

# Item 10a - Staff Memorandum



Arvon Perteet, Chair  
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Whitney Barazoto, Executive Director

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TO: Public Ethics Commission  
FROM: Jelani Killings, Ethics Analyst  
Whitney Barazoto, Executive Director  
DATE: January 20, 2022  
RE: Mandated Campaign Contribution and Expenditure Limit Adjustment

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The Public Ethics Commission (PEC or Commission) is responsible for adjusting Oakland's Campaign Contribution and Expenditure Limits annually according to the increase in the Consumer Price Index (CPI) for the preceding year pursuant to the Oakland Campaign Reform Act.

This memorandum provides background information about the annual adjustment and memorializes publication of the updated contribution and expenditure limits for 2022.

## Background

The Oakland Campaign Reform Act (OCRA) imposes limits on campaign spending and seeks to reduce the influence of large contributions on election outcomes. OCRA tasks the Commission with annually adjusting the Contribution and Expenditure Limits for campaigns and campaign related actions in Oakland. Below are the applicable sections of the Oakland Campaign Reform Act (attached):

- Limitations on Contributions from Persons (O.M.C. Sec. 3.12.050)
- Limitations on Contributions from Broad-Based Political Committees (O.M.C. Sec. 3.12.060)
- Expenditure Ceilings for candidates who voluntarily agree to expenditure ceilings (O.M.C. Sec. 3.12.200)
- Amount of Independent Expenditures that lift the Expenditure Ceilings (O.M.C. Sec. 3.12.220)

The above sections establish a framework by which contributions to a candidate are limited to \$100 per contributor, unless the candidate voluntarily agrees to limit their overall spending for the entirety of their campaign (expenditure ceiling) to a set amount provided by OCRA. By accepting the expenditure ceiling, the candidate can then receive up to \$500 in contributions from an individual. The same is true for contributions from a broad-based political committee, as defined in OCRA, for which the statutory contribution limits are \$250 and \$1,000, respectively.<sup>1</sup>

In addition to these limits, OCRA provides a mechanism by which the candidate expenditure ceiling is lifted if and when a person reaches a certain threshold of spending on independent expenditures on a particular race. The threshold amounts are as follows:

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<sup>1</sup> These statutory amounts of \$100, \$500, \$250, and \$1,000 are adjusted each year as described on the next page.

## Item 10a - Staff Memorandum

Candidate	Independent Expenditure Threshold
District City Council or School Board	\$15,000
City Attorney, Auditor, Councilmember-at-Large, or Mayor	\$70,000

All of these contribution limit and expenditure ceiling amounts are adjusted each year according to the increase in the Consumer Price Index (CPI), as provided in each of the above OCRA sections. Now, for example, the prior statutory \$100 limit for candidates who do not accept the expenditure ceiling is \$200 in practice, and for those who accept the expenditure ceiling, the statutory \$500 limit is \$900 as a result of annual CPI increases over time.

### Annual Adjustment

OCRA specifies the timing and nature of the annual increase, providing that the amounts listed in each of the above sections must be increased annually according to the CPI “for all items in the San Francisco Bay Area as published by the U.S. Department of Labor, Bureau of Statistics.” The increase of the contribution limitation amounts “shall not exceed the CPI increase,” and the adjustment “shall be rounded to the nearest one hundred (100).” The calculations shall be based on 1999 as the index year for contribution limits, and 1998 as the index year for expenditure ceilings and the independent expenditure threshold.<sup>2</sup>

OCRA also requires that the expenditure ceiling amounts be published no later than February 1<sup>st</sup> of each year.<sup>3</sup> OCRA further specifies that these amounts are based on population figures from the latest decennial census, which are also dependent upon the district boundaries as established by the Oakland Redistricting Commission under City Charter Section 220. New boundaries have not yet been established by the Redistricting Commission, which continues to meet as of the date of this memorandum; however, given that the PEC is statutorily required to publish the updated limits by February 1, the PEC is calculating the updated limits based on the existing district numbers from the prior decennial census, until the new boundaries and subsequent figures are formally established. At that time, the PEC will republish the new district figures with updated limits, if applicable.

### Conclusion

The CPI data for 2021 was released by the U.S. Department of Labor, Bureau of Labor Statistics, on January 12, 2022. Commission staff used this data to calculate the increase for the 2022 contribution and expenditure limits and independent expenditure thresholds as required by the Oakland Campaign Reform Act and is publishing the 2022 limits here. Commission staff will distribute the new information widely and will update and re-distribute as necessary upon any changes made to the district figures by the Redistricting Commission.

Attached is the Commission’s published spreadsheet for 2022. Also attached is the format that Commission staff used to insert the data point for the annual average CPI increase for all urban consumers in 2021 and make the corresponding calculations for 2022. No further Commission action is necessary.

<sup>2</sup> O.M.C. Sections 3.12.050(G), 3.12.060(G), 3.12.200, and 3.12.220, referring to sec. 3.12.200.

<sup>3</sup> O.M.C. 3.12.200.

## Item 10a - Staff Memorandum

### Attachments:

1. Campaign Contribution and Expenditure Limits 2022
2. Spreadsheet for Calculating Campaign Contribution and Expenditure Limits 2022
3. U.S. Department of Labor, Bureau of Labor Statistics, CPI All Items, All Urban Consumers (CPI-U) 2011-2021 <sup>4</sup>

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<sup>4</sup> [https://data.bls.gov/pdq/SurveyOutputServlet?data\\_tool=dropmap&series\\_id=CUURS49BSAo,CUUSS49BSAo](https://data.bls.gov/pdq/SurveyOutputServlet?data_tool=dropmap&series_id=CUURS49BSAo,CUUSS49BSAo)

**CITY OF OAKLAND  
CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS PER THE OAKLAND CAMPAIGN REFORM ACT  
2022**

**LIMITATIONS ON CONTRIBUTIONS FROM PERSONS (§3.12.050)**

**Consumer Price Index (CPI) Values\***

1999 (index year)	172.5	Annual Avg CPI
2021	309.721	Annual Avg CPI
Adjustment Factor	179.55%	

Position	Codified Limit	CPI Adjustment Factor	CPI Adjusted Expenditures	New Limit After Rounding**
<b>Contributions from Persons</b>				
For candidates who do not adopt the expenditure ceilings (3.12.050(A))	\$100	179.55%	\$180	\$200
For candidates who adopt the expenditure ceilings (3.12.050(B))	\$500	179.55%	\$898	\$900

\* CPI is the Consumer Price Index - All Urban Consumers, Not Seasonally Adjusted, San Francisco-Oakland-San Jose, CA, All Items, Annual Value

\*\* Per Municipal Code the CPI Adjusted Contribution amount must be rounded to the nearest one hundred (100).

**LIMITATIONS ON CONTRIBUTIONS FROM BROAD-BASED POLITICAL COMMITTEES (§3.12.060)**

**Consumer Price Index (CPI) Values\***

1999 (index year)	172.5	Annual Avg CPI
2021	309.721	Annual Avg CPI
Adjustment Factor	179.55%	

Position	Codified Limit	CPI Adjustment Factor	CPI Adjusted Expenditures	New Limit After Rounding**
<b>Contributions from Broad-Based Political Committees</b>				
For candidates who do not adopt the expenditure ceilings (3.12.060(A))	\$250	179.55%	\$449	\$400
For candidates who adopt the expenditure ceilings (3.12.060(B))	\$1,000	179.55%	\$1,795	\$1,800

\* CPI is the Consumer Price Index - All Urban Consumers, Not Seasonally Adjusted, San Francisco-Oakland-San Jose, CA, All Items, Annual Value

\*\* Per Municipal Code the CPI Adjusted Contribution amount must be rounded to the nearest one hundred (100).

**EXPENDITURE CEILINGS FOR MAYOR AND OTHER CITYWIDE OFFICES WHO VOLUNTARILY AGREE TOP EXPENDITURE CEILINGS (§3.12.200)**

**Consumer Price Index (CPI) Values\***

1998 (index year)	165.5	Annual Avg CPI
2021	309.721	Annual Avg CPI
Adjustment Factor	187.14%	

Position	Codified Limit	2010 Census Population**	Total Expenditures	CPI Adjustment Factor	CPI Adjusted Expenditures
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## Item 10a - Staff Memorandum

Data extracted on: January 18, 2022 (1:18:05 PM)

### CPI for All Urban Consumers (CPI-U)

**Series Id:** CUURS49BSA0

Not Seasonally Adjusted

**Series Title:** All items in San Francisco-Oakland-Hayward, CA, all urban consumers, not seasonally adjusted

**Area:** San Francisco-Oakland-Hayward, CA

**Item:** All items

**Base Period:** 1982-84=100

Download:  [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2011		229.981		234.121		233.646		234.608		235.331		234.327	233.390	232.082	234.698
2012		236.880		238.985		239.806		241.170		242.834		239.533	239.650	238.099	241.201
2013		242.677		244.675		245.935		246.072		246.617		245.711	245.023	243.894	246.152
2014		248.615		251.495		253.317		253.354		254.503		252.273	251.985	250.507	253.463
2015		254.910		257.622		259.117		259.917		261.019		260.289	258.572	256.723	260.421
2016		262.600		264.565		266.041		267.853		270.306		269.483	266.344	263.911	268.777
2017		271.626		274.589		275.304		275.893		277.570		277.414	274.924	273.306	276.542
2018		281.308		283.422		286.062		287.664		289.673		289.896	285.550	282.666	288.435
2019		291.227		294.801		295.259		295.490		298.443		297.007	295.004	293.150	296.859
2020		299.690		298.074		300.032		300.182		301.736		302.948	300.084	299.109	301.059
2021		304.387		309.419		309.497		311.167		313.265		315.805	309.721	306.724	312.718