

Item #9 - Disclosure Report



Michael B. MacDonald, Chair
Jerett Yan, Vice-Chair
Avi Klein
Arvon Perteet
Joe Tuman

Whitney Barazoto, Executive Director

TO: Public Ethics Commission
FROM: Suzanne Doran, Lead Analyst
Jelani Killings, Ethics Analyst
Whitney Barazoto, Executive Director
DATE: February 19, 2021
RE: Disclosure and Engagement Report for the March 1, 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.

The 58 committees filed their campaign statements, 73 percent by the February 1st deadline, with six late filings completed within days of the deadline. Outreach to bring six non-filers into compliance is ongoing. Staff sent notices to all non-filers via email three and ten days after the deadline. Follow-up phone calls began ten days after the deadline passed. Surface review of the nearly filings is in progress and requests for amendments and enforcement referrals will be made as required.

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. The annual lobbyist registration deadline passed on January 31. To date, there are 52 individuals registered to lobby the City of Oakland in 2021. 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.

Item #9 - Disclosure Report

The 2020 fourth quarter lobbyist activity report deadline passed on January 30. To date, 60 reports have been filed, 87 percent timely. Commission staff is reaching out to seven possible non-filers to gain compliance and/or clarify filing status. Surface review of the reports is in progress and requests for amendments will be made as needed. Lobbyist activity reports may be viewed online at the PEC's [Lobbyist Dashboard and Data](#) webpage.

Illuminating Disclosure Data

Lobbyist Disclosure – This month Commission staff published the first two datasets from the data collected through the new Lobbyist Registration and Reporting application.

- **Lobbyist Activity - Contacts with Public Officials** includes contacts with City Officials by lobbyists to influence a governmental (municipal) decision on behalf of a client or employer listed in Schedule A of the Quarterly Lobbyist Activity Reports.
- **Lobbyist Activity - Political Contributions** includes contributions to elected officials and candidates for City office solicited by lobbyists listed in Schedule D of the Quarterly Lobbyist Activity Reports.

The data can be viewed and downloaded from the City's open data site, OakData (<https://data.oaklandca.gov/>). Both datasets are updated automatically from the PEC's database as reports are submitted. Staff will continue to publish new lobbyist datasets incrementally throughout 2021.

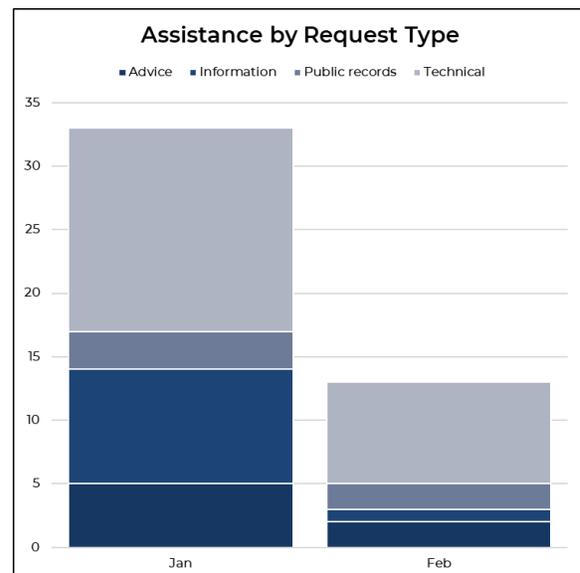
New features went live on the OakApps Lobbyist Dashboard and Data Portal in February as well. Users can now search lobbyist activity reports based on the client name. In addition, the Lobbyist Directory now includes sorting and filtering tools. To view the Dashboard and Lobbyist Directory visit https://apps.oaklandca.gov/pec/Lobbyist_Dashboard.aspx.

Advice and Engagement

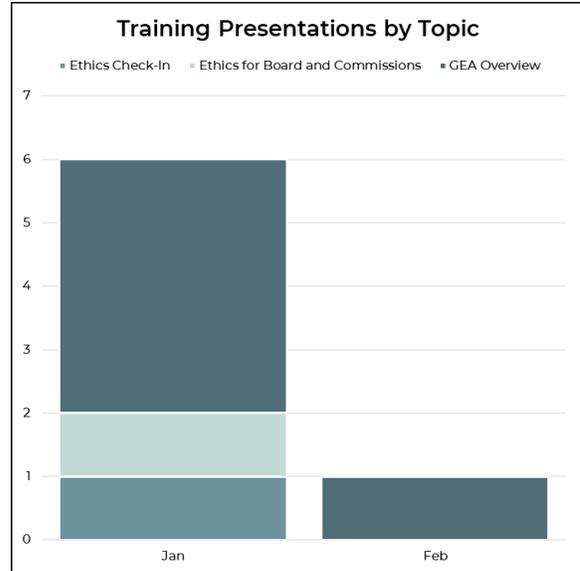
Advice and Technical Assistance – In February, Commission staff responded to 13 requests for information, advice or assistance regarding campaign finance, ethics, lobbyist registration or public records issues.

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 February 17, staff trained a total of 20 new employees on GEA provisions.

Supervisory Academy – On January 28, 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 carrying out their daily duties. Staff provided an overview of the Government Ethics Act including conflicts of interests, gift restrictions, and post-employment restrictions.



Boards and Commissions – On January 29, PEC staff participated in a joint effort with the Mayor’s office, City Clerk, and City Attorney to provide a comprehensive training for City Boards and Commissions staff liaisons. The training covered all relevant laws and responsibilities, including Sunshine and GEA requirements, pertaining to boards and commissions to ensure understanding and compliance. Staff shared about PEC resources, highlighted the PECs online training for Form 700 filers, and reminded liaisons of online agenda posting requirements.



On January 25, staff made an ethics presentation at the request of the City’s Library Advisory Commission, and on February 17, staff made an ethics presentation at the request of the City’s Commission on Homelessness. During the presentations staff provided board members with information about the Commission and its services and gave an overview of the Government Ethics Act including Form 700 filing requirements, conflicts of interests, and misuse of City resources/position.

PEC staff will be conducting an ethics training for the City’s board and commission members on February 25 and 26. The live training mirrors the PEC’s online Government Ethics Training for Form 700 Filers currently offered to employee Form 700 filers. The training will cover key provisions of the Government Ethics Act (GEA) including Form 700 filing, conflicts of interests, gift restrictions, misuse of City resources, and revolving door rules. PEC staff worked with board staff liaisons to share the mandatory training information with their respective board members. Both training dates are quickly filling up as approximately 120 board and commission members have rsvp’d as of the date of this memo.

Campaign Finance – Subscribers to our campaign mailing list received an advisory notice informing them of the revised 2019 contribution limits and expenditure ceilings. Staff also provided in-depth one-on-one technical assistance to two filers allowing them to complete their filings.

Online Engagement

Social Media – Each month Commission staff post social media content to highlight specific PEC policy areas, activities or client-groups. In February, our posts focused on campaign finance disclosure deadlines, introducing the new Commission chair, vice chair, and new members, and 2021 contribution limits.