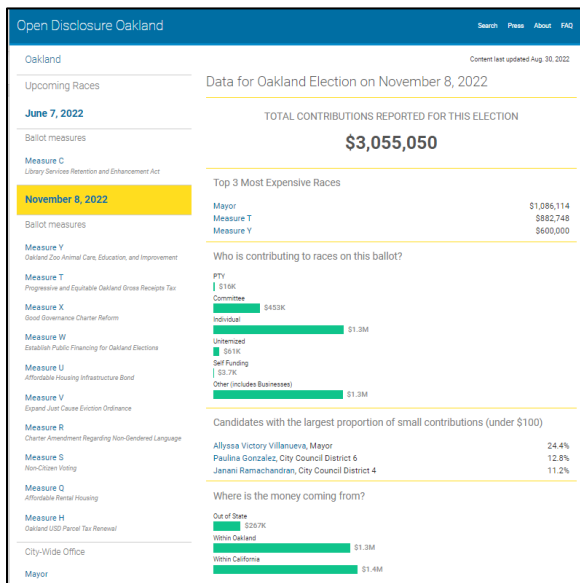
Campaign statements are available to view and download at the PEC’s [Public Portal for Campaign Finance Disclosure](#).

Behested Payment Disclosure – A total of \$1,380,000 in behested payments were reported during the first half of 2022. Behested payments are payments made to a charity upon the solicitation of an elected official. Behested Payment Reports must be filed with the campaign filing officer within 30 days on FPPC Form 803. Behested payment reports are available for public viewing through the [Public Portal for Campaign Finance and Lobbyist Disclosure](#). A search for filings by a public official’s name will return any behested payment reports in the database submitted by that official (identified as Form 803).

RECIPIENT	PURPOSE	AMOUNT
Loveliflife Foundation	Support at-risk youth.	\$5,000
Oakland Public Education Fund	Digital Divide Fund	\$1,250,000
Oakland Public Education Fund	City of Oakland Fund	\$125,000
Total		\$1,380,000

ILLUMINATING DISCLOSURE DATA

Open Disclosure – The www.opendisclosure.io campaign finance app is live with data for the 2022 election. OpenDisclosure is a nonpartisan tool developed volunteers from civic tech group OpenOakland in partnership with the Commission staff to give all Oakland residents equal access to campaign finance data. The site 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.

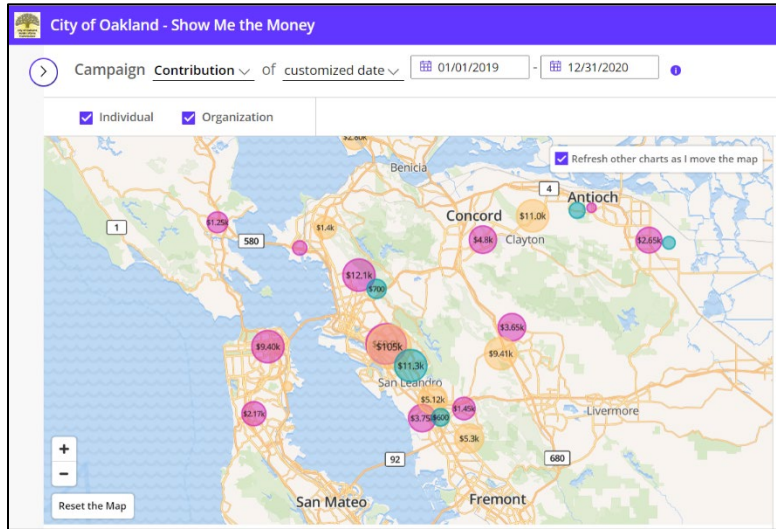


OpenDisclosure is updated daily with data imported directly from the [City’s campaign finance database](#) and includes a notification system that sends subscribers alerts about new campaign reports, summaries of how much money candidates raise locally and from out of state donors, as well as top spenders on local ballot issues. The website also includes a search

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function that makes campaign donation records easy to search and sort and allows users to seek campaign donors by name across multiple campaigns and elections.

“Show Me the Money” Campaign Finance Mapping App – The newly updated [“Show Me the Money”](#) app is live with 2022 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. New features this year allow users to compare campaign spending patterns. Like the Commission’s other campaign finance projects, the app is updated daily with data exported directly from the [city’s campaign finance database](#). Followers of Oakland elections can find the [“Show me the money”](#) application via links on the Public Ethics Commission website, [OakData](#) portal, and OpenDisclosure candidate pages.

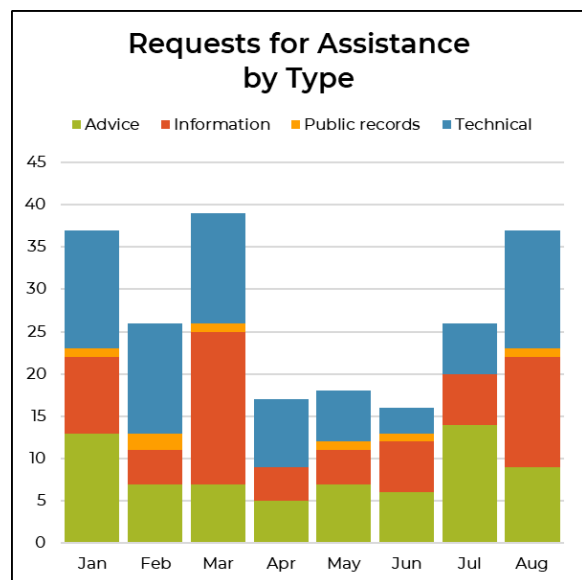


Advice and Engagement

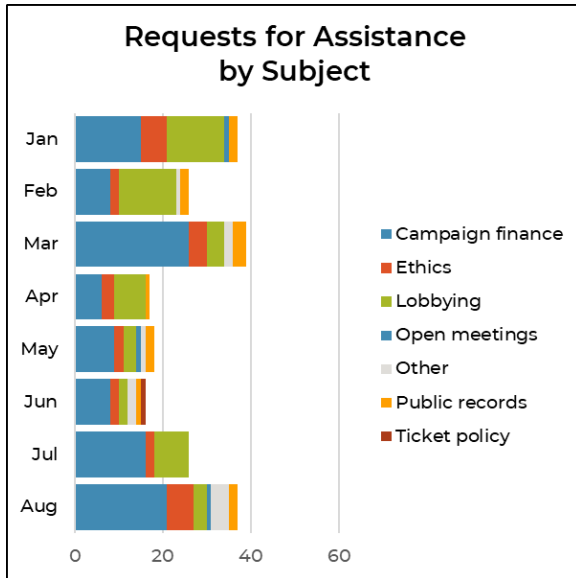
Advice and Technical Assistance – In August, Commission staff responded to 37 requests for information, advice or assistance regarding campaign finance, ethics, Sunshine law, or lobbyist issues, for a total of 218 requests in 2022.

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 August, Staff sent an advisory to remind campaign committees of the 24-hour reporting requirements for contributions and independent expenditures of \$1,000 or more.

On August 25 and August 26, Staff provided trainings for candidates interested in participating in the Limited Public Financing program. All ballot-certified candidates except one either attended or had a campaign



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representative attend the training to learn about program requirements and the payment process.

Ethics Training – On August 25, at the request of the Oakland Children’s Initiative Oversight Committee, Staff made an ethics presentation on rules relating to ballot measure and campaign activities. Topics covered included misuse of City resources, prohibition on soliciting contributions from public servants, and hosting candidate forums. A total of 14 committee members attended the presentation.

Ethics Onboarding/Exit Process – On August 8, Staff attended a meeting hosted by the HR Department to collaborate on a training module related to ethics training and Form 700 compliance for department SPOCs (single-point-of-contact). The training will cover a range of topics related to the recruitment, onboarding, and exit process for City employees, and include a PEC staff presentation for SPOCs on their role in ensuring that employees are properly identified as Form 700 filers, monitoring compliance, assigning and tracking compliance with mandatory Government Ethics Training, and providing information regarding revolving-door restrictions during the exit process.

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 August 17, a total of 27 new employees watched the PEC’s 10-minute Government Ethics Introductory Video.

Ticket Distribution Policy – In August, Commission staff sent a follow-up advisory to all elected officials and their staff reminding them of the new policy and that Commission staff would review ticket distribution reports for compliance in upcoming months. Staff also met with the Council President’s office for a check-in on the ticket administration process and internal controls to ensure compliance.

Limited Public Financing Program (LPF)

The deadline for candidates to opt-in to the LPF program was September 1. Four 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 meet program requirements along with their initial reimbursement request (LPF Form 3) by September 19.

General Outreach

Community Outreach/PEC Roadshow – In August, staff created a shared calendar for potential outreach events. Neighborhood council meetings and community events are entered on the calendar to facilitate Commissioner participation in outreach activities. Staff

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also updated the PEC's outreach materials, including Commissioner talking points, and has made them available online on a Commissioner resources webpage. Staff is coordinating with the Neighborhood Services Department to confirm dates for Commissioner presentations in the months of September and October.

Commissioner Recruitment – Distribution of the Commissioner recruitment announcement and application started in August and will continue through the application deadline October 14. Outreach channels include the Commission and City of Oakland websites, targeted email distribution lists, social media (Facebook, Twitter, LinkedIn, and Nextdoor), local newsletters and community publications, and digital ads in local press outlets. Flyers are posted around City Hall offices that are frequented by the public and Oakland Public Library branches. Staff revised the Commissioner recruitment webpage to include more information about the Commissioner role, desired skills, links to the online application, as well as more information about the Commission.

Online Engagement

Social Media – Each month Commission staff post social media content to highlight specific PEC policy areas, activities, or client-groups. In August, our posts highlighted Commissioner recruitment, the appointment of new Executive Director Kellie Johnson, as well as disclosure deadlines and candidate resources.