

Item 9 - Disclosure Report 6-7-21



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TO: Public Ethics Commission
FROM: Suzanne Doran, Lead Analyst
Jelani Killings, Ethics Analyst
Whitney Barazoto, Executive Director
DATE: May 28, 2021
RE: Disclosure and Engagement Report for the June 7, 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.

Sunshine Performance/Public Records Requests

In May, the Commission approved steps outlined in its report [Spotlight on Oakland's Public Records System](#) to continue its work to ensure that Oakland's public records request system is effective and ensures departmental compliance with state and local law. Next steps include Commission staff partnering with vendor NextRequest and the City's IT Department to create an online tool, such as a report card-style performance evaluator, to monitor the City's records request performance.¹

For the report card to be sustainable, real-time data from the NextRequest database needs to automatically sync to the platform used to generate the report. This month Commission staff established the data requirements for the report card measures and completed the first section of the "data pipeline" by automating extraction of data from NextRequest's API. Commission staff is currently reviewing (validating) the raw data and adding the required contextual information for publication in June on Oakland's open data platform. Publishing NextRequest system information enhances Oakland's open data assets and improves transparency over a major City process.

In addition to determining and putting into operation technical requirements for the report card tool, staff shared the Commission's findings and initiated discussions with representatives of NextRequest, City Attorney staff, as well as other City staff to gather feedback and encourage collaboration on the report card project from internal stakeholders. The final report was also shared with over 400 public survey respondents who indicated their interest in receiving updates on the Commission's review.

¹ To see an example using the City of Oakland's equity goals visit the [Oakland Equity Indicators](#) webpage.

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The next phase of the project involves staff building a data model to generate the report card (filtering, aggregating, performing calculations, etc.,) and automating transformation of the data to meet the format and structural requirements of the report card tool. Ultimately, staff projects the initial report card will debut in January 2022 when the complete data for 2021 is available.

Disclosure Program

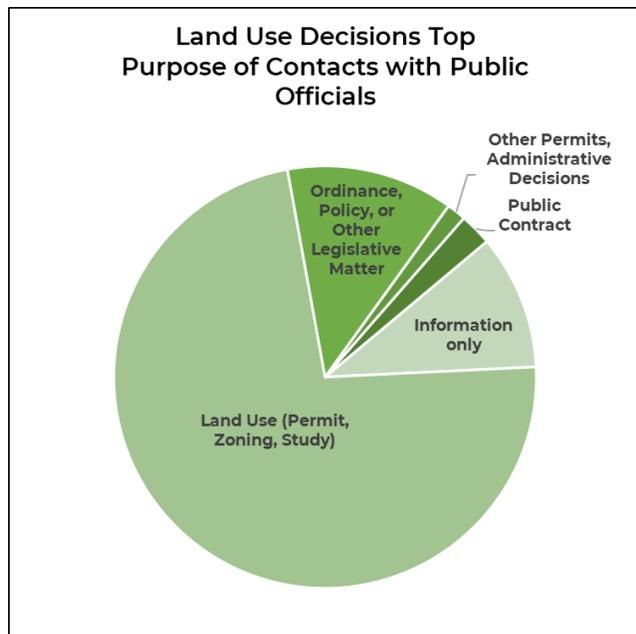
Lobbyist Registration and Reporting – The Oakland Lobbyist Registration Act (LRA) requires any person that qualifies as a lobbyist to register annually with the Public Ethics Commission before conducting any lobbying activity. It also requires lobbyists to submit quarterly reports disclosing their lobbying activities to ensure that the public knows who is trying to influence City decisions. To date, there are 56 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 2021 first quarter lobbyist activity report deadline passed on April 30. All registered lobbyists have filed their first quarter reports. Twenty-one lobbyists reported 203 contacts with public officials to influence government decision during the first quarter of 2021. Lobbyists Taj Tashombe, Dave Kaval, and Greg McConnell, accounted for 51 percent of contacts reported for the first quarter. Of the total contacts, 73 percent involved decisions relating to land use. No political contributions solicited by lobbyists were reported during the reporting period. To view lobbyist activity reports, visit the PEC’s [Lobbyist Dashboard and Data](#) webpage.

A new [Lobbyist Clients](#) dataset is now available on [OakData](#), the City’s open data portal, containing data from disclosure reports submitted to the PEC’s lobbyist reporting app. The dataset includes client information disclosed by lobbyists on their Quarterly Activity Reports including the contact information, business interest and payments promised to the lobbyist by each client the lobbyist represents.

TOP SPENDING LOBBYIST CLIENTS¹

Client	Business interest	Payments to lobbyist
Schnitzer Steel	Manufacturing/Industrial	\$30,000
Bruder, LLC	Construction	\$20,000
Patient Mutual Assistance Collective Corporation	Other Services (except Public Administration)	\$ 15,000
Equity and General Trade Association	Non-profit/advocacy organization	\$9,000
eXmarX	Construction	\$9,000
Verizon Communications, Inc. and its Affiliates	Telecommunications	\$ 7,200
Uber Technologies, Inc	Transportation and Warehousing	\$ 5,000
Caster Properties, Inc.	Real Estate, Rental and Leasing	\$ 5,000
JT Supply	Other Services (except Public Administration)	\$ 1,500
DoorDash, Inc.	Other Services (except Public Administration)	\$398
Grand Total		\$ 102,098



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

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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, two behested payments made in 2021 have been reported by the Mayor's Office:

- \$30,000 payment from Fidelity for the Vietnamese American Community Center of the East Bay,
- \$49,000 payment from San Francisco 49ers for youth football.

A new [Behested Payments](#) dataset is now available on Oakland's open data portal containing data from disclosure reports submitted by Oakland elected officials using the PEC's digital FPPC Form 803. The dataset includes information disclosed by elected officials any time they fundraise or otherwise solicit payments over \$5,000 from a single source in a calendar year for a legislative, governmental, or charitable purpose.

Advice and Engagement

Sunshine Ordinance – Staff has been developing a two-module Sunshine training that will be used as an online resource for City staff and members of local bodies. The first module will cover the open meeting provisions of the Ordinance including what constitutes a meeting, agenda publishing and noticing requirements, open meeting rules, and enforcement. The open meeting module will be published this summer. The second module will cover the public information provisions of the Sunshine Ordinance, including a full training for public records liaisons on public records request laws, City policies, and the NextRequest public records request portal. This second module is anticipated to be published in the Fall and will incorporate information learned during the PEC's Sunshine Review project in early 2021.

Advice and Technical Assistance – In May, Commission staff responded to 14 requests for information, advice or assistance regarding campaign finance, ethics, lobbyist registration or public records issues, for a total of 125 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. On May 19, staff trained 16 new employees on GEA provisions.

Supervisory Academy – On May 27, 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.

Social Media – Communications in May focused on raising awareness of the Commission's [Spotlight on Oakland's Public Records System](#) report and new disclosure tools and data.

