

ATTACHMENT 6



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Nayeli Maxson Velázquez, Vice-Chair
Jill M. Butler
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Janani Ramachandran
Joe Tuman
Jerett Yan

Whitney Barazoto, Executive Director

TO: Public Ethics Commission
FROM: Suzanne Doran, Lead Analyst
Jelani Killings, Ethics Analyst
Whitney Barazoto, Executive Director
DATE: April 24, 2020
RE: Disclosure and Engagement Report

This memorandum provides a summary of 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

Lobbyist Registration and Reporting Program – April 30 is the deadline for quarterly lobbyist activity reports covering the period from January 1 through March 31, 2020. Outreach to lobbyists this month included notices of the upcoming deadline as well as providing assistance with filing in light of challenges posed by the COVID-19-related shelter-in-place order.

Behested Payment Disclosure (“behested payments” are payments made to a charity upon the solicitation of an elected official) – To aid compliance with behested payment disclosure requirements during this time, Commission staff implemented a temporary online Form 803 process so that elected officials could submit their reports digitally. The online form will eventually be integrated into the ethics portal under development. Additionally, staff sent an advisory to all elected officials and their staff explaining behested payment disclosure requirements with links for online form submission.

Since implementing the online form, the Commission received seven filings from the Mayor’s Office reporting a total of \$2,724,000 in solicited contributions to the New Venture Fund Oakland Fund for Public Innovation. The stated purpose was donations to the Oakland COVID-19 Relief Fund.

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).

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Illuminating Disclosure Data

Lobbyist E-filing – Work on the [OakApps](#) lobbyist reporting app continued throughout March and April. As part of the quality assurance process, Commission staff demonstrated the app on April 22 with the IT development team for Chief Information Officer Andrew “Pete” Peterson. Approval was granted to move forward to the final testing phase, which is the last step before the app goes live.

Open Disclosure – Since the statewide shelter-in-place order was issued, OpenOakland volunteers have been meeting regularly through Zoom meetings and our OpenDisclosure Slack channel. Despite the challenges, work on the 2020 election campaign finance site continues. Major accomplishments in March and April included release of the new and improved [landing page](#) design with live data and release of a new [election summary](#) page. The new pages provide more insights from the data such as the percentage of contributions coming from Oakland, most expensive contests, and top sources of independent expenditures. Additional calculations for the summary page are in progress. Team members also conducted outreach to users of the disclosure alerts email list to better integrate the alerts with the website and learn more about users’ needs.

Advice and Engagement

Candidates and Campaigns – Due to the shelter-in-place order, staff cancelled the candidate and treasurer training scheduled for April 8. Staff has been in communication with the FPPC to re-schedule the training and offer it as a live webinar in May or June. The training will cover state and local campaign rules and include topics such as recordkeeping, campaign forms, advertisement disclaimers, local expenditure ceilings and contributions limits, and the Limited Public Financing Program.

Staff revised the Limited Public Financing (LPF) Guide for the 2020 election, making updates to LPF program forms along with additional edits to ensure that language is consistent with the recently revised Oakland Campaign Reform Act (OCRA) Guide.

Sunshine Education – Staff is developing a Sunshine training that will be used as an online resource for City staff and members of local bodies. The training will cover topics including what constitutes a meeting, agenda publishing and noticing requirements, open meeting rules, and enforcement. Staff will also develop a training on responding to public records requests to cover the public information provisions of the Sunshine Ordinance.

Advice and Assistance – Commission staff continues to respond to email and phone advice calls and requests for assistance as usual. The PEC has responded to 97 requests for advice or assistance since January 2019.