

Item #10 - Disclosure Report



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TO: Public Ethics Commission
FROM: Suzanne Doran, Lead Analyst
Jelani Killings, Ethics Analyst
Whitney Barazoto, Executive Director
DATE: March 23, 2021
RE: Disclosure and Engagement Report for the April 5, 2021, PEC 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 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](#)). February 1 was the deadline for semi-annual campaign statements covering the period from July 1 through December 31, 2020. All active campaign committees registered with the City of Oakland must file. Campaign statements are available to view and download at the PEC's [Public Portal for Campaign Finance Disclosure](#).

Approximately 78 percent of committees timely filed their campaign statements by the February 1st deadline. Staff conducted outreach and provided assistance to bring six non-filers into compliance after the deadline. Committees with filings over 10 days late were assessed a total of \$1,550 in late fees. One non-responsive filer, unsuccessful 2020 candidate for OUSD School Board Cherisse Gash, has been referred to the Fair Political Practices Commission (FPPC) for enforcement.

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. The annual lobbyist registration deadline passed on January 31. To date, there are 57 individuals registered to lobby the City of Oakland. 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.

The 2020 fourth quarter lobbyist activity report deadline passed on January 30. To date, 65 reports have been filed, 87 percent timely. Commission staff is reaching out to four possible non-filers to gain

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compliance and/or clarify filing status. Lobbyist activity reports may be viewed online at the PEC's [Lobbyist Dashboard and Data](#) webpage.

Advice and Engagement

Advice and Technical Assistance – In March, Commission staff responded to 31 requests for information, advice or assistance regarding campaign finance, ethics, lobbyist registration or public records issues.

Form 700 Filers – On March 2, 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 18 employees attended the training.

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 March 17, staff trained 15 new employees on GEA provisions.

Elected Officials – On March 19, Staff met with Council President Bas's office for an ethics check-in. Council President Bas and members of her staff were provided with an ethics resource binder that included 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. PEC staff will continue to conduct ethics check-ins with elected officials and staff members throughout the year.

Boards and Commissions – On February 25 and 26, Staff conducted an ethics training for the City's board and commission members. The live training mirrors the PEC's online Government Ethics Training for Form 700 Filers currently offered to employee Form 700 filers. Over 100 board and commission members attended and completed the training.

As a follow-up to questions received during the training, Staff put together a post-training survey to better understand the support that board and commission members are receiving to meet their Form 700 filing requirements. The initial survey results show that 18 percent of respondents did not know that they were required to file a Form 700. Thirty-nine percent of respondents were not notified that they were required to file Form 700 within 30 days of assuming office. Forty-one percent of respondents stated that they do not receive a notification of the annual filing deadline each year. Staff will be using the survey data to enhance support services for board and commission members and to better coordinate with board staff liaisons.

