

# Item #10 - Disclosure Report



Michael B. MacDonald, Chair  
Jerett Yan, Vice-Chair  
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Jessica Leavitt  
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Whitney Barazoto, Executive Director

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TO: Public Ethics Commission  
FROM: Suzanne Doran, Lead Analyst  
Jelani Killings, Ethics Analyst  
Whitney Barazoto, Executive Director  
DATE: October 22, 2021  
RE: Disclosure and Engagement Report for November 1, 2021 meeting

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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 needed. 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** – In non-election years, campaign committees must file two semi-annual campaign statements ([FPPC Form 460](#)). August 2 was the deadline for semi-annual campaign statements covering the period from January 1 through July 31, 2021. All active campaign committees registered with the City of Oakland must file. Staff outreach efforts resulted in three delinquent filers coming into compliance without need for enforcement action. Commission staff assessed \$4,001 in late fees against 16 delinquent filers in 2021. After completing surface review, staff required amendments for 12 statements. The most frequent issues requiring amendments were statements that omitted to list a candidate's other controlled committees and statements with incorrect reporting periods resulting in incomplete activity for the reporting period. Commission staff will highlight these issues in the next advisory to campaign filers.

Campaign statements 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 any person that qualifies as a lobbyist to register annually with the Public Ethics Commission before conducting any lobbying activity. It also requires lobbyists to submit quarterly reports disclosing their lobbying activities to ensure that the public knows who is trying to influence City decisions. To date, there are 66 individuals registered to lobby the City of Oakland representing 111 clients. An up-to-date list of registered lobbyists with links to their client lists is available at the PEC's [Lobbyist Dashboard and Data](#) webpage.

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All registered lobbyists have filed their second quarter reports. Lobbyists reported 69 clients with reportable activity (contacts with public officials to influence government decisions) and client payments totaling \$339,146 during the second quarter. No political contributions solicited by lobbyists were reported. The next reporting deadline is October 30 for activity in the third quarter of 2021. To view lobbyist activity reports, visit the PEC's [Lobbyist Dashboard and Data](#) webpage.

**Behested Payments (FPPC Form 803)** – California law requires Oakland elected officials to file an FPPC Form 803 report any time they fundraise or otherwise solicit payments for a legislative, governmental, or charitable purpose that total \$5,000 or more in a calendar year from a single source (one individual or organization) to be given to another individual or organization.

To date, 33 behested payments totaling \$ 4,859,000 have been reported for 2021. Payments supported the Assist Hub Fund, the Oakland Closing the Digital Divide Fund, the Vietnamese American Community Center of the East Bay, Teachers Rooted in Oakland, the City of Oakland Fund, the Reimagining Public Safety Task Force, the Chinatown Ambassadors program, and youth football.

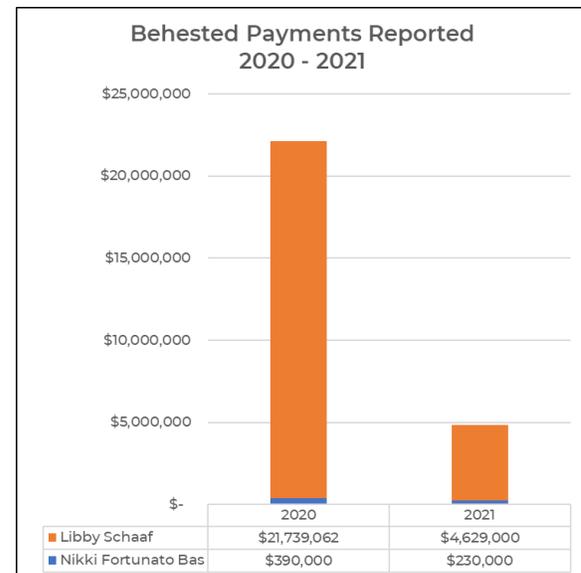
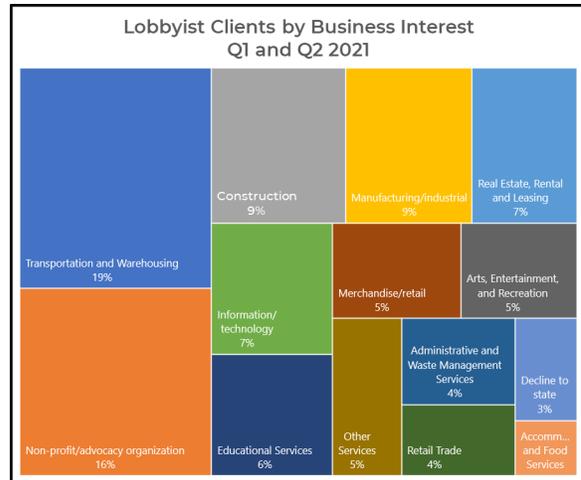
To learn more about behested payment rules and view an interactive chart of payments visit, the PEC's [behested payments webpage](#). To access data from Oakland behested payment reports, visit Oakland's [open data portal](#).

### Advice and Engagement

**Advice and Technical Assistance** – In September and October, Commission staff responded to 32 requests for information, advice or assistance regarding campaign finance, ethics, lobbyist registration or public records issues, for a total of 217 requests fulfilled in 2021 to date.

**New Employee Orientation** – Staff continues to make presentations at the City's monthly New Employee Orientation (NEO) providing employees with an introduction to the PEC and overview of the City's Government Ethics Act. Since the PEC's last monthly meeting, Staff has presented at two New Employee Orientations (September 15 and October 20), training a total of 73 new employees on GEA provisions.

**Supervisory Academy** – On September 23, 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



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carrying out their daily duties. Staff provided an overview of the Government Ethics Act including conflicts of interests, gift restrictions, and post-employment restrictions.

**Form 700 Filer Training** – On September 28, 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.

**Sunshine Open Meetings Training** – On October 1, Staff began the roll-out of the PEC’s new Sunshine training covering open meetings. The on-demand training was emailed to all City staff board liaisons to inform them of the new training and to solicit feedback before the training is made available to all City board/commission members.

The on-demand training can be accessed on the PEC’s website. Topics covered include, what constitutes a meeting, agenda publishing and noticing requirements, open meeting rules, and enforcement. The recording is available on demand and will be used as an online resource for City staff and members of local bodies.

### Performance

Staff revised the [Enforcement Program webpage](#) and added three new pages of interactive charts and tables displaying PEC enforcement and mediation outcomes to the Commission website this month. The interactive tables allow website users to search, sort and download summaries of [closed enforcement cases](#) and [completed mediations](#). In addition, staff published a [Case Results webpage](#) to provide an up-to-date and easy to access overview of enforcement activities.

### General Outreach

**Social Media** – Communications in September and October focused on the Commission’s recent enforcement actions, publicizing disclosure tools and data, and Commissioner recruitment.

