

Item 9 - Disclosure Report



Ryan Micik, Chair
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Nicolas Heidorn, Executive Director

TO: Public Ethics Commission
FROM: Suzanne Doran, Program Manager
Jelani Killings, Ethics Analyst
DATE: October 25, 2023
RE: Disclosure and Engagement Monthly Report for the November 8, 2023, Regular 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.

Filing Officer – Compliance

Campaign finance disclosure – On August 18, the Oakland City Clerk certified the candidates for the local positions on Oakland's November 2023 Special Election ballot. Two candidates qualified for ballot status, and both have registered campaign committees. The first pre-election filing deadline for the November election was on September 28, 2023. All candidates on the November 2023 ballot were required to file. Additionally, other recipient committees with fundraising or spending activity connected with the November ballot were also required to file. Both candidates filed their pre-election statements.

The following committees were assessed late fees:

Filer Name	SOS ID	Type	Treasurer
Jorge Lerma for Oakland School Board 2023	1463520	Candidate	Dorado, Jose
Jorge Lerma for Oakland School Board 2020	1463520	Candidate	Dorado, Jose
Oakland Education Association Political Action Committee	1345259	General Purpose	Stephen, Laura Ann

In addition to candidate activity, \$22,289 in independent spending to support candidates has been reported by third-party committees. Measure W 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 Public Ethics Commission also submit a supplemental independent expenditure disclosure information, including a copy of the content of the communication.

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The November Special Election triggered this new disclosure requirement in August, and Commission staff acted quickly to develop a new online form, [webpage](#), and campaign advisory so that 2023 campaign filers were made aware of the new requirements and could easily submit their supplemental information. In addition, staff monitored incoming independent expenditure reports and contacted committee treasurers to encourage compliance. Currently, the supplemental information has been received for all independent expenditures reported for the November 2023 election.

Campaign statements, including 24-hour independent expenditure reports, are available to view and download at the PEC’s [Public Portal for Campaign Finance Disclosure](#).

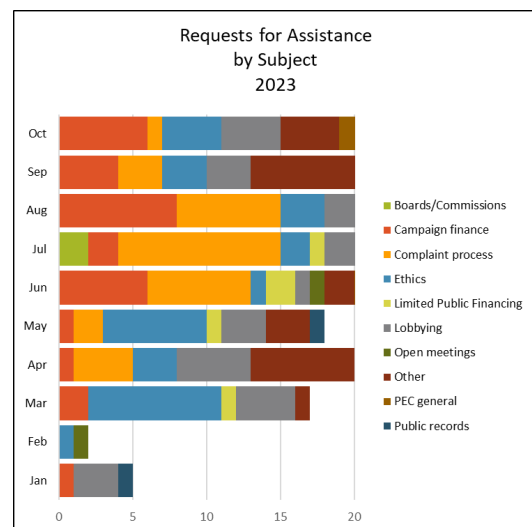
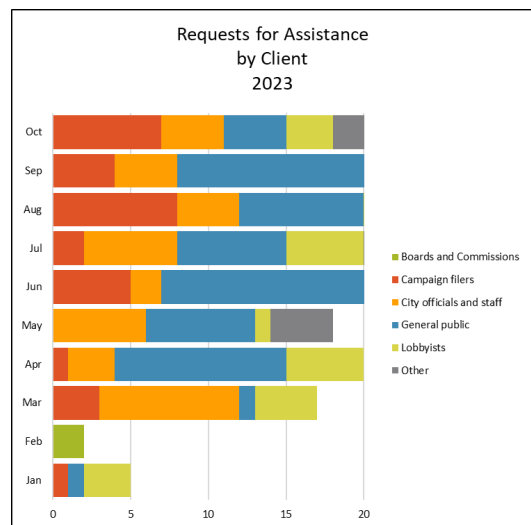
Lobbyist Registration and Reporting Program – The Oakland Lobbyist Registration Act (LRA) requires lobbyists to submit quarterly reports disclosing their lobbying activities to ensure that the public knows who is trying to influence City decisions. The next deadline for quarterly lobbyist activity reports is on October 30 and covers the period from July 1 through September 30, 2023. Lobbyist registration and activity reports may be viewed online at the [PEC’s Lobbyist Dashboard and Data webpage](#).

Advice and Engagement

Advice and Technical Assistance – In the month of October, Commission staff responded to 21 requests for information, advice, or assistance regarding campaign finance, ethics, Sunshine law, or lobbyist issues, for a total of 186 in 2023 to date.

Form 700 Compliance – On October 11, Staff met with representatives from the Department of Human Resources Management (DHRM) to get an update on efforts to improve the management of the City’s Form 700 filer database. The joint effort seeks to improve compliance among required filers by sharing data among departments, issuing joint communications, and updating the City’s Conflict of Interest Code. Moving forward, DHRM will provide the PEC and City Clerk with monthly reports including a list of starting/leaving employees, the list of active employees and who needs to file a Form 700, and the list of new employees assigned the PEC’s online Government Ethics Training. PEC staff was also provided administrative access to the City’s learning management platform NEOGOV to assign and track employee completion of ethics-related trainings.

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 October 18, Staff trained a total of 39 new employees on GEA provisions. Employees



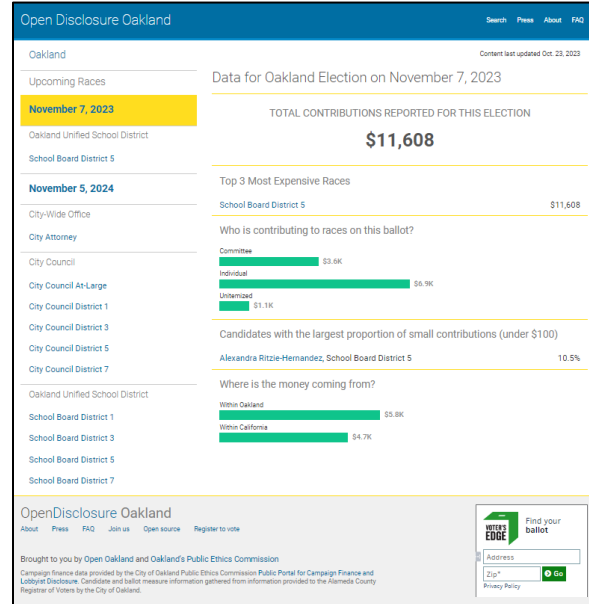
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required to file Form 700 were also assigned the PEC's mandatory online Government Ethics Training for Form 700 Filers.

Illuminating Disclosure Data

Campaign Finance – [OpenDisclosure](#), the campaign finance website, is now live with data for the November 2023 Special Election and November 2024 General Election. OpenDisclosure is a nonpartisan tool developed by volunteers from civic tech group OpenOakland in partnership with Commission staff to give all Oakland residents equal access to campaign finance data. With three local elections scheduled in the next 12 months, the project team implemented modifications allowing visitors to the website to view data for multiple upcoming elections.

The Commission's [Show Me the Money](#) app is also live with campaign finance data submitted by candidates running in the November 2023 Special Election and November 2024 General Election. [Show Me the Money](#) builds a map showing the geographic source of campaign contributions to candidates and totals donated from that 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.



Online Engagement

Social Media – Each month Commission staff posts social media content to highlight specific PEC policy areas, activities, or client-groups. Posts in October focused on Commissioner and Law Clerk recruitments, lobbying and campaign finance late filing fee guidelines, and PEC meetings.