



CITY OF OAKLAND
PUBLIC ETHICS COMMISSION
Regular Commission Meeting
One Frank Ogawa Plaza (City Hall)
Hearing Room 2
Wednesday, May 20, 2026
6:30 p.m.

This meeting will be streamed live online at [KTOP | City of Oakland, CA](#) and via Zoom.
See the [instructions](#) at the end of the agenda for how to participate in-person or remotely.

Commissioners:

Francis Upton IV (Chair) | Karun Tilak (Vice-Chair) | Luke Apfeld | Tanya Bayeva |
L. Lawrence Brandon | Angi Fisher | Ryan Micik

Commission Staff to attend:

Suzanne Doran, Executive Director | Tovah Ackerman, Enforcement Chief | Alex
Van Buskirk, Ethics Investigator | Jelani Killings, Ethics Analyst

Legal Counsel:

Oliver Luby, Deputy City Attorney

PUBLIC ETHICS COMMISSION REGULAR MEETING AGENDA

PRELIMINARY ITEMS

1. **Roll Call and Determination of Quorum.**
2. **Staff and Commission Announcements.**
3. **Open Forum.**
 - Open forum is a time for a member of the public to comment on any matter within the jurisdiction of the Public Ethics Commission (PEC) that is not otherwise included in tonight's agenda. Read the Commission's *Core Values for Inclusive Engagement (Adopted May 6, 2019)* on our [website](#).
 - Under the Sunshine Ordinance, the Commission cannot discuss the substance of any public comment made that does not pertain to an item listed on the agenda.
 - The Commission urges members of the public not to make complaints or ask the Commission to investigate alleged legal violations at public meetings since public disclosure of such complaints or requests may undermine any subsequent investigation undertaken. Contact staff at ethicscommission@oaklandca.gov for assistance in filing a complaint.



GUEST PRESENTATION

4. **Local Public Financing Update.** The Commission will receive an informational presentation from D. Azarmi, MPP, Money in Politics Program Manager for California Common Cause, providing an overview of public financing trends in California and beyond. ([Attachment: Presentation slides](#))

ACTION ITEMS

5. **Approval of Commission Meeting Draft Minutes for April 15, 2026, Special Meeting.** ([Attachment: April 15, 2026, Special Meeting Minutes](#))
6. **Proposed Amendments to Charter Sections 202, 218, 300, and 603.** Under the City Charter, any amendments to laws that the Commission has the power to enforce or administer must be submitted to the Commission for review and comment prior to passage by City Council. Mayor Barbara Lee has submitted proposed legislation for Charter Reform Ordinance revisions to Section 202 (Councilmember Salaries), Section 218 (Non-Interference in Administrative Affairs), Section 300 (The Mayor), and Section 603 (Public Ethics Commission) for the Commission's review and comment. The proposed legislation would replace the process for setting for the Councilmember salary based on the Consumer Price Index with an adjustment based on comparison to various salaries, transfer the duty of setting the Mayor's salary from City Council to the Public Ethics Commission with revised criteria for the adjustment based on comparison to various salaries, and add provisions confirming Councilmembers' right to request information and relay constituent concerns, and city officials' duty to respond. PEC staff is analyzing the proposal and a staff report will be prepared and provided to the Commission for the meeting. The Commission will review and may decide to provide comment on the proposed legislation. ([Attachment: Proposed legislation](#); [Agenda Report prepared by the Mayor's Office dated May 7, 2026](#))
7. **Case Closure Plan.** PEC staff are working to close older, low-level cases according to a seven-point rubric to address a severe complaint backlog. Enforcement staff recommend the following cases for closure as part of that plan. ([Attachment: Staff Memo](#))
 - a. **In the Matter of Darrel Carey and the East Bay Small Business Council (PEC # 18-17).** Staff recommend that the Commission close PEC Case No. 18-17 with no further action.
 - b. **In the Matter of the Oakland Redistricting Commission (PEC # 23-17).** Staff recommend that the Commission close PEC Case No. 23-17 with no further action.

INFORMATION ITEMS

8. **Oakland Campaign Reform Act (OCRA) Guide 2026.** Commission staff present an updated guide to the Oakland Campaign Reform Act, including new content explaining recent changes to the Act enacted with the passage of City Council amendments in January 2026. ([Attachment: Oakland Campaign Reform Act Guide 2026](#))



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9. **Enforcement Program Report.** This report provides updates regarding Enforcement Division programs and operations such as caseload, enforcement-related litigation, and complaint dismissals since the last Commission meeting. ([Attachment: Enforcement Report dated May 6, 2026](#)).
10. **Executive Director Report.** This report provides updates regarding departmental programs and operations, such as budget, staffing, and PEC legislative and policy initiatives since the last Commission meeting. Specific programs updates, such as public records mediations, disclosure, and engagement, are included as attachments. ([Attachment: Executive Director report dated May 6, 2026](#); [Engagement & Compliance Program Report dated May 6, 2026](#); [Mediation Program Report dated May 6, 2026](#)).
11. **Reports on Subcommittees and Other Commissioner Assignments.** The Commission Chair may appoint individual commissioners to perform specific tasks or functions by serving on standing or ad hoc committees ([Public Ethics Commission Operations Policies, Article V](#)). Current Standing and Ad-hoc Subcommittee assignments are posted on the [Commission website](#). Commissioners may discuss subcommittee assignments, create a new subcommittee, or report on work done in subcommittees since the Commission's last regular meeting. Commissioners may also provide updates on assignments, efforts, and initiatives they undertake to support the Commission's work.
 - a. **Transparency Ad Hoc Subcommittee** (ad hoc, created March 18, 2026) - Upton IV (Chair), Apfeld, and Fisher
 - b. **Democracy Dollars Pilot Ad Hoc Subcommittee** (ad hoc, created May 7, 2026) - Micik (Chair), Bayeva, and Brandon
12. **Future Meeting Business.** Commissioners and staff may propose topics for action or discussion at future Commission meetings.

The meeting will adjourn upon the completion of the Commission's business.

Should you have questions or concerns regarding this agenda, or wish to review any agenda-related materials, please contact the Public Ethics Commission at ethicscommission@oaklandca.gov or visit our webpage at www.oaklandca.gov/pec.

Suzanne Doran

Approved for Distribution

05/08/2026

Date



PUBLIC PARTICIPATION

In addition to attending in-person, the following options for public viewing and participation are available:

Livestream Online

Go to the City of Oakland's KTOP livestream page here: <https://www.oaklandca.gov/services/ktop-tv10-program-schedule> click on "View"

Video Conferencing Access

To access this meeting using Zoom, use the Zoom Meeting link:

<https://us02web.zoom.us/j/89169308829>. You will then be prompted to enter the following information:

- Name: This field is required to be entered; however, if you wish to remain anonymous, you may type "Public" in the name field.
- Email Address: This field is required to be entered; however, if you wish to remain anonymous, you may type "Public@public.com" in the email field.

Follow the on-screen prompts to join the meeting. You may be asked to download the Zoom application.

Audio Conferencing Access

To access this meeting by phone, do the following:

- Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 669 444 9171 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 931 3860 or +1 689 278 1000 or +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 Webinar ID: 891 6930 8829
- International numbers available: <https://us02web.zoom.us/j/89169308829>

Public Comment

A member of the public may speak on any item listed on the agenda either in-person or remotely. Speakers are generally limited to three minutes per item, although the Chair may adjust the time based on the number of speakers.

Members of the public may also submit written comments in advance of the meeting to EthicsPublicComment@oaklandca.gov. Please indicate the agenda item # you are commenting on in the subject line of the email. All written public comments received at least 24 hours prior to the meeting will be posted on the meeting webpage prior to the meeting as part of the public record and provided at the meeting with agenda materials.



The purpose of Public Comment is for Commissioners to hear from members of the public. After the close of each Public Comment period, the Commission may address questions or concerns that were raised during the public comment period.

Remote Public Comment

Ensure you are in a quiet location. Before you speak, mute the sound of any equipment around you, including television, radio, or computer. It is especially important that you reduce the volume of your computer speaker if you are watching via the Zoom link, to prevent feedback and echo when you speak.

Zoom

- If you connect to the meeting via Zoom, use the **raise hand button** to indicate that you want to speak on an item and to be added to the public comment queue.
- It is your turn to speak when Zoom displays, “The host has unmuted you.”
- When you hear PEC staff say, “Welcome Caller,” you are encouraged to state your name clearly. As soon as you begin speaking you will have three minutes to provide your public comment (six minutes if you are on the line with an interpreter).
- Once your three minutes have expired, PEC staff will mute you. Zoom will display, “You’re muted.”
- Attendees who want to speak during other public comment periods may stay on the line and listen for the next public comment opportunity and should press the raise hand button to enter the public comment queue again.

Telephone Audio Conferencing

- If you connect to the meeting via telephone, dial *9 to raise your hand to indicate that you want to speak on an item and to be added to the public comment queue.
- When the system message says, “You’re unmuted,” this is your turn to speak.
- When you hear the PEC staff say, “Welcome Caller,” you are encouraged to state your name clearly. As soon as you begin speaking you will have three minutes to provide your public comment (six minutes if you are on the line with an interpreter).
- Once your three minutes have expired, PEC staff will mute you. You will hear, “You’re muted.”
- Attendees who want to speak during other public comment periods may stay on the line and listen for the next public comment opportunity and should dial *9 to raise their hands to enter the public comment queue again.



Regular Commission Meeting
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Language Access

Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email ethicscommission@oaklandca.gov or call (510) 238-3593 Or 711 (for Relay Service) five business days in advance.

¿Necesita un intérprete en español, cantonés o mandarín, u otra ayuda para participar? Por favor envíe un correo electrónico a ethicscommission@oaklandca.gov o llame al (510) 238- 3593 al 711 para servicio de retransmisión (Relay service) por lo menos cinco días antes de la reunión. Gracias.

你需要手語, 西班牙語, 粵語或國語翻譯服務嗎? 請在會議五天前電郵 ethicscommission@oaklandca.gov 或致電 (510) 238-3593 或 711 (電話傳達服務)。

Quý vị cần một thông dịch viên Ngôn ngữ Ký hiệu Mỹ (American Sign Language, ASL), tiếng Quảng Đông, tiếng Quan Thoại hay tiếng Tây Ban Nha hoặc bất kỳ sự hỗ trợ nào khác để tham gia hay không? Xin vui lòng gửi email đến địa chỉ ethicscommission@oaklandca.gov or hoặc gọi đến số (510) 238-3593 hoặc 711 (với Dịch vụ Tiếp âm) trước đó năm ngày.



This meeting location is wheelchair accessible.

California Common Cause

LOCAL PUBLIC FINANCING UPDATE

Presented by
D. Azarmi



Public financing of campaigns counters the outsized influence of wealthy special-interest money in elections, invites more candidate competition and voter choice, encourages candidates to seek small-dollar contributions from a broader base of donors, and promotes a candidate pool that is more responsive to constituents and less beholden to moneyed interests.

- The Brennan Center for Justice

High Level Update: Government Accountability Office Report

Local Public Financing: Nationally

- According to recent report by the Government Accountability Office, **14 states and 26 localities offer public financing programs** through which candidates running for offices can use public funds to finance their campaigns
- They are implemented using one of **three models**:
 - **grants**: lump-sum grants of public funds;
 - **matching funds**: public funds match private contributions that candidates raise, at a set rate;
 - **vouchers**: eligible residents receive a credit of public funds they can assign to participating candidates
- Officials from all 9 programs analyzed agree that candidates are attracted to the public campaign financing programs because they provide an accessible source of funding; especially for candidates with limited fundraising experience.
- GAO analysts consider public financing of campaigns **“likely the best reform for addressing the negative impacts of unlimited money in U.S. elections”**

:

Local Public Financing: California

Note: Oakland's current LPF program is an older reimbursement-based public financing model, now relatively rare nationally. Unlike modern systems, it matches qualified campaign expenditures rather than small donations or voter vouchers. LPF remains in effect until Oakland's voter-approved Democracy Dollars program is fully implemented.

- **SB42, the CA Fair Elections Act**, will remove the longstanding prohibition on using public money for election campaigns. This will allow counties, general law cities, special districts, and the state to establish voluntary local public financing programs.
 - It was referred by the legislature last year and will be on the November 2026 ballot. Polling projects it will pass.
- Currently **only cities with charters have the practical ability to implement local public financing in CA**. The League of CA Cities reports that there are 121 charter cities out of 482 cities in the state
- Currently **7 charter cities in California**, consisting of 16% of the state's population, have some type of campaign public financing.
 - Those cities are Berkeley, Long Beach, Los Angeles, Oakland, Richmond, Sacramento, and San Francisco

	Public Financing System	Matching Funds System	Other System
# of Cities	7	5	2
Total Population	6,445,812	5,888,718	557,094
Mean City Population	920,830	1,177,744	278,547
Median City Population	466,742	524,943	N/A

Cities with Matching Funds: **Berkeley** (6:1 match), Long Beach (1:2 primary, 1:1 run-off), Los Angeles (6:1 match), Sacramento (1:1 match), San Francisco (6:1 match).

Cities with Other Systems: Oakland ("democracy dollar" voucher system), Richmond (tiered lump-sum match system).

General Overview: High Level Impacts

Local Public Financing: California

- **Amplifies Small Donors**
 - Expands the influence of everyday residents in local elections through matching funds and public support.
- **Reduces Dependence on Big Money**
 - Helps candidates compete without relying heavily on wealthy donors or special interests.
- **Broadens Candidate Access**
 - Supports grassroots, first-time, and non-wealthy candidates running viable campaigns.
- **Strengthens Election Competitiveness**
- **Encourages Voter-Focused Campaigning**
 - Candidates spend more time engaging communities
- **Improves Transparency & Public Trust**
 - Programs require extensive disclosure, oversight, and post-election reporting.
- **Limits the Relative Influence of Outside Spending**
 - San Francisco Ethics Commission reports show historically low levels of third-party spending in recent cycles.
- **Provides a Proven Model for Expansion**
 - California cities offer decades of evidence demonstrating local public financing can work effectively.

Success Stories: Local Public Financing in California

Los Angeles

San Francisco

CALIFORNIA

L.A. on the Record: Can free campaign money help even the playing field?



See how they run: Mayor Breed's 2024 election financing

Breed has the most small-dollar fundraising, but is also the chosen candidate of billionaires like Chris Larsen and Michael Bloomberg

by JOE RIVANO BARROS
August 9, 2024, 2:30 pm



Karen Bass' campaign publicly highlighted that receiving more than \$1 million in matching funds demonstrated broad grassroots support in her race against a self-funded billionaire.

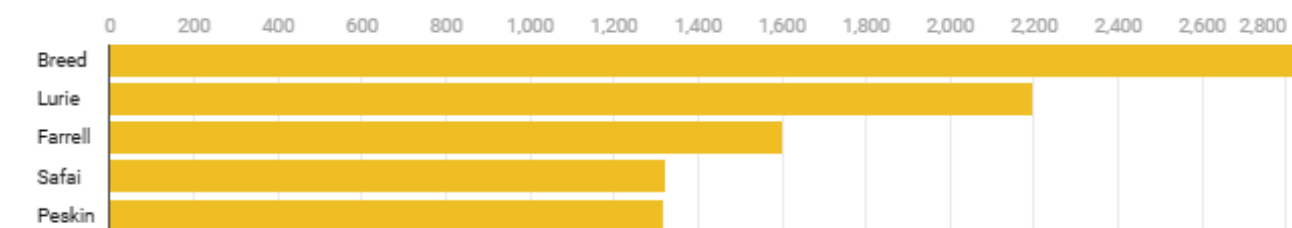
“Public financing helps candidates secure sufficient resources to run a viable campaign while reducing dependence on large private contributions.”

— San Francisco Ethics Commission

“Real estate developer Rick Caruso ... poured \$22.5 million of his own money into his campaign... Rep. Karen Bass did come in first in one key metric: Her campaign secured more than \$1 million in public matching funds.,

Mayor Breed has more individual donors than any other candidate

Individual contributions to a candidate's campaign are capped at \$500.



Includes all contributions reported until June 30, 2024. Each total represents the number of unique donors (based on their name occupation and zipcode) who donated to each committee. Committees are only required to disclose donors who gave at least \$100 in total.

-LA Times

Background:

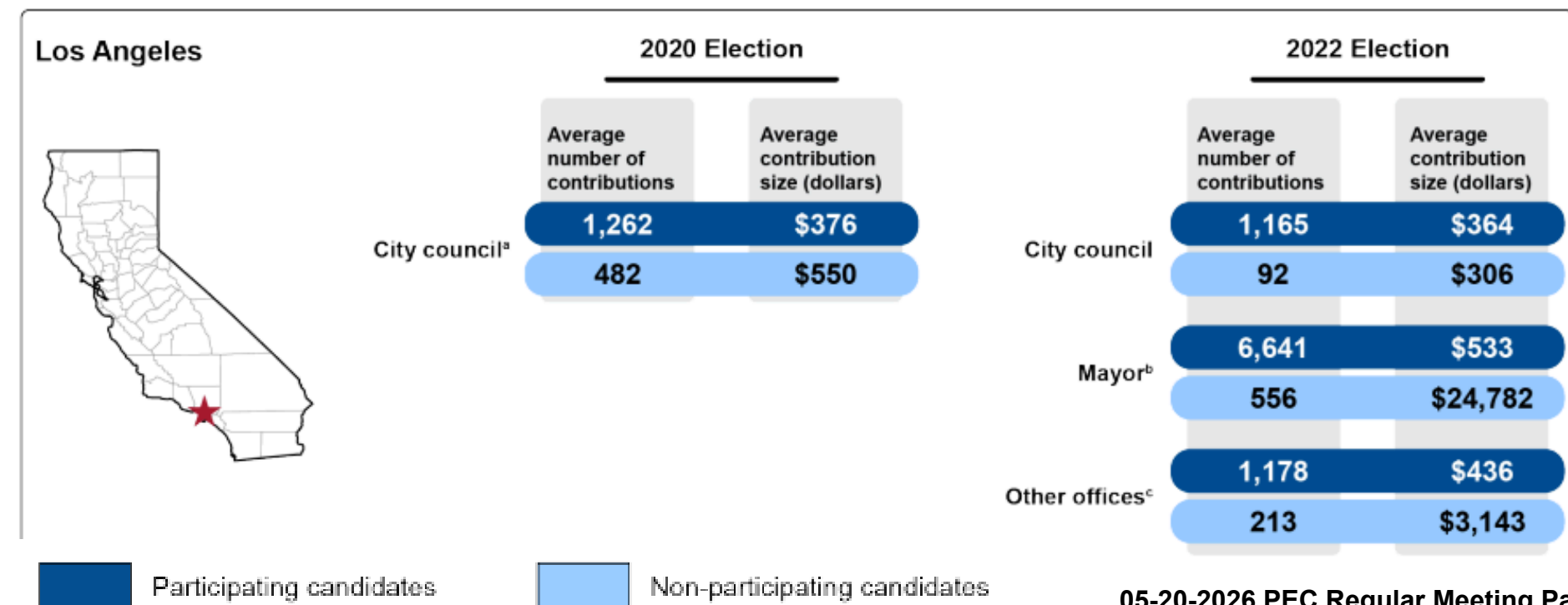
- Established through voter-approved campaign finance reform in 1990
- Operates a 6-to-1 matching funds system for qualifying small-dollar donations
- Applies to candidates for Mayor, City Attorney, Controller, & City Council
- Matches eligible contributions from Los Angeles residents with public funds
- Requires candidates to qualify through contribution thresholds and comply with program rules. Intended to strengthen neighborhood-based fundraising and reduce dependence on major donors

Impacts:

- Expanded Grassroots and Small-Donor Fundraising
- Helped Candidates Compete Against Wealthy or Self-Funded Opponents
- Allowed Candidates to Spend More Time Voter Engagement Rather Than Fundraising
- Created One of the Longest-Running Local Public Financing Systems in the Country
- Demonstrated High Candidate Participation in Major City Elections

Spotlight: Los Angeles Matching Funds

Figure 8: Average Contributions Received By Candidates Participating and Not Participating in the Los Angeles, CA and Montgomery County, MD Public Campaign Financing Programs



Background:

- Approved by voters in 2000 through Prop O
- Operates a 6-to-1 matching funds system for qualifying small-dollar donations
- Applies to Mayor and Board of Supervisors
- Provides up to \$1.2 million in public financing for mayoral candidates and \$255,000 in public financing for Board of Supervisors candidates
- Matches small-dollar private contributions with public funds
- Expands campaign viability for candidates without access to wealthy donor networks

Impacts:

- Public Financing Became a Major Share of Campaign Spending
- Consistent Candidate Participation Across Election Cycles
- Historically Low Levels of Outside/Third-Party Spending
- Sustained Viability for Candidates in Incumbent-Heavy Elections
- Strong Longitudinal Transparency and Oversight Infrastructure

**Spotlight:
San Francisco
Matching
Funds**

Table 4 – Districts 2, 4, 6, 8, 10: Total Public Funds Disbursed vs. Private Contributions Raised

Total Public Funds Disbursed	Total Private Contributions Raised	Total Funds Received	Public Funds as % of Total Funds Raised
\$1,158,006	\$1,406,719	\$2,564,725	45.2%

Chart 1 - Supervisorial Districts: Total Public Funds Disbursed vs. Private Contributions Raised

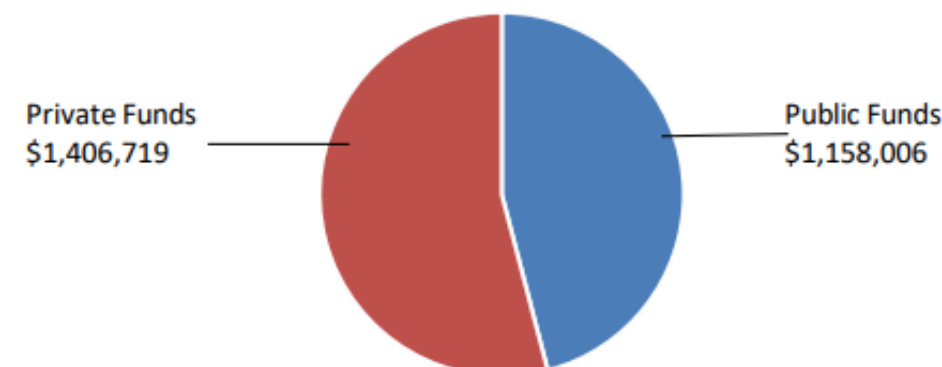
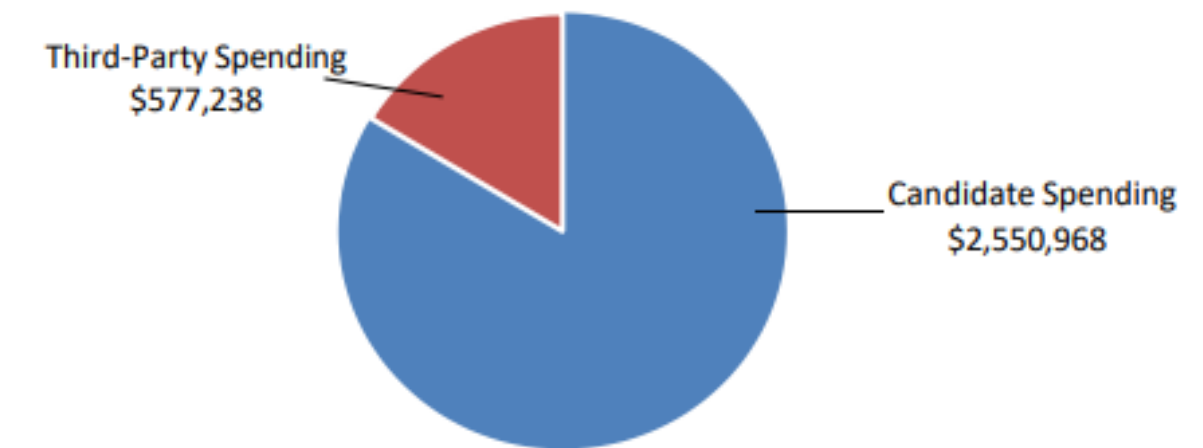


Chart 4 – Candidate vs Third-Party Spending in November 2022 Election



Spotlight: Democracy Vouchers in Seattle

Background:

- Approved by Seattle voters in 2015 through Initiative 122
- Launched in 2017 as the nation's first Democracy Voucher program
- Provides residents with four \$25 democracy vouchers to contribute to candidates
- Designed to expand participation, reduce big-money influence, and increase accountability
- Inspired reform in Oakland

Impacts:

- **Expanded Political Participation**
 - Fivefold increase in small donors between 2015 and 2021
 - 88% of voucher users were first-time local political donors
 - Low-propensity voters became 7.4x more likely to vote
 - Previous nonvoters became 10.2x more likely to vote
- **Increased Voter Turnout & Civic Engagement**
 - Increased voter turnout by 4.9 percentage points
 - Low-propensity voters participated in more elections after using vouchers
 - Encouraged more grassroots outreach and direct voter engagement
- **More Diverse & Competitive Elections**
 - Over 80% of candidates participated in the program
 - Increased participation by women, people of color, and younger candidates
 - 86% increase in number of candidates per race
- **Reduced incumbency advantages and opened space for challengers**
 - Reduced Influence of Big Money
 - Small-dollar contributions under \$100 increased by 156%
 - Large contributions over \$250 decreased by 93%
 - Out-of-city contributions dropped dramatically across races
 - Strengthened transparency through spending limits and debate requirements

Seattle: Impacts of a Decade of Vouchers

Strong Voter Satisfaction

- 90% of Seattle voucher users reported satisfaction with the Democracy Voucher Program
- More than half (53%) said they were “extremely satisfied” with the program

Support Across Diverse Communities

- Residents saw increases in participation, donor diversity, & grassroots campaigning
- Voucher users increasingly reflected Seattle's broader population:
 - stronger participation from low-income residents,
 - people of color,
 - and first-time political donors
- The program's accessibility helped create broader buy-in by allowing residents to participate politically without using personal funds

Increased Civic Trust & Engagement

- The program encouraged more direct engagement between candidates and residents through:
 - canvassing,
 - community conversations,
 - and grassroots outreach
- Supporters viewed the program as helping restore confidence that ordinary residents — not just wealthy donors — could influence local elections

TECH

Amazon tried to remove a Seattle City Councilmember and lost. Here's how she describes taking on and defeating one of the world's biggest companies.

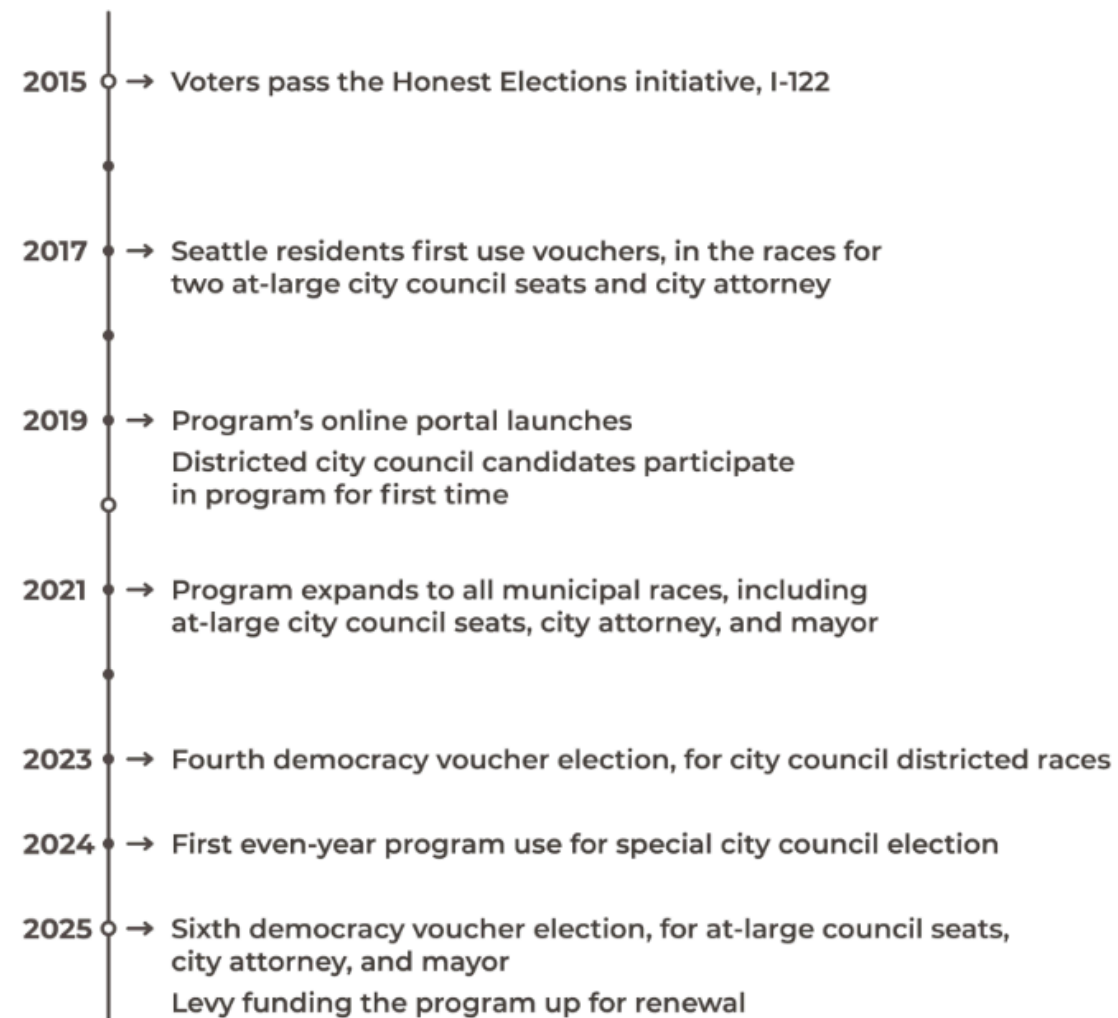
By Ben Gilbert



A campaign ad for Seattle councilmember Kshama Sawant. Associated Press

Public Support After A Decade of Vouchers

Ten years of Seattle's democracy voucher program



Broad Support for Continued Funding

- People Powered Elections polling found that **66% of Seattle voters said they would support renewing** the property tax levy that funds Democracy Vouchers
- **Support remained strong despite ongoing city budget pressures**, suggesting voters viewed the program as a worthwhile democratic investment
- **Seattle voters renewed the Democracy Voucher Program in the August 2025 election with 59% support.**

Additional Updates:

- The renewed levy will raise approximately \$45 million over 10 years
- **Funding increased** from \$3 million annually to \$4.5 million annually to account for inflation
- The renewal keeps Seattle's Democracy Voucher Program operating through at least 2035

Momentum For Building Statewide: From Orange County to San Jose

Outspent and Outvoiced:

Pay-to-Play Risks and the Case for Democracy Dollars in Anaheim and Santa Ana



- **Active coalitions across California**, including in Orange County and Santa Clara County, are working to advance Democracy Dollars
- California Common Cause worked with these coalitions to produce **“Outspent and Outvoiced”**, a new report highlights growing concern over pay-to-play politics and the need for structural reform
- The **projected passage of SB 42** is projected to unlock a new wave of local public financing efforts across California
 - Local jurisdictions are likely to lead implementation first, building momentum for broader county and statewide reforms over time
- Public financing reforms & successes often create a **“wave effect”**:
 - one city adopts reform then neighboring jurisdictions begin exploring similar models,
 - successful local implementation helps drive broader change

Following Amazon \$1.5 Million Campaign to Try to Remake the Seattle City Council, Lawmakers Ban Foreign-Influenced Corporations from Spending in City Elections

Posted on January 13, 2020

CHALLENGING FOREIGN INFLUENCE

Why Now

BREAKING NEWS! **OAKLAND HAS PASSED** **MEASURE W!**



Measure W takes power away from dark-money special interest groups and puts it back into the hands of the voters.

Securing a remarkable 74% of the vote, it is clear that Oaklanders want Democracy Dollars.

Escalating Outside Spending in Oakland Elections

- Oakland elections increasingly attract large-scale independent expenditures (IEs) from outside interests, with spending now routinely reaching hundreds of thousands or even millions of dollars.
- These expenditures often come from:
 - tech and venture capital donors,
 - real estate interests,
 - charter school advocates,
 - and politically connected PAC networks.

Recall Elections Accelerate “Big Money” Politics

- Oakland's 2024 recall cycle became one of the city's most expensive political periods in recent history, with both the Mayor and the DA recalled.
- Recall committees and allied PACs dramatically outspent traditional candidate campaigns, intensifying concerns about transparency and accountability.
- Major donors and independent groups shape political narratives through:
 - mass mailers, digital advertising, slate campaigns,
 - and coordinated independent expenditures.
- Critics argue that recall efforts amplified the influence of wealthy interests while making it harder for ordinary residents and grassroots campaigns to

Public Financing Can Help Balance the System

- Democracy Dollars and matching funds systems cannot eliminate outside spending, but they can help rebalance political power by increasing the role of residents and small donors.

Thank You!

For your listening...

Please elaborate on what you want to discuss.

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Commissioners:

Francis Upton IV (Chair) | Karun Tilak (Vice-Chair) | Luke Apfeld | Tanya Bayeva | L. Lawrence Brandon | Angi Fisher | Ryan Micik

Commission Staff in attendance:

Suzanne Doran, Executive Director | Tovah Ackerman, Enforcement Chief | Alex Van Buskirk, Ethics Investigator | Jelani Killings, Ethics Analyst | Niels Thorsen, Ethics Analyst | Bhawna Chowdhary, Law Clerk

Legal Counsel:

Christina Cameron, Partner, Devaney Pate Morris & Cameron, LLP

PUBLIC ETHICS COMMISSION SPECIAL MEETING MINUTES

PRELIMINARY ITEMS

1. Roll Call and Determination of Quorum.

The meeting was called to order at 6:35 p.m.

Members present: Chair Francis Upton IV, Vice-Chair Karun Tilak, L. Lawrence Brandon, Angi Fisher, and Ryan Micik.

Members absent: Luke Apfeld, Tanya Bayeva.

2. Staff and Commissioner Announcements.

Chair Upton announced that members of the public can now participate in meetings remotely via Zoom as well as in person.

3. Open Forum.

Public Comment: Ralph Kanz.

ACTION ITEMS

4. Approval of Commission Meeting Draft Minutes.

a. January 21, 2026, Revised Regular Meeting Minutes.

Brandon moved, and Tilak seconded, to adopt the January 21, 2026, regular meeting minutes as corrected.

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Public Comment: Ralph Kanz.

Ayes: Tilak, Brandon, Fisher, Micik, Upton.

Noes: None.

Abstentions: None.

Vote: 5-0.

Motion passed.

b. March 18, 2026, Regular Meeting Minutes.

Tilak moved, and Brandon seconded, to adopt the March 18, 2026, regular meeting minutes.

Public Comment: Ralph Kanz.

Ayes: Tilak, Brandon, Fisher, Micik, Upton.

Noes: None.

Abstentions: None.

Vote: 5-0.

Motion passed.

5. Biennial City Attorney Salary Adjustment.

Executive Director Doran presented, and the Commission discussed, staff's recommendation to adjust the City Attorney salary in accordance with Oakland City Charter Section 401(1).

Tilak moved, and Upton seconded, to approve Resolution 26-02, authorizing a 5.4 percent increase in the City Attorney's salary to an authorized annual salary of \$338,290.60, in accordance with City Charter Section 401(1).

Public Comment: Ralph Kanz.

Ayes: Tilak, Brandon, Fisher, Micik, Upton.

Noes: None.

Abstentions: None.

Vote: 5-0.

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Motion passed.

6. Biennial City Auditor Salary Adjustment.

Executive Director Doran presented, and the Commission discussed staff's recommendation to adjust the City Auditor salary in accordance with Oakland City Charter Section 403(1).

Michael C. Houston presented an alternative salary adjustment proposal for the Commission's consideration, which was included with the agenda materials.

Brandon moved, and Upton seconded, to increase the City Auditor's salary to \$252,544.78 per the recommendations presented by Mr. Houston.

Public Comment: None.

Ayes: Brandon.

Noes: Tilak, Fisher, Micik, Upton.

Abstentions: None.

Vote: 1-4.

Motion Failed.

Tilak moved, and Micik seconded, to approve Resolution 26-03 authorizing a 5.4 percent increase in the City Auditor's salary to an authorized annual salary of \$238,849.15, in accordance with City Charter Section 403(1).

Public Comment: None.

Ayes: Tilak, Brandon, Fisher, Micik.

Noes: Upton.

Abstentions: None.

Vote: 4-1.

Motion passed.

7. In the Matter of Tovah Ackerman, Enforcement Chief (PEC #26-03).

Enforcement Chief presented PEC Cases No. 26-03 and No. 26-04 jointly for Commission consideration and stated that the complainant has been referred to a nearby jurisdiction in accordance with the PEC Mediation and

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DRAFT

Complaint Procedures (IV(A)(4)). Staff recommended that the Commission close PEC Case No. 26-03 and No. 26-04 without further action.

Chair Upton recommended taking items 7 and 8 as one vote.

Micik moved, and Upton seconded, to close PEC Cases No. 26-03 and No. 26-04 with no action.

The Chair noted Public Comment would be opened for item 7 and then item 8, since the items were agendaized separately.

Public Comment Item 7: None.

Public Comment Item 8: None.

Ayes: Tilak, Brandon, Fisher, Micik, Upton.

Noes: None.

Abstentions: None.

Vote: 5-0.

Motion passed.

8. In the Matter of the Oakland Public Ethics Commission (PEC #26-04).

Combined with Item 7. See above for discussion and action.

9. 2025 Case Closure Plan – Form 700 Cases

PEC staff recommended that the Commission close ten respondent-specific Annual Form 700 late and non-filer matters from 2023 and 2024 with individual warning letters. Enforcement Chief Tovah Ackerman presented, and the Commission discussed the staff's recommendation to close the following cases:

a. Form 700 Late-Filers

- i. In the Matter of Chris Jackson (PEC # 24-05.26). Staff recommends that the Commission close PEC Case No. 24-05.26 with a Warning Letter.
- ii. In the Matter of Fred Mangrum (PEC # 24-05.36). Staff recommends that the Commission close PEC Case No. 24-05.36 with a Warning Letter.
- iii. In the Matter of Ali Obad (PEC # 24-05.46). Staff recommends that the Commission close PEC Case No. 24-05.46 with a Warning Letter.

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- iv. In the Matter of Michael Wallace (PEC # 24-05.61). Staff recommends that the Commission close PEC Case No. 24-05.61 with a Warning Letter.
- v. In the Matter of Arthur Watson, Jr. (PEC # 24-05.63). Staff recommends that the Commission close PEC Case No. 24-05.63 with a Warning Letter.
- vi. In the Matter of Fred Kelley (PEC # 23-16.8). Staff recommends that the Commission close PEC Case No. 23-16.8 with a Warning Letter.

b. Form 700 Non-Filers

- i. In the Matter of Tanya Boyce (PEC # 24-05.6). Staff recommends that the Commission close PEC Case No. 24-05.6 with a Warning Letter.
- ii. In the Matter of Demitri Taylor (PEC # 24-05.57). Staff recommends that the Commission close PEC Case No. 24-05.57 with a Warning Letter.
- iii. In the Matter of Taib Alaoui (PEC # 23-16.3) and In the Matter of Taib Alaoui (PEC # 24-05.1). Staff recommends that the Commission close PEC Case Nos. 23-16.3 and # 24-05.1 with a Warning Letter.

Tilak moved, and Fisher seconded, to adopt staff's recommendation.

Public Comment: Ralph Kanz.

Ayes: Tilak, Brandon, Fisher, Micik, Upton.

Noes: None.

Abstentions: None.

Vote: 5-0.

Motion passed.

10. 2025 Case Closure Plan.

PEC staff are working to close cases according to a seven-point rubric to address a severe complaint backlog. Enforcement Chief Tovah Ackerman presented, and the Commission discussed the staff's recommendation to close the following cases:

- a. In the Matter of David Silver (PEC # 24-02). Staff recommends that the Commission close PEC Case No. 24-02 with a Warning Letter.
- b. In the Matter of Cherisse Gash, et al. (PEC # 24-09.01). Staff recommends that the Commission close PEC Case No. 24-09.01 after a referral to the FPPC.
- c. In the Matters of Ike Smart City, Clayton Collett, and Michael Colbruno (PEC #s 22-11.1, 22-11.2, 22-11.3). Staff recommends that the Commission close PEC Case Nos. 22-11.1, 22-11.2, 22-11.3 with No Action.

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Upton moved, and Micik seconded, to adopt staff's recommendation.

Public Comment: Ralph Kanz.

Ayes: Tilak, Brandon, Fisher, Micik, Upton.

Noes: None.

Abstentions: None.

Vote: 5-0.

Motion passed.

11. Future Meeting Business.

Commissioner Brandon requested updates on Democracy Dollars and opportunities for community engagement.

Public Comment: None.

The meeting adjourned at 8:07 p.m.

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY MAYOR LEE AND COUNCIL PRESIDENT JENKINS

RESOLUTION SUBMITTING TO THE VOTERS AT THE NOVEMBER 3, 2026 GENERAL MUNICIPAL ELECTION A MEASURE THAT WOULD AMEND THE OAKLAND CITY CHARTER TO, AMONG OTHER THINGS:

- (1) MAKE THE MAYOR THE CITY'S CHIEF EXECUTIVE OFFICER RESPONSIBLE FOR MANAGING CITY AFFAIRS;**
- (2) EMPOWER THE COUNCIL TO CONFIRM THE APPOINTMENTS OF THE DIRECTORS OF FINANCE, HUMAN RESOURCES, PUBLIC WORKS, AND TRANSPORTATION;**
- (3) EMPOWER THE COUNCIL TO CREATE AN INDEPENDENT BUDGET AND LEGISLATIVE ANALYST'S OFFICE TO PROVIDE THE COUNCIL FISCAL AND POLICY ANALYSIS THAT IS OBJECTIVE AND NONPARTISAN;**
- (4) AFFIRM COUNCILMEMBERS' RIGHT TO REQUEST INFORMATION AND RELAY CONSTITUENT CONCERNS, AND CITY OFFICIALS' DUTY TO RESPOND PROMPTLY;**
- (5) EMPOWER THE COUNCIL TO HOLD LEGISLATIVE HEARINGS AND ISSUE SUBPOENAS;**
- (6) CREATE A MAYORAL VETO WITH A LINE-ITEM BUDGET VETO AND A COUNCIL POWER TO OVERRIDE ANY VETO;**
- (7) REQUIRE COUNCILMEMBERS TO WORK FULL TIME AND NOT ENGAGE IN OUTSIDE EMPLOYMENT;**
- (8) EMPOWER THE PUBLIC ETHICS COMMISSION TO ALIGN THE MAYOR'S AND COUNCILMEMBERS' SALARIES WITH THOSE OF COMPARABLE FULL-TIME PUBLIC OFFICIALS; AND**
- (9) REQUIRE THE PUBLICATION OF ORDINANCES WITHIN FIFTEEN DAYS OF PASSAGE;**

AND DIRECTING THE CITY CLERK TO TAKE ALL ACTIONS NECESSARY UNDER LAW TO SUBMIT THIS MEASURE TO THE VOTERS AT THE ELECTION; AND MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

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WHEREAS, Oakland residents rely on a city government that works clearly, effectively, and accountably for them; and

WHEREAS, the Mayor's Charter Reform Working Group, co-chaired by the Oakland League of Women Voters and the San Francisco Bay Area Planning and Urban Research Association (SPUR), completed a public process that included more than 60 interviews, 14 community sessions across the City, and participation from more than 750 residents, and issued recommendations after careful study of Oakland's governance challenges and comparison to other jurisdictions; and

WHEREAS, the Working Group concluded that Oakland's current Charter creates confusion about roles and responsibilities, weakens accountability, and makes it harder for residents to know who is responsible for service delivery, budgeting, and oversight; and

WHEREAS, the Working Group recommended a coherent strong-mayor / strong-council framework in which the Mayor serves as chief executive with authority over city operations and veto power over legislation and budget decisions, while the City Council remains the legislative branch with strengthened oversight authority and independent analytical capacity; and

WHEREAS, Oakland residents rely on accessible, neighborhood-based assistance in navigating City services, and their elected Councilmembers serve as essential points of contact for reporting concerns, seeking help with service requests, and advocating for timely responses from City departments; and

WHEREAS, City Councilmembers, as district level and citywide representatives, are uniquely positioned to identify service issues affecting communities, elevate resident concerns, and facilitate communication between the public and the administrative service of the City; and

WHEREAS, the current language of Section 218, adopted decades ago in a different era of municipal governance, is framed primarily as a limitation on communication and does not reflect modern expectations for transparency, responsiveness, or collaborative service delivery; and

WHEREAS, good governance and accountability in Oakland simultaneously requires; 1) a clear separation between Council's legislative oversight and the Mayor's executive administration and 2) well defined channels for communication, inquiry to ensure that both branches effectively support their constituents; and

WHEREAS, clarifying the Council's authority to request information, inquire into the status of service requests, and communicate directly with the Mayor, City Administrator, and City officials will strengthen Oaklanders' ability to receive timely help and accurate information; and

WHEREAS, clarifying the affirmative obligations on the Mayor, City Administrator, and other City officials to provide timely responses, reasonable access to information, and designated points of contact will improve service coordination, reduce delays, and promote transparency in government operations; and

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WHEREAS, the proposed amendment preserves critical safeguards that prohibit Councilmembers from directing, supervising, coercing, or attempting to influence City staff in personnel matters, operational decisions, procurement, or any other administrative actions - thus maintaining the integrity of the executive function, while affirmatively protecting Councilmembers' ability to request information, follow service requests, and obtain timely responses; and

WHEREAS, the Charter Reform Working Group recognizes that Council service is full-time in practice and should be expressly declared full-time in the Charter, with a prohibition on outside employment to preserve independence, avoid conflicts of interest, and ensure that Councilmembers are able to devote sufficient time to legislative, budgetary, and constituent work; and

WHEREAS, establishing Council service as explicitly full-time is also an equity imperative: when the role is functionally full-time but not clearly defined or compensated as such, it can exclude individuals who cannot afford to subsidize public service with outside income or personal wealth - disproportionately impacting working-class residents and communities of color and limiting who is able to serve; and

WHEREAS, Oakland's current Charter establishes different compensation frameworks for elected officials, with the Mayor, City Attorney, and City Auditor receiving periodic, data-driven salary reviews based on comparisons to peer jurisdictions, while City Council salaries are limited to cost-of-living adjustments without a mechanism for comprehensive recalibration; and

WHEREAS, this fragmented approach creates inconsistency in how the City defines, evaluates, and supports the roles of its elected officials, and does not reflect best practices in comparable cities with full-time legislative bodies; and

WHEREAS, the Mayor's Charter Reform Working Group recommends unifying the compensation framework for all elected officials - including the Mayor, City Council, City Attorney, and City Auditor - under a consistent, objective, and data-driven process that incorporates regular review and benchmarking against comparable jurisdictions; and recommends aligning salary-setting provisions for Councilmembers with those applicable to all City of Oakland elected officials, including the Mayor, City Attorney, and City Auditor; and

WHEREAS, establishing a unified compensation structure is intended to professionalize the role of City Councilmembers, ensure alignment with the scope and responsibilities of full-time public service, and promote transparency and consistency across elected offices; and

WHEREAS, this reform is not intended to automatically increase salaries, but rather to create a fair, transparent, and standardized process for setting compensation that reflects the responsibilities of each office and supports effective governance; and

WHEREAS, a budget line-item veto and general veto, subject to Council override by supermajority, will provide a precise and accountable mechanism for addressing specific fiscal and operational concerns without forcing all-or-nothing confrontation over the entire budget; and

WHEREAS, the City Council further finds that a permanent, independent Budget and Legislative Analyst office will strengthen Council oversight, improve budget scrutiny, support

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policy analysis, and provide the data necessary to evaluate the implementation of City programs and policies; and

WHEREAS, the City Council desires to strengthen its own ability to provide oversight of the Mayor and the administration, to assess the implementation of City programs and policies, and to serve constituents more effectively; and

WHEREAS, the balanced approach embodied in these reforms will modernize the Charter, increase accountability, and help ensure that Oakland residents receive responsive and equitable service from their local government; now, therefore, be it

RESOLVED: That the City Council hereby submits to the voters at the November 3, 2026 General Municipal Election a measure to amend the Oakland City Charter that shall read as set forth in Attachment 1 (the “Measure”), attached hereto; and be it

FURTHER RESOLVED: That each ballot used at said election shall have printed therein, in addition to any other matter required by law the following:

**PROPOSED CHARTER AMENDMENT
MEASURE ____**

Measure _____. Shall a measure to amend the Charter to, among other things, [TBD BY OCA], be adopted? [FINAL BALLOT QUESTION SUBJECT TO CITY ATTORNEY APPROVAL]	Yes	
	No	

; and be it

FURTHER RESOLVED: That the City Council hereby authorizes and directs the Clerk of the City of Oakland (“City Clerk”), at least 88 days prior to the November 3, 2026 general municipal election, to file certified copies of this resolution with the Alameda County Board of Supervisors and the Registrar of Voters; and be it

FURTHER RESOLVED: That the City Council does hereby request that the Board of Supervisors of Alameda County include on the ballots and sample ballots the language to be voted on by the voters of the City of Oakland, and to print the full text of the Measure in the sample ballot pamphlet prepared for voters in connection with the election; and be it

FURTHER RESOLVED: That the City Attorney, in accord with the City Attorney’s powers and duties is hereby authorized to insert the final ballot question into this Resolution after adoption by the Council so that the ballot question constitutes a true and impartial synopsis of the

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final proposed Measure; and to make any changes to the text of the Measure to conform to law or requirements of the County Registrar; and be it

FURTHER RESOLVED: That in accordance with the Elections Code and Chapter 3.08 of the Oakland Municipal Code, the City Clerk shall fix and determine a date for submission of arguments for or against said proposed Charter amendment, and said date shall be posted by Office of the City Clerk; and be it

FURTHER RESOLVED: That in accordance with the Elections Code and Chapter 3.08 of the Oakland Municipal Code, the City Clerk shall provide for notice, publication and printing of notices as to said proposed Charter amendment in the manner provided for by law; and be it

FURTHER RESOLVED: That the City Clerk and City Administrator hereby are authorized and directed to take any and all actions necessary under law to prepare for and conduct the 2026 General Municipal Election and appropriate all monies necessary for the City Administrator and City Clerk to prepare for and conduct the November 3, 2026 General Municipal Election, consistent with law; and be it

FURTHER RESOLVED: That in accordance with the California Environmental Quality Act (“CEQA”), CEQA Guidelines section 15378(b)(4), adoption of this Resolution to place a charter amendment on the ballot for voter approval is not a project subject to the requirements of CEQA; and in addition, this Resolution is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), since there is no possibility that the activity authorized herein may have a significant effect on the environment that has not already been studied.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the
Council of the City of Oakland,
California

3467635

ATTACHMENT 1

The people of the City of Oakland do ordain as follows:

Section 1. Amendments to the Oakland City Charter.

The Charter of the City of Oakland is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in capitalized **bold type**; additions are indicated by underscoring, deletions are indicated by ~~strike-through type~~; portions of the provisions not cited or not shown in underscoring or strike-through type are not changed).

ARTICLE I POWERS AND FORM OF GOVERNMENT

Section 107. Form of Government. The government provided by this Charter shall be known as the Mayor-Council form of government.

Section 108. Continuity Immediately After Adoption of 2026 Amendments.
Amendments to this Charter adopted at the November 2026 election provide for certain executive authorities, powers, and responsibilities previously conferred upon the City Administrator to be transferred to and assumed by the Mayor. Immediately after such amendments become operative, all directors or heads of departments and all employees previously under the City Administrator's jurisdiction shall remain under the City Administrator's jurisdiction unless and until their reporting structures are changed by the Mayor or City Administrator in accordance with this Charter and in accordance with applicable law. All general rules and regulations previously adopted by the City Administrator to govern the general conduct of the administrative departments previously under the City Administrator's jurisdiction shall remain in effect unless and until replaced, repealed or amended by the Mayor or City Administrator in accordance with this Charter and in accordance with applicable law.

ARTICLE II THE COUNCIL

Section 200. Composition of the Council. The Council shall consist of eight Councilmembers, nominated and elected as hereinafter provided. ~~The Mayor shall not be a member of the Council, but shall have a vote on the Council if the Councilmembers are evenly divided in accordance with Section 305.~~ The Council shall elect a President of the Council from among its members for a term of two years. The President of the Council shall serve as the presiding officer of the City Council and shall perform duties authorized by the Council's Rules of Procedure, which shall be passed by resolution in accordance with Charter section 210.

Section 201. Qualifications. No person shall be eligible for or continue to hold the office of Councilmember, either by election or appointment, unless they are a citizen of the United States, a qualified elector, a resident for at least thirty days of the City or of a territory lawfully annexed or consolidated, and a resident of the district from which they may be a candidate for at least thirty days immediately next preceding their nomination or appointment.

Section 202. Council Salaries. Consistent with salary setting for other elected officials and in recognition that councilmembers shall devote their full time to the duties of their office, the salary of Councilmembers shall be set every two (2) years, beginning in 2027, by the Public Ethics Commission to provide for competitive compensation and equitable alignment, taking into account the top of the range for the highest paid professional employee in the Office of the City Council and salaries for City department heads, and shall be comparable to the salaries of full-time city councilmembers and full-time county supervisors in comparable California cities and counties selected by the Commission. The salary of Councilmembers may not be reduced, except as a part of a general reduction of salaries for all officers and employees in the same amount or proportion. The Public Ethics Commission shall bi-annually adjust the salary for the office of Councilmember by the increase in the consumer price index over the preceding two years, up to a total of five percent. If the increase in the consumer price index over the preceding two years exceeds five percent, the Commission shall have the discretion

Section 204. Term of Office, Term Limits, Full-Time Service, Council.

- (a) Term of Office. The Councilmembers shall be elected to a term of four years beginning at 11:00 a.m. on the Monday following January 2 following their election. In 2018 Municipal Elections were held to select City officers for four-year terms for the following offices: Councilmember, District #2; Councilmember, District #4, and, Councilmember, District #6. In 2020 Municipal Elections were held to select City Councilmembers for four-year terms for the following offices: Councilmember, District #1; Councilmember, District #3;

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Councilmember, District #5; Councilmember, District #7; and Councilmember At-Large.

- (b) Term Limits. No person shall be elected to the office of Councilmember, whether district or at-large, or any combination thereof, for more than three consecutive terms; except that a person may serve up to three consecutive terms as a district Councilmember immediately followed by up to three consecutive terms as Councilmember at-large. For purposes of determining term limits, a Councilmember who fills a partial term of more than two years shall be deemed to have filled the entire term. Terms for the office of Councilmember that commenced prior to January 2023 shall not be considered in calculating limits on consecutive terms for Councilmembers.
- (c) Councilmembers shall devote their full time to the duties of their office and not engage in any outside employment, trade, business or profession which interferes or conflicts with those duties. Councilmembers shall not be eligible during the term for which they were appointed or elected to hold any other office or employment with the City, except as a member of a board of a joint powers authority or other board or commission of which they are constituted such a member by general law or by this Charter. Councilmembers shall not receive any compensation, including honoraria, for their services other than that provided in this Charter, except that which may be provided for their serving on governmental entities where payment is authorized for other governmental officers or employees serving in that capacity. However, nothing shall prevent Councilmembers from the receipt of income earned from business(s) or investment(s) in which they are not actively engaged and which are not in conflict with the performance of their duties and responsibilities.

Section 205. Vacancy, Filling of. All vacancies occurring in the office of Councilmember shall be filled by special election within 120 days of a vacancy. An extension of up to 90 days may be allowed only for the express purpose of consolidating the special election with the next Municipal Election or Statewide Election. Special elections for the office of Councilmember shall be conducted using the same ranked choice voting procedures used to elect Councilmembers in General Municipal Elections. Whenever the period of vacancy in a Councilmember's term of office equals or exceeds 100 days the vacancy may be temporarily filled by appointment through the majority vote of the remaining Councilmembers, provided the appointee may not simultaneously fill the vacancy and run as a candidate for that office and provided the appointment does not exceed 180 days or go beyond the date the new incumbent is sworn in, whichever is shortest. Alternative legal voting procedures shall be used to the greatest extent feasible to increase voter participation in special elections including, but not limited to, mail ballot voting, secure, electronic voting and extended voting period.

Notwithstanding any other provision of this section 205 or this Charter, an election shall not be required to fill a vacancy in the office of Councilmember that occurs when the Council President fills a mayoral vacancy pursuant to Sections 303 and 304 of this Charter, and the Council President shall be entitled to return to their seat when the

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mayoral vacancy is filled, provided that, during the Council President's service as Mayor, the City Council may, by resolution, appoint a person to serve as Councilmember for the Council President's district. The appointee shall meet the qualifications for office of Councilmember set forth in Section 201 of this Charter. The appointee shall hold office only until the Council President returns to their seat or when the term ends, whichever is sooner.

Section 207. Powers of the Council.

- (a) The Council shall be the governing body of the City. It shall exercise the corporate powers of the City and, subject to the expressed limitations of this Charter, it shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government consistent with the Constitution of the State of California. It shall have no administrative powers. The Council shall fix the compensation of all City employees, officers and officials except as otherwise provided by this Charter.
- (b) The Council shall, in all matters relevant to the Council's powers, have the authority to conduct legislative hearings, to issue subpoenas to compel the production of books, papers and documents, and to take testimony on any matter pending before it. The City Clerk shall issue subpoenas in the name of the Council, attested with the corporate seal, requiring the attendance and testimony of the witness or production of documents at a specified time and place before the Council. If any person subpoenaed fails or refuses to appear or to produce required documents or to testify, no less than five members of the Council may find them in contempt, and shall have power to take the proceedings in that behalf provided by the general law of the State. Nothing in this section shall require Council to provide for examination of witnesses under oath in any particular proceeding.

Section 208. Meetings of the Council. At 11:00 a.m. on the first Monday following January 2 following each General Municipal Election, the Council shall meet at the established Council meeting place, at which time and place the newly elected members of the Council shall assume the duties of their office; and at such meeting, ~~and at its first meeting in January of each odd-numbered year,~~ the Council shall, by resolution, elect a Council President from among its members to serve for a two-year term. The Council also shall elect, by resolution, a President Pro Tempore of the Council from among its members to serve a one or two-year term. Thereafter, the Council shall meet regularly at the time and place fixed by resolution. Special meetings may be held at the regular place of meeting and shall be called, and notice thereof given, by the City Clerk upon the written request of the Mayor, the City Administrator or three members of the Council and such notice shall state the special subject to be considered at the special meeting; and no other subject shall be there considered. Regular or special meetings may be held at places other than the regular meeting place only in an emergency in which the regular meeting place is untenable, or for some purpose of public convenience, upon the posting of a

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public notice at the regular meeting place that the Council is meeting elsewhere to be designated on the notice.

Section 210 (1). Council Action. The Council shall provide by resolution for the order of business and the rules of procedure for the conduct of Council meetings. The Council shall act by ordinance or resolution or motion. The "ayes" and "noes" shall be taken on the passage of all ordinances and resolutions and entered upon the journal of the Council's proceedings. Each proposed ordinance or resolution shall be introduced in written or printed form. The affirmative vote of five members of the Council shall be required to adopt any ordinance or resolution, except as otherwise provided by this Charter or by general law.

Section 210 (2) ; Approval or Veto of Council Actions by Mayor.

- (a) The Mayor shall have veto power over all resolutions and ordinances passed by Council, including resolutions or ordinances to establish the official position of the City with respect to legislation proposed to or pending before the state or federal government, except that the Mayor's veto power shall not extend to the following:
- (1) Matters that are exclusively within the purview of Council, such as selection of the Independent Budget and Legislative Analyst, confirmation of certain department heads pursuant to Charter section 600, the selection of a Council President or President Pro Tempore, or the establishment of the Council's rules of procedure or other rules or policies of governance exclusive to the Council and not affecting the administrative service of the City under the control of the Mayor or City Administrator.
 - (2) Matters where the Council has acted as a quasi-judicial body and was required by law to consider evidence at a hearing implicating individual due process rights.
 - (3) Matters where the Council has a ministerial duty or obligation to perform in a prescribed manner in obedience to a legal mandate.
 - (3) Emergency Ordinances adopted in accordance with Charter section 213.
 - (4) The adoption of the City's annual budget, which instead shall be subject to veto in accordance with Charter section 801.
 - (5) The levy of property tax in accordance with Charter section 802.
- (b) Matters that are not subject to the Mayor's veto power shall be clearly indicated as such on the Council's agenda and within the body of the resolution or ordinance, and shall be signed as to form and legality by the City Attorney.
- (c) The following shall apply to each resolution and ordinance that has been adopted by the Council and is subject to the Mayor's veto:

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- (1) Each such resolution or ordinance shall, within forty-eight hours of the Mayor's request, be transmitted to the Mayor by the City Clerk with appropriate notations of the action taken by the Council.
- (2) The Mayor shall act upon each resolution or ordinance within seven days of the Council's adoption.
- (3) The Mayor shall either approve the resolution or ordinance by signing and returning it to the City Clerk within the seven-day period, or shall veto any resolution or ordinance and return it to the City Clerk with their written objections within the seven-day period.
- (4) Failure to return the resolution or ordinance within the seven-day period shall constitute approval and shall be noted by the City Clerk on the official copy, and such resolution or ordinance shall take effect without the Mayor's signed approval.

Section 210 (3); Council Override of Veto. Subject to any applicable noticing requirements, the City Clerk shall schedule any resolution or ordinance vetoed by the Mayor, with the objections of the Mayor, to the first Council meeting after the Clerk has received the Mayor's objections. The Council shall reconsider the resolution or ordinance. If at least six members of the Council vote in favor of passage after reconsideration, the resolution or ordinance shall become effective notwithstanding the Mayor's veto, except that if this Charter or other superseding law requires a vote threshold of higher than six votes in order to pass the resolution or ordinance, such higher vote threshold shall be required to override the Mayor's veto. If a vetoed resolution or ordinance is reconsidered but receives insufficient votes to override the Mayor's veto, or is not voted on within thirty calendar days of such veto, the resolution or ordinance shall be immediately deemed disapproved and have no legal effect.

Section 214. Publication. ~~Before~~ Within fifteen days after final adoption passage of an ordinance, its title, a digest thereof, ~~a notice showing the vote on its introduction and the date, time, and place of hearing on its final adoption,~~ and notice that three full copies thereof are available for use and examination by the public in the Office of the City Clerk, shall be published once in the official newspaper of the City or publicized by some other method authorized by ordinance. ~~at least three days before said hearing date. Notice of the adoption of an emergency ordinance, the vote thereon, its title, and a digest thereof shall be similarly published once within three days after its adoption.~~ The notices and digests shall be prepared by the City Attorney.

Section 216. Effective Date of Resolutions and Ordinances.

- (a) In the case of a resolution or ordinance for which the Mayor has veto power:
 - (1) The date of approval by the Mayor pursuant to Charter section 210 or 801 shall be deemed the date of its final passage.

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- (2) If the time for approval or veto by the Mayor has expired and no action has been taken by the Mayor, the date of expiration of that time shall be deemed the date of its final passage.
- (3) If a resolution or ordinance is adopted by Council overriding the Mayor's veto, then the date of Council's override vote shall be deemed the date of final passage.
- (b) In the case of a resolution or ordinance for which the Mayor has no veto power, the date of adoption by the Council shall be deemed the date of its final passage.
- (c) Resolutions shall become effective immediately upon their final passage, unless otherwise stated therein.
- (d) All ordinances shall take effect upon the seventh day after final passage unless a later effective date is indicated therein, except that the following ordinances shall take effect immediately upon final passage unless a later effective date is indicated therein:
 - (1) an ordinance levying a tax;
 - (2) an Emergency Ordinance adopted in accordance with Charter section 213;
and
 - (3) an ordinance calling or relating to elections;

~~An ordinance receiving upon final adoption the affirmative vote of at least six members of the Council shall be effective immediately, unless a later date is specified therein. All other ordinances, unless a different date is required by this Charter, shall be effective upon the seventh day after final adoption; provided, that within three days after said date of final adoption, the Mayor may file in the Office of the City Clerk written notice to the Council that the Mayor has suspended the taking effect of the ordinance, stating in said notice the reason or reasons for the action, which notice the City Clerk shall forthwith deliver to the members of the Council. Such notification shall automatically cause the reconsideration of the ordinance by the Council at its regular meeting next following the sixth day after the aforesaid final adoption of the ordinance. If, upon reconsideration, the ordinance is approved by the affirmative vote of at least five members of the Council, it shall take effect immediately; and if not so approved, it shall be ineffective.~~

Section 218. Non-Interference in Administrative Affairs. Right of Inquiry and Access for Constituent Services.

~~Except for the purpose of inquiry, the Council and its members shall deal with the administrative service for which the City Administrator, Mayor and other appointed or elected officers are responsible, solely through the City Administrator, Mayor or such other officers. Neither the Council nor any Council member shall give orders to any subordinate of the City under the jurisdiction of the City Administrator or such other officers, either publicly or privately; nor shall they attempt to coerce or influence the City~~

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~~Administrator or such other officers, in respect to any contract, purchase of any supplies or any other administrative action; nor in any manner direct or request the appointment of any person to or their removal from office by the City Administrator or any of the City Administrator's subordinates or such other officers, nor in any manner take part in the appointment or removal of officers or employees in the administrative service of the City. Violation of the provisions of this section by a member of the Council shall be a misdemeanor, conviction of which shall immediately forfeit the office of the convicted member.~~

- (a) Each department under the Mayor's or City Administrator's jurisdiction shall maintain at least one designated Council liaison for Council inquiries, and the Mayor or City Administrator shall ensure coordination.
- (b) Councilmembers and their designated staff may communicate directly to the Mayor, City Administrator, other appointed or elected officers, heads of departments, their designated Council liaisons, or City staff for the purpose of requesting information or data, reporting constituent complaints, submitting and following up on service requests, proposing ideas or projects or plans, and obtaining status updates related to City services.
- (c) The Mayor, City Administrator, other appointed or elected officers, heads of departments, and designated Council liaisons shall provide timely and reasonable responses to Council inquiries and constituent-service requests, and shall provide Councilmembers with information necessary to perform constituent-services functions, except where prohibited by law.
- (d) Councilmembers and their staff shall not direct, give orders to, or attempt to coerce any department head or any other subordinate of the City under the jurisdiction of the Mayor, City Administrator or other appointed or elected officers in respect to any administrative action.

ARTICLE III THE MAYOR

Section 300. The Mayor. The Mayor shall be nominated and elected from the City at large and shall receive an annual salary payable in equal monthly installments. Consistent with salary setting for other elected officials and in recognition that the Mayor shall devote their full time to the duties of their office, the salary of the Mayor shall be set every two (2) years, beginning in 2027, by the Public Ethics Commission to provide for competitive compensation and equitable alignment, taking into account the top of the range for the highest paid professional employee in the Office of the Mayor and salaries

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~~for City department heads, and shall be comparable to the salaries of full-time city managers and chief executive officers in comparable California cities and counties selected by the Commission. The salary of the Mayor may not be reduced, except as a part of a general reduction of salaries for all officers and employees in the same amount or proportion. , and without any additional compensation or fees provided for in Section 202 of this Charter. The salary shall be set by the Council, which shall be not less than 70% nor more than 90% of the average salaries of City Managers'/Chief Executive Officers of California cities within the three immediate higher and the three immediate lower cities in population to Oakland. The Mayor's salary shall be reviewed by the City Council in odd-numbered years and may be adjusted by the Council as provided for herein.~~

Section 302. Term of Office, the Mayor. The Mayor shall be elected to a term of four years beginning at 11:00 a.m. on the first Monday ~~of~~ following January 2 following the Mayor's election. The Mayor elected to Office to serve a term beginning in 1985 shall serve in Office until 11:00 a.m. on the Monday following January 1 in 1991. In 1990 municipal elections will be held to select City Officers for four year terms, including the Office of Mayor. No person shall be elected to the office of Mayor for more than two consecutive terms, and no person who has held the office of Mayor, or acted as Mayor, for more than two years of a term for which some other person was elected Mayor may be elected to more than one more consecutive term as Mayor.

Section 305. Functions, Powers and Duties. The Mayor shall be the chief ~~elective~~ executive officer of the City, responsible for providing leadership and taking issues to the people and marshalling public interest in and support for municipal activity. The Mayor shall have the following powers, duties, and responsibilities:

- (a) To exercise management authority over all departments, agencies and appointed offices of the City, except where the Charter provides otherwise, including appointing, assigning, reassigning, disciplining and removing all directors or heads of departments and all employees under the Mayor's jurisdiction. The Mayor may delegate to directors or other department heads responsible to the Mayor the authority to appoint, discipline and remove subordinate employees, subject to the provisions of Article IX of this Charter.
- (b) To cooperate with the Council and the Office of Independent Budget and Legislative Analyst, including but not limited to, supplying requested information concerning the budget process and fiscal condition of the City to the Council and the Office of Independent Budget and Legislative Analyst.
- (c) In person or by designee, to attend and be heard at all meetings of the Council, and its committees, unless excused, and to participate in discussions at such meetings.
- (d) To approve or veto actions passed by the Council in open session, pursuant to sections 210 and 801.

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- (e) To prescribe such general rules and regulations as the Mayor may deem necessary or expedient to the general conduct of the administrative departments under the Mayor's jurisdiction.
- ~~(a)(f)~~ The Mayor shall be responsible for the submission of To submit an annual budget to the Council which shall be prepared by the City Administrator under the direction of the Mayor ~~and Council~~. The Mayor shall, at the time of the submission of the budget, submit a general statement of the conditions of the affairs of the City, the goals of the administration, and recommendations of such measures as ~~he~~ they may deem expedient and proper to accomplish such goals.
- ~~(b)(g)~~ To recommend Recommend to the Council such measures and legislation as the Mayor deems necessary and to make such other recommendations to the Council concerning the affairs of the City as the Mayor finds are in the best interest of the residents of the City.
- (h) To investigate affairs of the City under the Mayor's supervision, or any franchise or contract for the proper performance of any obligation running to the City within the Mayor's jurisdiction.
- (i) To prepare or cause to be prepared the plans, specifications, and contracts for work which the Council may order.
- (j) To supervise the purchasing of materials and supplies and to make recommendations to the Council in connection with the awarding of public contracts and to see that all City contracts under the Mayor's direction or that of the Council are faithfully performed.
- (k) To prepare and submit to the Council such reports as it may require.
- ~~(e)(l)~~ To encourage Encourage programs for the physical, economic, social and cultural development of the City.
- ~~(d)(m)~~ To actively Actively promote economic development to broaden and strengthen the commercial and employment base of the City.
- ~~(e)(n)~~ To appoint Appoint the City Administrator, subject to confirmation by the City Council, remove the City Administrator and give direction to the City Administrator. The Mayor shall advise the Council before removing the City Administrator.
- ~~(f)(o)~~ To serve Serve as ceremonial head of the City.
- ~~(g)(p)~~ To represent Represent the City in inter-governmental relations as directed by the Council and to negotiate contracts for joint governmental actions, subject to Council approval.
- ~~(h)(q)~~ To provide Provide community leadership.
- ~~(i)~~ May cast a tie breaking vote on any Ordinance, Resolution or Motion voted on by the Council, if the Council's vote is evenly divided. Solely for the purposes of determining whether the Mayor is eligible to cast a tie-breaking vote, abstentions and absences shall count as a "No" vote. A legally required recusal shall not count as a "No" vote.

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The Mayor shall, at the first meeting of the City Council in October, appear before the Council to deliver a general address on the state of the City, and recommend the adoption of such measures as ~~the Mayor~~ may deem expedient and proper. The Mayor and such staff as the Mayor may designate shall also conduct four (4) additional public meetings during the year to solicit and respond to comments, concerns, or questions from the public. These meetings shall be noticed to the public not less than two (2) weeks in advance, and shall be scheduled approximately three (3) months apart.

The Mayor shall devote their full time and attention to the duties of the Office of the Mayor and shall not engage in outside employment while in office. However, nothing shall prevent the Mayor from the receipt of income earned from business(s) or investment(s) in which the Mayor is not actively engaged and which are not in conflict with the performance of the Mayor's duties and responsibilities.

ARTICLE IV CITY OFFICERS

Section 401(3). Term of Office, the City Attorney. The City Attorney shall be elected to a term of four (4) years beginning at 11:00 a.m. on the first Monday following January ~~12~~ following the City Attorney's election.

Section 403(4). Powers of the City Auditor. The City Auditor, notwithstanding any other provision of this Charter, shall have the power and it shall be the City Auditor's duty to audit the books, accounts, money and securities of all bureaus, departments, offices, agencies, including the Port Department, boards, commissions, and programs of the City, and such other matters as the Council may request; to report to the Council periodically the results of such audits and to advise and make recommendations to the Mayor or City Administrator. The City Auditor shall report to the Council instances of noncompliance with accepted accounting principles where recommendations for compliance have not been implemented by the City Administrator after reasonable time and opportunity. The City Auditor shall conduct audits in accordance with Government Auditing Standards as issued by the U.S. Comptroller General.

The City Auditor shall conduct surveys, reviews, performance audits and financial audits as the Auditor deems to be in the best public interest or as requested by the Council or Mayor. For these purposes the public interest shall include, but not be limited to:

- (1) Reviewing and appraising the soundness, adequacy and application of accounting, functional, and operating controls and reliability and timeliness of accounting and other data generated within the organization.
- (2) Evaluating the City's internal controls to ensure that the City's assets and resources are reasonably safeguarded from fraud, waste, and mismanagement.

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- (3) Ascertaining compliance with Council's resolutions and policies and the Mayor's Administrative Instructions and Directives, as well as applicable State and Federal laws and regulations.
- (4) Providing assistance to City Departments to enhance the effectiveness, efficiency and economy of their operations.
- (5) Preparing an impartial financial analysis of all ballot measures, pursuant to the provisions of the Municipal Code.
- (6) Preparing impartial financial analyses of proposed major expenditures prior to the approval of such expenditures. These analyses will be for informational purposes only and will include, but not be limited to, proposals, contracts, ventures, programs and construction projects. The proposed major expenditures selected for these financial analyses will be based on requests from Mayor/Council and/or deemed to be prudently advisable in the objective and professional judgment of the City Auditor.
- (7) Responding to Council and Mayor requests for audits and reviews.
- (8) Submitting, at a public meeting of the full City Council, a semi-annual report to the Council and public on the extent of implementation of recommendations for corrective actions made in the City Auditor's reports.
- (9) Conducting periodic performance audits of each department as specified in the City budget in order to help improve government performance.
- (10) Reviewing City departments, offices, agencies, boards, commissions, and bureaus to analyze if they are managing, safeguarding and using public resources, including public funds, personnel, property, equipment and space, economically, efficiently, equitably, and effectively.
- (11) Analyzing City programs, activities, services, functions, or policies as to effectiveness and cost-effectiveness, including the identification of any causes of inefficiencies.
- (12) Reviewing and recommending to the Mayor or City Administrator management adjustments in operating and administrative procedures and practices, systems and accounting internal control systems and internal management controls.
- (13) Analyzing allegations of fraud, waste, abuse or illegal acts that require further investigation to substantiate.
- (14) Publishing an annual report summarizing recent audits and recommendations.

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- (15) Responding to requests from the Mayor or City Administrator to provide recommendations on how to make City departments and services more effective and customer-service oriented.
- (16) Preparing an annual workplan including planned audits for the year. The City Auditor shall publish such workplan in August of each year.

The City Auditor shall have access to inspect all records, property, equipment, and facilities within the City's jurisdiction.

Effective July 2023, the budget for the Office of the City Auditor shall be sufficient to hire at least fourteen full-time equivalent ("FTE") employees of relevant classifications. The minimum staffing budget set-aside may be suspended, for a fiscal year or a two-year budget cycle, upon a finding in the budget resolution that the City is facing an extreme fiscal necessity, as defined by City Council resolution or ordinance.

Restrictions on Running for Public Office. Filing for an elective office over which the City Auditor has audit jurisdiction will be the same as resignation, effective on the date of filing.

Endorsements, Campaigns, Campaign Contributions. During the City Auditor's tenure, the City Auditor shall not make or solicit contributions to, publicly endorse or urge the endorsement of or otherwise participate in a campaign for a candidate for City elective office, other than for the City Auditor, or of a City ballot measure, or be an officer, director or employee of or hold a policy decision-making position in an organization that makes political endorsements regarding candidates for City elective office.

The City Auditor shall be represented in all legal matters by the City Attorney except as provided otherwise in Section 401.

Section 405. Independent Budget and Legislative Analyst.

- (a) Notwithstanding any other provision of this Charter, the City Council shall have the right to establish by ordinance an Office of Independent Budget and Legislative Analyst to be managed and controlled by the Independent Budget and Legislative Analyst. The Office of the Independent Budget and Legislative Analyst shall provide independent, objective, and nonpartisan analysis for the City Council, the Council's subcommittees, and Councilmember offices on budgetary and policy proposals and recommendations, including but not limited to:
 - (1) Fiscal analysis, including evaluating budget proposal's, revenue forecasts, long-term liabilities, debt obligations;
 - (2) Policy analysis, including evaluating the likely efficacy, efficiency, and social and economic impacts; and

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- (3) Feasibility analysis, including evaluating anticipated impacts on departmental operations, staffing and workload distribution, and service delivery.
- (b) The Council shall appoint the Independent Budget and Legislative Analyst by resolution, who shall serve at the pleasure of the Council and may be removed from office by the Council at any time by resolution. Any person serving as the Independent Budget and Legislative Analyst shall have the professional qualifications of a college degree in finance, economics, business, public policy, or other relevant field of study or relevant professional certification. In addition, such appointee shall have experience in municipal finance, legislative analysis, public policy development, intergovernmental relations, or public administration, or substantially similar equivalent experience. The Independent Budget and Legislative Analyst shall be the appointing authority of all City personnel authorized in the Office of Independent Budget and Legislative Analyst through the budget and appropriation process of the City, and subject to the Civil Service provisions of this Article IX of this Charter. The City Council may, by resolution, prescribe the processes for selecting or removing the Independent Budget and Legislative Analyst.

ARTICLE V THE CITY ~~MANAGER~~ ADMINISTRATOR

Section 503. Powers of Appointment and Removal. The City Administrator shall be responsible to the Mayor and Council for the proper and efficient administration of all affairs of the City under the City Administrator's jurisdiction, and shall, subject to the provisions of Article IX of this Charter and except as otherwise provided in this Charter, have the power to appoint, assign, reassign, discipline and remove ~~all directors or heads of departments~~ the Director of Human Resources and the Director of Finance and all of their subordinate employees ~~under the City Administrator's jurisdiction~~. The City Administrator may delegate to said directors ~~or other department heads responsible to the City Administrator~~ the authority to appoint, discipline and remove subordinate employees, subject to the provisions of Article IX of this Charter.

Section 504. Duties. The City Administrator shall have the power and it shall be the City Administrator's duty:

- (a) To execute and enforce all laws and ordinances and policies of the Council under the City Administrator's jurisdiction and to administer the affairs of the City under the City Administrator's jurisdiction.
- (b) In person or by designee, To attend all meetings of the Council, and its committees, unless excused, and such meetings of boards and commissions as the City Administrator chooses or is directed to attend by the Mayor Council, and to participate in discussions at such meetings.

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- (c) To recommend to the Council such measures and ~~ordinances~~ legislation as the City Administrator may deem necessary or expedient and to make such other recommendations to the Council concerning the affairs of the City as the City Administrator finds desirable.
- (d) To investigate affairs of the City under the City Administrator's supervision, or any franchise or contract for the proper performance of any obligation running to the City within the City Administrator's jurisdiction.
- (e) To control and administer the financial affairs of the City. The City Administrator shall be responsible for oversight of the City's financial management, treasury, risk management and debt management functions. The City Administrator may appoint a Director of Finance to act under the City Administrator's direction.
- (f) To administer the civil service system in accordance with the civil service provisions of Article IX of the Charter. The City Administrator shall be responsible for oversight of the City's employment, human resources, and labor relations functions. The City Administrator may appoint a Director of Human Resources to act under the City Administrator's direction.
- (g) To administer and oversee such other City departments as the Mayor may assign.
- (fh) To prepare an annual budget under the direction of the Mayor and Council for the Mayor's submission to the Council.
- (gi) To prepare or cause to be prepared the plans, specifications, and contracts for work which the Council may order.
- (hj) To supervise the purchasing of materials and supplies and to make recommendations to the Council in connection with the awarding of public contracts and to see that all City contracts under the City Administrator's direction or that of the Council are faithfully performed.
- (ik) To prepare and submit to the Council such reports as it may require.
- (jl) To keep the Council at all times fully advised as to the financial condition and needs of the City.
- (km) To prescribe such general rules and regulations as the City Administrator may deem necessary or expedient to the general conduct of the administrative departments under the City Administrator's jurisdiction.
- (l) ~~When directed by the Council, to represent the City in its intergovernmental relations and to negotiate contracts for joint governmental actions, subject to Council approval.~~
- (ln) To devote the City Administrator's entire time to the duties and interest of the City.
- (mo) To perform such other duties as directed by the Mayor or as may be prescribed by this Charter or by ordinance or resolution.
- (p) To cooperate with the Council and the Office of Independent Budget and Legislative Analyst, including but not limited to, supplying requested information

concerning the budget process and fiscal condition of the City to the Council and the Office of Independent Budget and Legislative Analyst.

ARTICLE VI ADMINISTRATIVE ORGANIZATION

Section 600. Administrative Organization Authorized; Council Confirmation of Certain Department Heads.

- (a) The Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the ~~City Administrator~~ Mayor are to be administered. Any combination of authorized duties, powers and functions which in the judgment of the Council will provide the most efficient and economical service possible, consistent with the public interest and in keeping with accepted principles of municipal administration, may be authorized by such ordinance. All departments or other administrative agencies so created shall be administered by the ~~City Administrator~~ Mayor or by a department head or other officer appointed by and responsible to the ~~City Administrator~~ Mayor, except as otherwise provided by this Charter.
- (b) The permanent appointment of the following department heads shall be subject to confirmation by the City Council by resolution:
- (1) The Director of Human Resources;
 - (2) The Director of Finance; and
 - (3) The head of any department or other administrative agency with primary responsibility for the design, construction, or maintenance of City infrastructure, including but not limited to streets, sidewalks, sewers, traffic safety systems, and public rights-of-way.

The Council shall, by resolution, either confirm or refuse to confirm a nominee within 30 calendar days after the appointing authority's request for the Council to schedule the confirmation in accordance with applicable Council Rules of Procedure. If the Council fails to either confirm or refuse to confirm the nominee within the prescribed time, then the nominee shall be, by operation of this subsection, confirmed by the Council. If the Council, within the prescribed time, adopts a resolution refusing to confirm the nominee, the appointing authority shall submit another nominee for the office.

An appointing authority may appoint an individual to head one of these departments on an interim basis without Council confirmation or approval, except that Council approval is required in order for any single interim appointment to exceed 120 days.

Section 603. Public Ethics Commission.

- (a) **Creation, Purpose and Responsibilities.**

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- (1) There is hereby established a Public Ethics Commission as an autonomous department of the City whose purpose shall be to promote more inclusive, representative, and accountable democracy in Oakland and to promote fairness, openness, honesty and integrity in City government.
- (2) The Commission shall be responsible for:
 - (i) Enforcement of laws, regulations and policies intended to assure fairness, openness, honesty and integrity in City government, including compliance by the City of Oakland, its elected officials, officers, employees, boards and commissions, lobbyists, candidates, campaign committees, and other persons subject to laws within the jurisdiction of the Commission;
 - (ii) Education and responding to issues regarding the aforementioned laws, regulations and policies; and
 - (iii) Impartial and effective administration and implementation of programs to accomplish the goals and purposes of the Commission as defined by this Section, including programs to promote more inclusive, representative, and accountable democracy in Oakland.

Such laws, regulations, policies, and programs shall include those relating to campaign finance, lobbying, transparency, and governmental ethics, as they pertain to Oakland.

- (3) The Commission shall have the power to make recommendations to the City Council on matters relating to the foregoing.
 - (4) Nothing in this Section shall preclude other City officials, agencies, boards and commissions from exercising authority heretofore or hereafter granted to them, with the exception of Charter Section 603(b)(5).
- (b) **Functions and Duties.** It shall be the function and duty of the Public Ethics Commission to:
- (1) Foster and enforce compliance with:
 - (i) Sections 218 (~~"Non-interference in Administrative Affairs"~~ "Right of Inquiry and Access for Constituent Services"), 907 ("Nepotism"), 1200 ("Conflict of Interest") and 1202 ("Conflict in Office") of this Charter, for violations occurring on or after January 1, 2015;

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- (ii) The Oakland Campaign Reform Act, Oakland Fair Elections Act, False Endorsement in Campaign Literature Act, Oakland's Conflict of Interest Code, code of ethics and governmental ethics ordinance, the Oakland Lobbyist Registration Act, the Oakland Sunshine Ordinance, any ordinance intended to protect City whistleblowers from retaliation, and other Oakland laws regarding campaign finance, lobbying, transparency, or governmental ethics, as provided by ordinance or this Charter.
 - (iii) Related state laws including, but not limited to, the Political Reform Act, Ralph M. Brown Act, and Public Records Act, as they pertain to Oakland.
- (2) Report to the City Council concerning the effectiveness of all local laws regarding campaign finance, lobbying, transparency, and governmental ethics.
 - (3) Issue oral advice and formal written opinions, in consultation with the City Attorney.
 - (4) Within the time period for submission of such information for the timely completion of the City's regular budget process, provide the Mayor and City Council with an assessment of the Commission's staffing and budgetary needs.
 - (5) Act as the filing officer and otherwise receive and retain documents whenever the City Clerk would otherwise be authorized to do so pursuant to Chapter 4 of the California Political Reform Act of 1974 (Government Code Section 81000, et seq.).
 - (6) Educate and promote understanding regarding the requirements under the Commission's oversight and study any significant non-compliance problems or trends with Oakland's campaign finance, lobbying, transparency, and governmental ethics laws and identify possible solutions for increasing compliance.
 - (7) Review and make recommendations regarding all City systems used for public disclosure of information required by any law within the authority of the Commission.
 - (8) Administer and adopt policies to implement the Democracy Dollars Program or any other campaign public financing program.
 - (9) Perform such other functions and duties as may be prescribed by this Charter or City ordinance.

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- (c) **Elected Official Salary Increases.** The Public Ethics Commission, with the assistance of the City Administrator and/or outside consultants, shall set the salary for the City Councilmembers, the Mayor, the City Attorney, and the City Auditor as provided for in Charter Sections 202, 300, 401(1), and 403(1).

ARTICLE VIII FISCAL ADMINISTRATION

Section 800. Fiscal Year. The fiscal year for the City shall commence on the first day of July of each year.

Section 801(1). Budget. Each department, office and agency of the City shall provide in the form and at the time directed by the Mayor and City Administrator all information required by them to develop a budget conforming to modern budget practices and procedures as well as specific information which may be prescribed by the Council. Under the direction of the Mayor and Council, the City Administrator shall prepare budget recommendations for the next succeeding fiscal year which the Mayor shall present to the Council, in a form and manner and at a time as the Council may prescribe by resolution. Following public budget hearings, the Council shall adopt by resolution a budget of proposed expenditures and appropriations necessary therefor for the ensuing year, failing which the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted.

Section 801(2). Mayor's Line-Item Budget Veto.

- (a) The Mayor shall have line-item veto power over the annual budget for the next fiscal year passed by Council.
- (b) The following shall apply to the Council's adoption of a budget:
- (1) The budget as adopted by the Council shall, within forty-eight hours of the Council's adoption, be transmitted to the Mayor by the City Clerk with appropriate notations of the action taken by the Council.
 - (2) The Mayor shall act upon the budget within seven days of the Council's adoption.
 - (3) The Mayor shall either approve the budget by signing and returning it to the City Clerk within the seven-day period, or shall line-item veto the budget and return it to the City Council with their written objections within the seven-day period. If the Mayor disapproves of any increase, decrease, omission or insertion of any item of the budget by the Council, the Mayor may veto, restore or otherwise change any item to the amount originally proposed by the Mayor or to any amount between that originally proposed by the Mayor and that adopted by the Council. The Mayor, however, shall have no power to change any description or limitation made applicable to an item by the Council, except to veto the

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change or to restore the description or limitation to the condition originally proposed by the Mayor.

- (4) Failure to return the budget within the seven-day period shall constitute approval and shall be noted by the City Clerk on the official copy, and such budget shall take effect without the Mayor's signed approval.

Section 801(3). Council Consideration of Mayor's Veto; Final Adopted Budget.

Upon the expiration of the Mayor's seven-day period, the Council shall have seven days within which to overcome the action of the Mayor relative to any item or items of the budget. Any item or items of the budget which shall have been vetoed, or otherwise changed by the Mayor, and which shall not be, by six members of the Council, either readopted notwithstanding the objections of the Mayor or changed to an amount between that as originally adopted by the Council and that as changed by the Mayor, shall remain as modified by the Mayor.

Where the Mayor has changed any description or limitation applicable to an item, the Council, in its action pursuant to this section, shall have no power to alter the description or limitation other than to restore it to the condition in which it was originally adopted by the Council.

Upon the expiration of the Council's seven-day period, or sooner if the Council by so directs by an affirmative vote of five members, the budget as returned by the Mayor, and to the extent modified thereafter by the Council, shall become the general City budget for the ensuing fiscal year.

ARTICLE IX PERSONNEL ADMINISTRATION

Section 901. Enforcement and Administration. The provisions of this article, and of the ordinances and rules adopted to give effect thereto, shall be enforced by a Civil Service Board. The Board shall be constituted and appointed as provided in Article VI. The Board shall be responsible for the general supervision of the personnel system, without impairment of the responsibility and duty of the Mayor, City Administrator, department heads and other supervisory personnel to exercise the administrative discretion vested in them by this Charter, or by ordinance.



AGENDA REPORT

STAFF REPORT Oakland Charter Reform

Prepared for the Public Ethics Commission Consideration

To: The Public Ethics Commission

From: Mayor Barbara Lee

CC: Director Suzanne Doran

Subject: Mayor Barbara Lee's Charter Reform Revisions, specifically to Section 218, Councilmember salaries (section 202), Mayor salary (section 300), and all of section 603.

Date: May 7, 2026

RECOMMENDATION: The Mayor's Office is requesting the Public Ethics Commission to review the following proposed language for Mayor Barbara Lee's Charter Reform Ordinance revisions, specifically to Section 218, Councilmember salaries (section 202), Mayor salary (section 300), and all of section 603.

EXECUTIVE SUMMARY

Oakland's current City Charter blends elements of a strong-mayor system and a council-manager system in a manner that diffuses authority, obscures accountability, and makes it difficult for residents to understand who is responsible for delivering services and results. Over time, this hybrid structure has produced overlapping roles, fragmented decision-making, and inconsistent lines of responsibility across City government.

The Mayor's Charter Reform Working Group, co-chaired by the **Oakland League of Women Voters and San Francisco Bay Area Planning and Urban Research Association (SPUR)** concluded that Oakland requires a **coherent, modern governance structure** that clearly aligns authority with responsibility. The Working Group recommends transitioning to a **"strong mayor, strong council" model** that establishes:

- A Mayor who serves as the City's chief executive, accountable for managing operations and delivering services; and

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- A City Council that exercises clear legislative authority, robust oversight, and meaningful checks and balances on executive power.

The Working Group's findings are grounded in one of the most extensive recent civic engagement efforts focused on governance reform in Oakland. Over the course of its process, the Working Group:

- Conducted **more than 60 in-depth interviews** with current and former elected officials, department heads, labor leaders, and subject-matter experts;
- Held **14 public community meetings across all Council districts**;
- Administered a survey, and ultimately engaged more than 750 Oakland residents directly, reflecting a wide cross-section of the city.

Across all of these efforts, the Working Group identified a consistent and reinforcing conclusion: **Oaklanders want clear accountability, decisive leadership, and a system that makes it obvious who is responsible for results.**

The report also identifies that structural ambiguity contributes directly to:

- Delays in service delivery,
- Difficulty advancing major policy initiatives,
- Confusion in budget development and implementation, and
- Reduced public trust in government.

The urgency of reform is heightened by Oakland's broader conditions. The Working Group emphasizes that governance reform is occurring in the context of:

- **A structural budget deficit and ongoing fiscal volatility,**
- **Underinvestment in core infrastructure and services,**
- **Deep racial and geographic inequities,** and
- A civic culture in which residents expect **access, responsiveness, and accountability** from their elected officials.

In this context, the Working Group determined that **structural reform is essential** to ensure that the City can meet its obligations to residents today and in the future.

The recommendations are organized around three core goals:

1. **Clarifying roles and responsibilities** so that Oaklanders know who sets policy, who manages operations, and who is accountable for outcomes;
2. **Strengthening financial management** to support transparent, balanced, and sustainable budgeting; and
3. **Increasing accountability and transparency** so residents can clearly understand how decisions are made and how public resources are used.

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These are structural changes—but structure shapes performance, and performance shapes public trust, and therefore Charter reform is about building a system that works clearly, effectively, and accountably for Oakland residents—now and for generations to come.

Please note that this report is similar to the report that was submitted to City Council, however, this report has a focus on the following sections: Section 218, Councilmember salaries (section 202), Mayor salary (section 300), and all of section 603, which are required to be reviewed by the Public Ethics Commission under Charter section 603 (h):

“Amendment of Laws. Prior to adopting, or enacting any amendments to, laws that the Commission has the power to enforce or administer, the City Council shall make a finding that the proposed changes further the goals and purposes of the law or program in question and provide specifics substantiating the finding. Absent an urgency finding akin to suspending compliance with the Sunshine Ordinance, amendments to such laws and proposed ballot measures that would adopt or amend such laws shall be submitted to the Commission for review and comment, prior to passage of the amendments or approval of the proposed measures for the ballot by the City Council.”

The Mayor’s office would like to thank the Public Ethics Commission for their review of the proposed changes to the sections mentioned above and described further below.

BACKGROUND / LEGISLATIVE HISTORY

The Mayor convened the Charter Reform Working Group in August 2025 as a central component of the Administration’s 100-day plan, with the goal of conducting a comprehensive, independent evaluation of Oakland’s governance structure and developing recommendations to improve effectiveness, accountability, and public trust.

The Working Group was **co-facilitated by the League of Women Voters of Oakland and SPUR**, two respected nonpartisan organizations with deep expertise in governance, civic engagement, and institutional reform. Their role was to ensure a **transparent, balanced, and evidence-driven process**.

The Working Group’s comparative research reviewed 12 U.S. cities, including Seattle, Boston, Cleveland, Portland, San Diego, Fresno, Oakland, Long Beach, El Paso, Phoenix, San Jose, and Sacramento. That analysis helped the Group identify which powers are typically paired with a strong-mayor system and which powers are usually retained by a legislative body in a council-manager system.

The Working Group included Oakland residents with diverse professional backgrounds, including:

- Labor leadership
- Business and economic development
- Municipal finance and budgeting
- Ethics and good governance

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- Law and public administration
- Community advocacy and organizing

As emphasized in the report, the Working Group operated independently, without a predetermined outcome. Members were asked to evaluate governance models based on evidence, community input, and best practices from other jurisdictions.

I. Scope and Guiding Questions

The Working Group was tasked with advancing three central objectives:

1. **Clarify the roles and responsibilities of elected officials and City leadership;**
2. **Strengthen financial management and budgeting practices;** and
3. **Improve accountability, transparency, and public access to government.**

II. Community Engagement and Research

The Working Group's process combined **extensive community engagement with comparative research and expert consultation**. Specifically, the Working Group:

- Conducted **60+ structured interviews** with key stakeholders;
- Hosted **14 public meetings across all Council districts** to ensure geographic representation;
- Engaged **750+ residents directly**; and
- Reviewed governance models and best practices from peer cities across California and nationally.

This process ensured that the recommendations were both **community-informed and grounded in real-world governance experience**.

III. Key Finding: Misalignment Between Authority and Expectations

Across interviews, surveys, and public input, the Working Group identified a central, unifying issue:

There is a persistent misalignment between what Oakland residents expect their government to do and what the Charter actually empowers City leaders to do.

Residents expect:

- The Mayor to be clearly responsible for delivering services;
- The Council to legislate, oversee, and advocate effectively; and
- The system as a whole to function cohesively.

However, the current Charter does not consistently support those expectations, resulting in:

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- Diffused accountability,
- Operational inefficiencies, and
- Challenges in delivering timely and effective services.

The Working Group concluded that Oakland's governance challenges are not solely the result of policy decisions or leadership changes. They are **structural**.

As a result, meaningful and lasting improvement requires **Charter reform that creates a clear, coherent, and accountable system of government aligned with Oakland's current needs and future goals**.

ANALYSIS AND PROPOSAL

The Mayor's Charter Reform Working Group recommends that Oakland adopt a "**strong mayor, strong council**" **governance structure** that clearly defines roles, strengthens accountability, and aligns authority with responsibility.

A. Core Structural Framework

Under this model:

Mayor (Executive Branch)

The Mayor serves as the City's **chief executive**, responsible for:

- Managing City departments and operations;
- Implementing laws and policies adopted by the Council;
- Proposing the City's annual budget; and
- Ensuring delivery of core services to residents.

The Mayor is also granted:

- **General veto authority** over legislation that can be overturned by two thirds of the council ; and
- **Budget line-item veto authority**, enabling targeted adjustments to specific appropriations.

These tools align executive accountability with the authority necessary to manage operations effectively.

City Council (Legislative Branch)

The City Council remains the **legislative body**, with strengthened authority to:

- Adopt ordinances and set City policy;
- Review, amend, and adopt the City budget;
- Conduct oversight hearings and investigations;

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- Confirm key mayoral appointments, where applicable;
- Approve contracts and major policy decisions; and
- **Override mayoral vetoes by a two-thirds supermajority**, preserving legislative checks and balances.

The Working Group emphasizes that a strong executive must be paired with a strong, well-resourced city council to ensure accountability.

Strengthening Legislative Capacity

To support the Council's expanded oversight role, the Working Group recommends establishing an **Independent Budget and Legislative Analyst Office**, modeled after offices in peer cities.

This office would provide:

- Independent fiscal analysis of the City budget;
- Policy analysis of proposed legislation;
- Evaluation of implementation feasibility and operational impacts; and
- Ongoing support for Council oversight responsibilities.

Clarifying Constituent Services and Section 218 Reform

- Affirm the Council's role in **constituent services and inquiry**;
- Establish clear, direct communication channels between Councilmembers and City departments; and
- Require **timely and transparent responses** from the executive branch.

At the same time, the revised framework preserves a clear boundary:

- Councilmembers **may not direct or coerce staff** in administrative matters, protecting the integrity of executive operations.

This approach shifts Section 218 from a primarily prohibitive framework to one that **enables effective service delivery while maintaining appropriate separation of powers**.

Full-Time Council and Compensation Reform

The Working Group finds that Oakland's Charter currently lacks clarity regarding whether Council service is full-time, despite expectations that it functions as such.

The measure:

- Explicitly defines the Council as a **full-time legislative body**;
- Prohibits outside employment to ensure independence and focus; and
- Aligns compensation with **all elected officials** through regular review by the Public Ethics Commission.

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This recommendation is grounded in both governance best practices and an **equity rationale**: ensuring that public service is accessible to individuals from all backgrounds, not only those with independent financial means.

Mayoral Veto and Budget Line-Item Veto

The Working Group strongly supports the inclusion of:

- A **general mayoral veto**, and
- A **budget line-item veto**,

as core components of a balanced system.

The report emphasizes that:

- These tools are **checks and balances**, not unilateral powers;
- The Council retains final authority through **supermajority override**; and
- The budget line-item veto functions as a “**scalpel, not a hatchet**,” allowing targeted corrections rather than all-or-nothing budget conflicts.

The existence of these tools is expected to:

- Improve fiscal discipline;
- Reduce high-stakes budget standoffs; and
- Encourage earlier collaboration between the branches.

B. Rejection of Alternative Governance Models

The Working Group explicitly evaluated and rejected alternative proposals, other than the ones specifically mentioned in the report, including models that attempt to blend council-manager and strong-mayor features.

The report concludes that such models:

- Are not widely used or recognized as best practice;
- Introduce additional complexity and confusion; and
- Fail to resolve the underlying problem of **unclear authority and accountability**.

Instead, the Working Group determined that Oakland should adopt a **coherent, widely understood governance model** aligned with established best practices.

C. Charter Reform Working Group Detailed Descriptions

The Working Group’s recommendations reflect a comprehensive, evidence-based conclusion:

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Oakland's current challenges are rooted in structural ambiguity. A clear, balanced system featuring a strong executive and a strengthened legislative branch is necessary to improve performance, accountability, and public trust.

By aligning authority with responsibility, strengthening oversight, and modernizing key provisions of the Charter, the proposed reforms establish a governance framework capable of meeting Oakland's current needs and future challenges.

The following recommendations below are incorporated into the measure and required to be reviewed by the Public Ethics Commission. These specifically are: Section 218, Councilmember salaries (section 202), Mayor salary (section 300), and all of section 603.

Section 218: Constituent Affairs and Non-Interference

The proposed replacement for Section 218 is intended to protect Councilmembers' ability to serve as accessible points of contact for residents, while preserving the prohibition on directing, ordering, or coercing City staff. The revised structure: (1) requires each department under the Mayor's or City Administrator's jurisdiction to maintain at least one designated Council liaison; (2) allow Councilmembers to still broadly communicate with city staff to request information, report constituent complaints, submit and follow up on service requests, and obtain status updates; (3) requires timely and reasonable responses; and (4) preserve the prohibition on Council interference with administrative affairs and staff-level decision-making.

This approach moves the city away from prohibitory language in the charter and toward a balanced framework that highlights Council's ability to advocate and solve constituents requests while keeping staff protected from undue pressure. It also modernizes a decades-old provision that was framed for a different era of municipal governance and better reflects today's expectations for transparency, responsiveness, and service delivery.

Full-Time Council and Compensation Alignment

Councilmember salaries (section 202), Mayor salary (section 300), and all of section 603.

The Working Group recommends making explicit in the Charter that City Council service is a **full-time legislative role**, accompanied by a prohibition on outside employment. While Oakland has long operated with the expectation of full-time Council service, the Charter does not currently codify this standard—creating ambiguity that is inconsistent with the expectations for other elected officials and with practices in comparable strong-mayor, strong council cities.

Clarifying full-time service in the Charter will align Oakland with peer jurisdictions and ensure that the City Council is fully equipped to function as a co-equal branch of government. In strong-mayor systems, full-time councils are the norm, reflecting the significant responsibilities associated with legislative decision-making, budget approval, and oversight of executive operations. A full-time Council is essential to providing robust policy analysis, conducting effective oversight, and serving as a meaningful check and balance on executive authority.

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To support this structure, the Charter amendment would:

- **Specify full-time Council service**, making explicit what is currently assumed and bringing consistency to how Oakland defines the roles and expectations of its elected officials. Establishing Council service as explicitly full-time is also an equity imperative: when the role is functionally full-time but not clearly defined or compensated as such, it can exclude individuals who cannot afford to subsidize public service with outside income or personal wealth—disproportionately impacting working-class residents and communities of color and limiting who is able to serve.
- **Prohibit outside employment for Councilmembers**, ensuring independence, reducing potential conflicts of interest, and reinforcing a full-time focus on legislative and oversight responsibilities. This prohibition further advances equity by ensuring that all Councilmembers, regardless of personal financial circumstances, are able to dedicate their full time and attention to public service, rather than balancing competing employment demands.
- **Strengthen the Council’s capacity to serve constituents**, including affirming its role in constituent services and inquiry, establishing clear and direct communication channels with the Mayor, City Administrator, and City departments, and requiring timely and transparent responses to Council requests for information and service updates. These improvements help ensure that all Oakland residents, particularly those in historically underserved communities can receive responsive, accessible, and equitable City services.
- **Preserve appropriate boundaries between branches of government**, maintaining prohibitions on directing or coercing City staff in administrative matters while supporting effective communication and accountability. By pairing clear boundaries with strong communication channels will support a governance model that is both accountable and equitable, ensuring that residents can access services through their elected representatives without compromising the integrity of executive operations.

In parallel, the Working Group recommended aligning salary-setting provisions for Councilmembers with those applicable to all City of Oakland elected officials, including the Mayor, City Attorney, and City Auditor. A comprehensive salary survey of similarly sized strong mayor, strong council cities should be conducted to ensure that compensation reflects the scope and demands of full-time legislative service.

The proposal to align salaries to ensure that Oakland remains a leader in ethical governance and responsive to the city’s evolving needs was initially recommended by the Public Ethics Commission subcommittee (PEC) in 2024, where they recommended transferring the mayoral salary setting to the PEC.

Moving to a transparent and clear process would ensure fairness, transparency, and consistency across all elected offices. Any changes with fiscal implications can then be considered within the City’s broader budgetary process.

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Establishing a full-time Council and aligning compensation is also fundamentally an **equity issue**. Under the current structure where expectations are effectively full-time but not formally defined or compensated accordingly, the role of city council may be inaccessible to individuals who cannot afford to subsidize public service with outside income or personal resources. This dynamic creates barriers that disproportionately impact working-class residents and communities of color, limiting who is able to serve and whose perspectives are represented in City governance.

By explicitly establishing full-time service, prohibiting outside employment, and aligning compensation with peer cities, Oakland can help ensure that Council service is accessible to a broader and more representative cross-section of residents. Equitable compensation enables Councilmembers to fully dedicate their time and attention to legislative work, oversight, and constituent services without financial strain or competing obligations. This, in turn, strengthens the quality of policymaking and oversight, particularly on issues that most impact underserved communities, and advances a governance model that is more inclusive, accountable, and responsive.

When Councilmembers have the time, compensation, and institutional support necessary to govern effectively, the entire system benefits: legislative quality improves, oversight becomes more rigorous, fiscal decisions are more informed, and the Council can fully perform its role as a co-equal branch in a strong-mayor system.

Public Outreach and Interest

The Working Group's community engagement was extensive and was central to the recommendations. The report states that the process included more than 750 residents engaged through public meetings and listening sessions, more than 60 interviews with current and former city leaders and subject-matter experts, 14 community sessions across Oakland, and one session focused on current city staff. The facilitators also compiled research and community input for review by the Working Group.

The Working Group letter and report further explains that the process was designed to be inclusive, nonpartisan, and Oakland-focused, with SPUR and the League of Women Voters of Oakland co-facilitating the work. The letter emphasizes that the recommendations emerged from direct conversations with everyday Oaklanders and from comparative study of other municipal models.

Coordination

Staff worked with the Office of the City Attorney in drafting changes to Section 218, Councilmember salaries (section 202), Mayor salary (section 300), and all of section 603, along with coordination with the Mayor's Charter Reform Working Group, the League of Women Voters of Oakland, and SPUR. City staff also coordinated with relevant internal policy, budget, and communications functions to align the report, resolution, and proposed Charter language with the Working Group's recommendations.

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Sustainable Opportunities

Economic: The Charter Reform Working Group proposal supports a more stable and predictable fiscal environment by clarifying authority, strengthening budget oversight, and improving executive-legislative coordination. Those changes can reduce delay, improve capital and operating planning, and make it easier for the City to deliver services that support business activity, neighborhood investment, and long-term economic resilience.

Infrastructure: A more coherent governance structure can improve the City's ability to plan, approve, and implement infrastructure, transportation, climate, and sustainability priorities. Better coordination between the executive and legislative branches can also help Oakland make more reliable decisions about capital projects, maintenance, permitting, and service delivery that affect environmental quality and hazard resilience.

Race and Equity

Improving functionality and access for historically marginalized communities has the universal benefit of lowering barriers and advancing good governance for all residents of Oakland. This is described by Angela Glover Blackwell, founder of Policy Link as the curb-cut effect.

The Working Group repeatedly noted that ambiguity in governance disproportionately burdens residents with the least time, resources, or political capital to navigate City Hall. Clarifying roles, strengthening direct service pathways, and expanding Council capacity can reduce reliance on personal relationships and informal workarounds. Making Council service explicitly full-time and aligning compensation with the role's demands also broadens who can realistically serve, which supports a more representative and equitable democracy.

Darlene Flynn, Director, Department of Race and Equity: Embedding fairness and justice (equity) in everything the City does is a policy by ordinance passed by City Council action in 2015, with strong community support. Advancing equity requires City system change calibrated to close outcome disparities and improve service effectiveness to uplift conditions in underserved communities in Oakland. Institutional change is a challenging proposition, and it is complicated by unclear executive accountability for its implementation across departments. Strong, cohesive commitment to data driven analysis and outcome focused action from the top would expedite installation of solutions that serve Oaklanders equitably. Conversely, the current arrangement delays progress in advancing life, giving change that is on the critical path to the City of Oakland becoming a thriving, healthy place for all.

For questions, contact Preston Kilgore, Deputy Chief of Staff, pkilgore@oaklandca.gov

This memo was prepared by Preston Kilgore, Deputy Chief of Staff.

APPENDIX A - MEMBERS OF THE MAYOR'S WORKING GROUP ON CHARTER REFORM

Fred Blackwell - CEO, San Francisco Foundation.

Hon. Barbara J. Parker - former Oakland City Attorney.

Corey Cook - Vice President and CEO, Cal Poly Solano Campus.

Ben Rosenfield - Public Finance Expert.

Zach Goldman - Policy and Labor Leader.

Ahmed Ali Bob - Board Chair, Oakland Metropolitan Chamber of Commerce.

Mark Morodomi - former Counsel, Oakland Public Ethics Commission.

Richard Fuentes - Manager of Special Projects, Executive Office of Performance and Budget, BART.

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APPENDIX B - FAQ ADDENDUM

The FAQ can be found [here](#) and will be included as part of the file.



Francis Upton IV, Chair
Karun Tilak, Vice Chair
Luke Apfeld
Tanya Bayeva
L. Lawrence Brandon
Angi Fisher
Ryan Micik

Suzanne Doran, Executive Director

TO: Public Ethics Commission
FROM: Tovah Ackerman, Enforcement Chief
DATE: May 8, 2026
RE: Recommendations for Closures under the 2025 Complaint Backlog Strategy for the May 20, 2026 PEC Meeting

This memorandum presents abbreviated summaries of proposed case closures under the Complaint Backlog Strategy plan. Enforcement Staff carefully assessed each case according to a seven-point rubric and recommend the Commission approve closure.

Background

At the May 21, 2025, Commission meeting, Enforcement Staff presented a case closure plan based on a seven-point rubric to address a severe, longstanding complaint backlog and restore a functioning program with a sustainable caseload. (See [Enforcement Report re: Complaint Backlog Strategy for the May 21, 2025, Regular Meeting](#)).

The seven-point rubric used for assessing these cases for closure includes:

- Severity of the alleged violation;
- Impact of a Commission decision;
- Timing of alleged misconduct;
- Availability of a meaningful remedy;
- Level of investigative resources needed to substantiate a violation;
- Probability of substantiating allegations; and
- Availability of enforcement resources.

Under the Commission's [Mediation and Complaint Procedures](#), Commission staff may recommend closure of a complaint if it falls within the Commission's jurisdiction but there is reason to support

CLOSURE RECOMMENDATIONS UNDER 2025 COMPLAINT BACKLOG STRATEGY – MAY 8, 2026

closure. Unlike dismissals after preliminary review, which are within Staff's discretion, the Commission must take formal action in order to close these complaints.

Staff Recommendation

Based on case analysis under the rubric criteria, Staff recommend the following case(s) to the Commission for closure as part of the 2025 Complaint Backlog Strategy:

1. ***Proposed Closure with No Action: In the Matter of Darrel Carey and the East Bay Small Business Council (PEC # 18-17).*** In June 2018, PEC staff initiated a proactive investigation against Respondents for failure to file a Semi-Annual Campaign Statement, a Pre-election Report, and an incomplete Termination Form between the years 2015-2017. The Commission moved to find Probable Cause on September 2, 2021. A February 3, 2026 Accurant search found that Darrel Carey is deceased as of July 1, 2025, and the East Bay Small Business Council appears to be defunct.

Accordingly, PEC staff recommends that the Commission close PEC Case No. 18-17 with no further action.

2. ***Proposed Closure with No Action: In the Matter of the Oakland Redistricting Commission (PEC # 23-17).*** In April 2023, PEC staff received a complaint against Respondent for failure to send agendas and related meeting materials to agenda subscribers for the Commission's "last three meetings." Preliminary review determined that the complainant was not on the distribution list, possibly as a list maintenance issue, and he was added back on to the list upon Respondent contact by the PEC. This matter was previously placed on hold because of limited PEC staff resources and the low-level nature of the alleged violation(s). The challenged meetings occurred after the Redistricting Commission had substantially completed its central redistricting task, and the present materials do not identify a live, specific cure that would materially advance public participation now.

Accordingly, PEC staff recommends that the Commission close PEC Case No. 23-17 with no further action.



Oakland Campaign Reform Act Guide

2026

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INTRODUCTION

The Oakland Campaign Reform Act (OCRA) adds local rules and restrictions that apply to Oakland candidates and political committees in addition to the requirements and regulations of the California Political Reform Act [Gov. Code Sec. 81000 *et seq.*]. Candidates for Oakland elective office must comply with both California and Oakland campaign laws.

This *Oakland Campaign Reform Act Guide* is intended to provide an overview of the Oakland Campaign Reform Act and is **advisory only**. To the extent the *Guide* conflicts with the actual ordinance, administrative regulation, or interpretation by the Public Ethics Commission (Commission), those authorities govern the implementation and enforcement of the ordinance. All legal citations are to the Oakland Municipal Code (OMC) unless otherwise noted.

The Oakland Public Ethics Commission is the administrative enforcement body for OCRA. If you have questions about this guide or your obligations under the law, contact Commission staff.

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Oakland, CA 94612
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ethicscommission@oaklandca.gov

Questions regarding the California Political Reform Act should be directed to the Fair Political Practices Commission (FPPC) at (866) 275-3772 or advice@fppc.ca.gov.

THE OAKLAND CAMPAIGN REFORM ACT

The Oakland Campaign Reform Act (OCRA), as amended in 2026,¹ establishes local contribution limits and electronic filing requirements for Oakland candidates and committees. OCRA also bars contributions from persons negotiating certain contracts with the City. It regulates the process by which contributions can be received or returned, how contributions from closely related entities must be attributed, and sets forth certain disclosure requirements for the distribution of independent mass mailings.

Local Offices Covered Under OCRA

OCRA applies to local candidates for “city office,” which includes the office of Mayor, City Attorney, City Auditor, District and At-Large City Councilmembers, and elected Oakland School Board Directors [OMC §3.12.040].

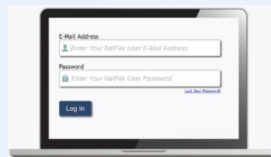
REPORTING OF CAMPAIGN ACTIVITIES

Most reporting requirements are imposed by the California Political Reform Act (and incorporated into OCRA by reference), and candidates, committees, treasurers, and officers should refer to the [Campaign Disclosure Manual for Local Candidates](#), published by the California Fair Political Practices Commission (FPPC) and available on their website at <https://www.fppc.ca.gov/>. The FPPC also provides informal legal advice to candidates and committees via its advice-line (866) ASK-FPPC (866-275-3772) or by emailing FPPC staff at advice@fppc.ca.gov.

Electronic Filing Requirement

OCRA requires any candidate or committee that is required by state or local law to file a campaign statement with the City of Oakland filing officer to file that

Filing Campaign Disclosure Statements Online



Electronic filing of campaign disclosure statements is **mandatory** in Oakland for all campaign committees required to file campaign statements with the City of Oakland under the California Political Reform Act. This includes candidate-controlled committees, ballot measure committees, and general-purpose political action committees, as well as organizations or entities such as major donors required to file late contribution or independent expenditure reports with the City of Oakland.

The City of Oakland provides a free, online filing system called NetFile to complete and e-file disclosure statements and reports. Getting set up is easy:

Step 1: Register

Register with the Public Ethics Commission by submitting [OCRA Form 300](#) along with a copy of your committee’s Form 410 Statement of Organization. **You must submit these forms to file electronic disclosure statements.** Then you will receive instructions to set up your account as well as notifications in advance of filing deadlines and updates about any changes to campaign rules.

Step 2: Set-up Your NetFile Account

Create a NetFile User Account. You can use [NetFile’s](#) free software to record your committee’s financial transactions and keep committee information up-to-date or upload your campaign statements from third-party software. Contact PEC staff for advice and technical support. We’re here to help!

Step 3: Keep Your Committee Account Up-to-date

Anytime a new treasurer or principal officer is added to the committee or there is a change in the committee’s contact information a new OCRA Form 300 and FPPC Form 410 must be submitted to the Public Ethics Commission.

¹ On January 6, 2026, the City Council amended the Oakland Campaign Reform Act (OCRA) to temporarily increase contribution limits to officeholder funds to match the temporarily increased limits to candidates and candidate-controlled committees. The amendment also extends the sunset date for the temporary contribution limit increase to December 31, 2029. The new contribution limits are effective January 6, 2026.

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information in an electronic format with the Public Ethics Commission [OMC §3.12.240(A)]. Once a candidate or committee is subject to the electronic filing requirement, the candidate or committee must continue to file all subsequent campaign statements electronically, regardless of the amount of contributions or expenditures made in other reporting periods. Contact the Public Ethics Commission for information about electronic filing of campaign activity.

VOLUNTARY SPENDING LIMITS

All candidates have a choice of whether to limit their total campaign spending up to certain pre-set “expenditure limits,” also known as spending limits. An “expenditure” is generally defined as any payment made to influence a voter's support or opposition to a candidate (or ballot measure). Candidates who agree to limit their campaign spending are permitted to receive contributions in greater amounts than those who do not (see next page for details about contribution limits).

The Oakland Fair Elections Act sets voluntary spending limits for each City office. Every odd year, the Public Ethics Commission adjusts the limits to account for changes in the cost of living, as measured by the Consumer Price Index for the San Francisco Bay Area. The Commission publishes the voluntary spending limits for all City offices on its website. The current voluntary expenditure limits may be found [here](#).

Accepting Spending Limits

Candidates must agree to the spending limit in writing before accepting contributions at the higher amounts (see discussion of contribution limits below). [OMC §3.12.045(A)] Candidates agree to the spending limit by submitting [OCRA Form 301](#) using the Commission’s online form.

File Your OCRA Form 301

Be sure to file your Form 301 before accepting any contribution at the higher contribution limit. The Form 301 declares that the candidate agrees to the voluntary spending limit and allows the candidate to accept contributions at the higher limit. Failing to timely file the form will result in a monetary penalty from the Public Ethics Commission.

When Spending Limits Are Lifted

There are two situations in which a candidate who has chosen to voluntarily limit their campaign spending may nevertheless exceed the voluntary spending limit:

1. The first situation occurs if a candidate who agrees to limit spending is opposed by a candidate who does not. If the candidate who does not agree to limit their spending either makes expenditures or receives contributions equal to 50 percent of the voluntary spending limit applicable to that race, then the candidate who agreed to limit their spending is no longer bound by the expenditure ceiling.
2. The second situation occurs if a political committee or individual spends more than \$30,000 on independent expenditures related to a City Council or School Board district election, \$50,000 on independent expenditures related to a City Attorney, City Auditor, or At-Large City Council election, or \$100,000 on independent expenditures related to a Mayoral election. In this case, the spending limit is no longer binding on any candidate running in an election contest where independent expenditure spending exceeded those thresholds.

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After the spending limit is lifted, a candidate who accepted the voluntary spending limit is still permitted to raise contributions at the higher amounts.

NEW CONTRIBUTION LIMITS

Once a candidate submits OCRA Form 301 agreeing to accept voluntary limits on campaign spending, the candidate may accept contributions in greater amounts than if they chose not to limit campaign spending. Oakland contribution limits are adjusted every odd year to account for cost of living increases.

Contributions to Candidates Who Agree to Limit Spending

For candidates agreeing to limit their spending, the most a candidate may receive from any **person** is \$900 per election, as of June 17, 2025 [OMC §3.12.045(B)]. A person is broadly defined as any individual, business entity, committee or other organization or group of persons acting in concert [OMC §3.12.040].

For candidates agreeing to limit their spending, the most a candidate may receive from any **broad-based political committee** is \$1,800 per election, as of June 17, 2025 [OMC §3.12.045(C)]. A broad-based political committee is any committee of persons which 1) has been in existence for more than six months, 2) receives contributions from 100 or more persons, and 3) acting in concert makes contributions to five or more candidates [OMC §3.12.040].

Contributions to Candidates Who Do Not Agree to Limit Spending

For candidates who do **not** agree to limit their spending, the most a candidate may receive from any person is \$650 per election [OMC §3.12.050(A)]. The most such candidates may receive from any broad-based political committee is \$1,300 per election [OMC §3.12.060(A)].

Broad-Based Political Action Committee

At the time OCRA was initially enacted, so-called **broad-based political committees** existed and had the same meaning under state law. This term is no longer used under state law but continues to have meaning and applicability under OCRA.

While political committees are no longer called or organized as **broad-based political committees**, some political committees, such as the state-defined **small contributor committees**, may still qualify as **broad-based political committees** under OCRA. To help determine whether a political committee qualifies as a **broad-based political committee**, candidates can search the filings of state registered political committees using the California Secretary of State's website at www.sos.ca.gov.

No Limit on Personal Contributions

A candidate is free to contribute to or loan their campaign **any** amount of money from their own personal funds. The United States Supreme Court ruled that the First Amendment prohibits any restriction on a candidate's ability to contribute or loan personal funds to their campaign.

Campaign Tip: Oakland offers a program that provides limited public financing to candidates in council district races. Candidates who choose to participate in the program voluntarily agree not to contribute or loan more than a specified amount of their personal funds as a condition of eligibility. In addition, candidates participating in the Limited Public Financing program must also agree to limit their campaign expenditures to \$160,000. For more information about Oakland's Limited Public Financing Program, contact the Public Ethics Commission.

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Aggregation of Contributions

OCRA sets forth several circumstances in which the contributions by two or more entities are treated as coming from one person. This aggregation of contributions can have important consequences when determining whether contribution limits have been exceeded.

Contributions from two or more entities are aggregated (treated as coming from the same person) when one or more of the following conditions are present:

- The entities share a majority of members on their respective boards of directors;
- The entities share three or more, or a majority of, officers;
- The entities are owned or controlled by the same majority shareholder or shareholders;
- The entities are in a parent-subsidiary relationship; or
- One entity finances, maintains, or controls the other entity's contributions or expenditures [OMC §3.12.080(A)].

Aggregation also occurs in the following situations:

- Contributions made by entities that are majority-owned by any person shall be aggregated with the contributions of the majority owner and all other entities majority-owned by that person, unless those entities act independently in their decision to make contributions [OMC §3.12.080(A)(6)].
- The contributions of an entity whose contributions are directed and controlled by any person shall be aggregated with contributions made by that person and any other entity whose contributions are directed and controlled by that same person [OMC §3.12.080(A)(7)].
- If two or more entities make contributions that are directed and controlled by a majority of the same persons, the contributions of those entities shall be aggregated [OMC §3.12.080(A)(8)].

Campaign Tip: Candidates and their committees have a responsibility to ensure that they are not receiving prohibited contributions. Use of the sample contributor card, located in Appendix III, can help ensure that contributors are aware of the aggregation rules and acknowledge that they are not contributing more than the allowable contribution limit.

OCRA also prohibits any committee that supports or opposes any candidate from having as officers any individuals who serve as officers on any other committee that supports or opposes the same candidate. This restriction does not apply to campaign treasurers so long as the treasurers do not participate in or control in any way decisions on which candidates receive a contribution [OMC §3.12.080(B)].

Finally, contributions by two individuals married to each other are treated as separate contributions and are not aggregated. However, contributions by a minor child are treated as a contribution from the parent and are attributed proportionately to each one [OMC §3.12.100].

Examples:

- The law firm of Howard, Fine & Howard wants to contribute money to Candidate Doe. Knowing that the law firm, as an entity, is restricted from giving Candidate Doe more than \$900, the firm directs each

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of its ten attorneys to contribute \$900 each, and then reimburses the attorneys from the law firm's operating account. Is there a problem here?

A. Yes. The \$9,000 in contributions from its ten members will be attributed to the law firm since the members' contributions were financed and controlled by the firm. Thus, the firm has violated OCRA's \$900 contribution limit. In addition, the firm and its members may also be guilty of the serious crime of "money laundering" under State and local law if the true source of the contributions is not disclosed. In addition, Candidate Doe may be required to pay or "disgorge" the \$9,000 portion of the contribution to the City and State.

- MiniCorp USA makes gadgets within the City of Oakland. MicroCorp America is a nationwide finance company with branch offices in Oakland. Neither MiniCorp nor MicroCorp have anything to do with the other except that they are both majority-owned by the same holding company, MegaCorp International. Both MiniCorp and MicroCorp have received separate invitations to a \$900 a plate fundraiser from Candidate Doe. Can both companies contribute the full amount?

A. Since both companies are majority owned by MegaCorp, their contributions will be treated as coming from one person and thus the most both companies can contribute to Candidate Doe is \$900 combined, unless the entities act independently in their decisions to make contributions.

- Castaway Enterprises is a small company in Oakland equally owned by five members. Two of its owners, MaryAnn and Ginger, want to attend Candidate Doe's \$900 a plate fundraiser. Unknown to them, the other three owners have already authorized a \$900 contribution on behalf of the company. Can MaryAnn and Ginger contribute to the fundraiser?

A. Yes. Since MaryAnn and Ginger do not individually or collectively represent a majority interest in Castaway Enterprises, they may contribute their own personal funds and not have their contributions aggregated with any contribution by their company.

When Loans and Unpaid Bills Become Contributions

Except for secured or guaranteed loans from commercial lending institutions made in the ordinary course of business and on terms available to everyone else, all loans to Oakland candidates are treated as **contributions** from the maker and guarantor (if any) and may not exceed the applicable contribution limits [OMC §3.12.090(A)&(B)].

Other than commercial loans, any extension of credit in excess of \$1,500 for a period of more than 90 days also is treated as a contribution subject to the applicable contribution limits **unless** the candidate can demonstrate good faith evidence of an intent to repay

Extension of Credit Can Count as a Contribution

Be careful of a loan automatically becoming a contribution under OMC §3.12.090(C). It is not unusual for candidates to spend more money than they raise before the election. Candidates often hold fundraisers after the election to pay consultants, printers, caterers, and others who provided them with campaign services.

What OMC §3.12.090(C) says is that if a candidate owes a vendor more than \$1,500 for more than 90 days, then that extension of credit will be treated as a contribution under OCRA. And since the permissible contribution limit is \$900 from any person, that extension of credit (read: unpaid bill) of more than \$1,500 will automatically constitute a violation of OCRA's contribution limits unless the candidate has established a set payment schedule with the vendor.

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through a set payment schedule that is being adhered to through repayment of the extension of credit on a regular basis [OMC §3.12.090(C)].

Campaign Tip: OCRA creates a strong incentive to pay all outstanding bills within 90 days. If this is not possible, arrange a payment schedule in which all vendors are paid something on a regular basis. Although the amount and frequency of payments may depend on the amount of the debt and financial solvency of the campaign, payments should be great enough to dispel any reasonable allegation that the payments are merely a sham to avoid compliance with the law.

Volunteer Services and Travel Expenses

Notwithstanding state law regarding payments for personal services as contributions and expenditures (FPPC reg 18423), volunteer personal services are not considered contributions or expenditures under OCRA. Neither are travel expenses that the individual incurs without reimbursement from the campaign [OMC §3.12.180].

Example: Candidate Doe's roommate is an accountant who charges \$150 per hour for tax preparation professionally. She recently volunteered 10 hours of time preparing Ms. Doe's campaign statements. Candidate Doe has not received a contribution exceeding OCRA's contribution limit, nor has the campaign incurred a \$1,500 expense that would be counted against the voluntary spending limit.

SOLICITING, RECEIVING, AND RETURNING CAMPAIGN CONTRIBUTIONS

Required Notice on All Fundraising Materials

All candidates for local office must include a notice on all campaign fundraising materials with the following language:

The Oakland Campaign Reform Act limits campaign contributions by all persons [OMC §3.12.050 and §3.12.060] and prohibits contributions during specified time periods from contractors doing business with the City of Oakland or the Oakland Unified School District [OMC §3.12.140].

The above notice must be made in the equivalent of eight-point roman boldface type as shown above. The notice must also be in a color or print that contrasts with the background, so it is easily legible and contained in a printed or drawn box that is set apart from the rest of the text [OMC §3.12.140(P)]. The notice should appear on any printed or electronic medium that solicits or instructs people how to make a campaign contribution. The notice is not required on campaign materials that are devoid of any solicitation of funds, such as campaign materials that engage **solely** in election advocacy or the presentation or discussion of issues.

One Committee/One Checking Account Rule

A candidate may only maintain one campaign committee and one campaign checking account for each election and City office being sought. Both OCRA and state law require that all expenditures for that office be paid from that account. Additionally, all contributions received by a candidate for the office being sought must be deposited into their campaign checking account. [OMC §3.12.110].

Example: Candidate Doe has formed and registered her campaign committee and opened a campaign checking account at a local bank. During the campaign, she occasionally receives small cash contributions that she keeps in an envelope at campaign headquarters. When small expenses are incurred, such as ordering pizza for her precinct volunteers, she uses the money in the envelope. Is this practice okay?

- A. No. While this example does not seem like an unreasonable practice, state and local law require that **all** contributions be deposited into the campaign account before being spent. State law does permit expenditures of less than \$100 to be made in cash, but the cash must be obtained from the campaign account and not taken directly from cash contributions. State law also requires that no more than \$100 be deposited in a petty cash fund at any one time.

Campaign Tip: It is essential to establish sound record-keeping procedures for your campaign. For example, state law requires candidates to keep a record of all contributions and expenditures of more than \$25 — even if those contributions and expenditures are not required for disclosure on FPPC campaign statements!

Identification of Contributor

No contribution of \$100 or more can be deposited into a campaign checking account unless a record of the name, address, occupation, and employer of the contributor is kept by the candidate. Cash contributions of \$100 or more are prohibited [OMC §3.12.130].

State law requires candidates to itemize single or cumulative contributions over \$100 from a single contributor on their campaign statements. For individuals who contribute more than \$100 in total, the contributor's name, street address, occupation and employer must be given. If the contributor is self-employed, the campaign must provide the name of the contributor's business.

Under OCRA, local candidates may not even **deposit** a contribution without a record of the name, street address, occupation, and employer of the contributor for any contribution of \$100 or more. If the campaign does not obtain the required contributor information, state law requires the contribution be returned or forfeited within 60 days.

Campaign Tip: It is a good idea to create a contribution form that includes the above information to be filled out at the time the contribution is received. See Appendix III for sample contributor card.

PROHIBITION ON CONTRACTOR CONTRIBUTIONS

OCRA contains an extensive prohibition on contributions by persons negotiating certain contracts with the City of Oakland or Oakland Unified School District (OUSD). OCRA prohibits contractors that meet certain

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OCRA criteria from making **any** contribution to candidates for local office between the time negotiations on the affected contracts begin and 180-days after the completion or termination of negotiations on the contract.

Applicable Contracts

The prohibition on contractor contributions to Oakland candidates, or “contractor contribution ban,” applies to certain contracts that require approval from either the City Council or OUSD School Board. The applicable contracts include the following:

1. Rendition of services;
2. Furnishing of any material, supplies, commodities or equipment to the City/OUSD;
3. Selling or leasing any land or building to the City/OUSD;
4. Purchasing or leasing any land or building from the City/OUSD.

Ultimately, regardless of the contract amount, the contractor ban applies to any contract in the categories 1-4 listed above that requires approval by the City Council or School Board. If you have a contract moving through or that will move through the City Council process, you are likely prohibited from contributing to most candidates for local office and most local officeholders. If you have a contract moving through or that will move through the School Board process, you are likely prohibited from contributing to candidates for School board and current School Board members. Please seek Commission advice if you have questions about this prohibition.

Who the Ban Applies To

If the contractor is an entity, such as a corporation, partnership, or LLC, the contribution ban also applies to all the entity’s principals, including, but not limited to the following:

1. The entity’s board chair, president, chief executive officer, chief operating officer, chief financial officer, and any individual that serves in the functional equivalent of one or more of those positions;
2. Any individual who holds an ownership interest in the entity of 20 percent or more; and
3. An individual employee, independent contractor, lobbyist, or other agent of the entity authorized to represent the entity before the City regarding the contract.

When the Prohibition Applies

No person who proposes a contract that requires City Council approval may make **any** contribution to the Mayor, City Attorney, City Auditor, or any member of the City Council or to a candidate for any of those offices. No person who proposes a contract that requires OUSD School Board approval may make **any** contribution to a member of the School Board or a candidate for such office. These prohibitions apply from the **commencement of negotiations** until 180 days after the **completion** or **termination** of negotiations [OMC §3.12.140(A)(B) & (C)]. OCRA defines these periods as follows:

- The **commencement of negotiations** occurs when a contractor or representative formally submits a bid, proposal, qualifications or contract amendment to any elected or appointed...

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officer or employee or when any elected or appointed... officer or employee formally proposes submission of a bid, proposal, qualifications or contract amendment [OMC §3.12.140(G) & (I)].

- The **commencement of negotiations** expressly does **not** include the unsolicited receipt of proposal or contract information; requests to be placed on mailing lists; routine requests for information about a particular contract, request for proposals, or any information or documents about them; or the attendance at an informational meeting [OMC §3.12.140(J)].
- The **completion of negotiations** occurs when the City or School District executes the contract or amendment [OMC §3.12.140(K)].
- The **termination of negotiations** occurs when (1) the contract or amendment is **not** awarded to the contractor or (2) the contractor files a written withdrawal from the negotiations which is accepted by an appointed or elected officer or employee of the respective public agency [OMC §3.12.140(L)].

Contractor Acknowledgment

All potential and current contractors must execute a declaration acknowledging the prohibition on contractor contributions at the time they submit a bid, proposal, qualifications, or contract amendment. Contracts may not be awarded to any contractors who have not signed this declaration. The declaration is typically provided by the contracting City department or agency. The Office of the City Clerk (or the School District) is required to receive and file copies of all contractor declarations and make a list of current contractors available for public inspection [OMC §3.12.140(M)&(N)].

Levine Act

Please note that Oakland's restrictions on contractor contributions are in addition to restrictions imposed by state law. In particular, the Levine Act prohibits elected officials from participating in an entitlement process if the official has received a contribution exceeding \$500 from a party or participant in the proceeding within the preceding 12 months. In addition, an official is also prohibited from accepting, soliciting, or directing a contribution exceeding \$500 from a party or participant in the proceeding for a certain period of time after a final decision is made in such a proceeding. See the FPPC's [Pay-to-Play Limits and Prohibitions \(Section 84308\)](#) webpage for more information.

Campaign Tip: In addition to the required notice on all fundraising material (covered on page 10), candidates should carefully review all contributions to determine whether the party making it is bidding or negotiating for a City or School Board contract. This may require a call to the contributor or to the appropriate City or School Board staff members. Use of the sample contributor card, located in Appendix IV, can also help ensure contractors are aware of the contractor ban and acknowledge their contract status.

CONTRIBUTIONS SOLICITED BY CITY STAFF AND OFFICIALS

Any Oakland public servant required to file a Statement of Economic Interests (Form 700) who successfully solicits a political contribution of \$5,000 or more from any person or entity that contracts or proposes to

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contract with the official's department must disclose the solicitation within 30 days to the Public Ethics Commission [OMC §3.12.117].

For the Mayor, members of the Council, or their senior staff members, the disclosure requirement applies when the solicitation is made to a person contracting or proposing to contract with any department within the City of Oakland.

How to Disclose Solicitations

To report a solicitation to the PEC, file [OCRA Form 303](#) using the Public Ethics Commission's online form.

What Must Be Disclosed?

OCRA Form 303 requires the following information to be provided:

1. Public official – name, title, agency name, phone, and email
2. Contributor – contributor type (individual or business), and address
3. Recipient – committee name, FPPC ID, and committee address
4. Contribution – date of contribution, amount, type (monetary or in-kind), election date, ballot measure or candidate, and support or oppose position

All submitted information must be signed under penalty of perjury under the laws of the State of California.

POLITICAL COMMUNICATIONS

New Disclaimer Requirements for Independent Expenditures

Any person, including a committee, who makes independent expenditures for which state law requires the filing of a 24-hour or 10-day Late Independent Expenditure Report (FPPC Form 496) with the Public Ethics Commission must place the following statement on the communication:

Notice to Voters
(Required by the City of Oakland)
Not authorized by or coordinated with any City candidate, committee controlled by a candidate or election official.
Paid for by [person or committee's name, address, and FPPC ID number and, if acronym is used in committee name, full name of sponsoring committee].
Major funding provided by [name of top 3 contributors who gave \$5,000 or more in the last 6 months] in the amount of [total amount made by those contributors].
Funding details are available on the Oakland Public Ethics Commission's website. Total cost of this communication is: [amount].

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An “independent expenditure” is an expenditure made in connection with a communication (e.g., a billboard, advertisement, or mailing) that expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure. An independent expenditure is a payment that is not made to—or at the behest of—the affected candidate or committee.

A Form 496 is due with the Public Ethics Commission within 24 hours when independent expenditures that total in the aggregate \$1,000 or more are made to support or oppose a “city office” candidate or a ballot measure for the City of Oakland in the 90 days before or on the date of the candidate’s or measure’s election. A Form 496 is due with the Public Ethics Commission within 10 business days when a recipient committee (a committee that receives contributions of \$2,000 or more in a calendar year) makes independent expenditures totaling \$5,000 or more to support or oppose the qualification of a ballot measure for the City of Oakland.

Disclaimer for Campaign, Officeholder, and Legal Defense Committee Communications

Any campaign, officeholder, or legal defense committee that makes expenditures for communication materials must place the following statement on the mailing:

Notice to Voters
(Required by the City of Oakland)
Paid for by [name, address, FPPC ID Number, and, if applicable,
name of the person controlling the committee].
Funding details are available on the Oakland Public Ethics Commission's website.

Requirements for All Disclaimers

OCRA requires that all disclaimers be presented in a clear manner to give the reader, observer, or listener adequate notice. Minimum disclaimer requirements are specified below:

1. **Written communications up to twenty-four (24) inches by thirty-six (36) inches:** Disclaimers must be printed using a bold, sans serif typeface that is easily legible to an average reader and is not less than fourteen-point type in a color that contrasts with the background on which it appears.
2. **Written communications larger than twenty-four (24) inches by thirty-six (36) inches:** The total height of the disclaimer must constitute at least five (5) percent of the total height of the communication, be printed using a bold, sans serif typeface that is easily legible to an average reader, and be printed in a color that contrasts with the background on which it appears.
3. **Video communications:** The disclaimer must be written in a bold, sans serif typeface that is easily legible to an average reader, in a color that contrasts with the background on which it appears, and must appear for at least four (4) seconds at either the beginning or the end of the communication. A spoken disclaimer is also required if the written disclaimer does not appear for at least five (5) seconds of a communication that is thirty (30) seconds or less or for at least ten (10) seconds of a

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communication that is longer than thirty (30) seconds. A spoken disclaimer must be clearly audible and spoken at the same speed and volume as the rest of the communication.

4. **Audio communications:** Disclaimers must be spoken in a clearly audible manner at either the beginning or end of the communication. The disclaimers must be spoken at the same speed and volume as the rest of the communication and shall last at least five (5) seconds.

When the size limitations of an electronic communication make it impractical to include the full disclaimer, the disclaimer must state, at a minimum, "Paid for by" immediately followed by the committee identification number provided by the California Fair Political Practices Commission, or, if the person is not a committee, the person's name.

New Disclosure of Independent Expenditure Communications

The Oakland Campaign Reform Act now requires that any person, including a committee, required by state law to file a 24-hour or 10-day Late Independent Expenditure Report (FPPC Form 496) with the Public Ethics Commission must also submit a Supplemental Independent Expenditure Disclosure (OCRA Form 305).

Under penalty of perjury, the disclosure must specify the following:

1. That the communication was not behested by any of the candidates who benefited from it;
2. The dates the communication was distributed or displayed, if applicable;
3. The name and address of the payee, if applicable, and any vendor or subvendor that provided service for the communication;
4. Contributions of one hundred dollars (\$100.00) or more that the person made in the current calendar year to City candidates, City controlled committees, City ballot measure committees, City recall committees, committees primarily formed to support or oppose City candidates or measures, and City general purpose recipient committees;
5. Any other information required by the Commission in furtherance of this Section.

The disclosure must also include a copy of the communication distributed, displayed, or sent to voters. Visit our [OCRA Form 305](#) webpage for more details.

Social Media Accounts

Any candidate or committee that uses social media accounts to disseminate political communications must include the following statement on each account's home page:

This account is being used for campaign purposes by [name of candidate or committee].

If an elected City officeholder communicates about campaign activity or City business using a social media account or website that is not City sponsored, the home page for the account or site must include the following statement:

This [account or site] is not paid for, sponsored by, or hosted by the City of Oakland.

BALLOT MEASURE COMMITTEES CONTROLLED BY CANDIDATES OR ELECTED CITY OFFICIALS

A candidate-controlled ballot measure committee is a campaign committee that is established to raise and spend money on behalf of one or more ballot measures in California, and that is under the legal control of a political candidate. According to the State Fair Political Practices Commission, a ballot measure committee is controlled by a candidate if the candidate (or their representative) has significant influence on the actions or decisions of the committee. (See FPPC *Campaign Disclosure Manual 3: Information for Ballot Measure Committees*, available on the FPPC's website at www.fppc.ca.gov.)

Under OCRA, a candidate or elected City Official who controls a ballot measure committee is prohibited from doing the following:

1. Directly or indirectly using, or influencing the use of, ballot measure committee funds to support the candidate's or elected City Official's election;
2. Directly or indirectly using, or influencing the use of, ballot measure committee funds to support or oppose other candidates;
3. Transferring ballot measure committee funds to another committee supporting the candidate's or elected City Official's election or supporting or opposing other candidates [OMC §3.12.115].

It is important to note that OCRA's contribution limits and contractor ban apply to candidate-controlled independent expenditure committees including ballot measure committees.

BALLOT MEASURE COMMITTEES NOT CONTROLLED BY CANDIDATES

All non-candidate-controlled committees, including ballot measure and general purpose committees, required to file campaign statements in the City of Oakland must disclose principal officers of the committee on their Statement of Organization (FPPC Form 410) or, if no Form 410 is required for that committee, the next required campaign statement. A copy of such Form 410, or required statement, must be submitted to the Public Ethics Commission [OMC §3.12.116].

A principal officer of a committee is the individual primarily responsible for approving the political activity of the committee including, but not limited to, the following activities:

1. Authorizing the content of the communications made by the committee;
2. Authorizing expenditures, including contributions, on behalf of the committee;
3. Determining the committee's campaign strategy.

If more than one individual shares in the primary responsibility for approving the political activities of the committee, each person is a principal officer.

Such disclosure must be provided for a minimum of one principal officer, as well as for all principal officers up to a total of three, if applicable. Disclosure information must include the following:

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1. Full name;
2. Street address;
3. E-mail address;
4. Telephone number.

OFFICEHOLDER COMMITTEES AND LEGAL DEFENSE FUNDS

OCRA authorizes two additional types of accounts in addition to a campaign account. The first is an officeholder committee that every elected City Official is permitted to establish for those expenses associated with holding public office [OMC §3.12.150(A)]. The second is a legal defense fund which any candidate or elected City Official may establish to defray attorney fees and other legal costs incurred in the defense of any civil, criminal or administrative action arising directly out of a campaign, election process or the performance of governmental activities [OMC §3.12.170(A)].

Officeholder Committee

State law allows local candidates who win the election to continue to maintain their campaign committee after the election to receive contributions and to use campaign funds to offset officeholder expenses. During non-election years, Form 460 is filed on a semi-annual basis if the committee remains open. State law further requires that the committee name include the candidate’s last name, office sought, and year of the election, and that this name remain intact until and unless the candidate decides to run for re-election, in which case the candidate may re-designate the committee or create a new committee for the future office sought. See *FPPC Disclosure Manual 2 – Information for Local Candidates, Superior Court Judges, Their Controlled Committees, and Primarily Formed Committees for Local Candidates*, available on the FPPC’s website at www.fppc.ca.gov.

Oakland law allows each elected City Official to maintain an officeholder committee for expenses associated with holding the office currently held by the elected City Official. Contributions to the officeholder committee must be made by separate check or other separate written instrument, and single contributions may not be divided between the officeholder committee and any other candidate committee. OCRA imposes a limit on the total amount the officeholder committee may receive in contributions per year in office as follows [OMC 3.12.150(A)]:

School Board Directors	\$25,000
District Councilmembers	\$75,000
Citywide Officeholders	\$100,000

Annual contributions received by or made to the officeholder committee are subject to the same contribution limits that apply to candidate committees; this means that an elected City Official may receive contributions from any person or broad-based political committee of up to \$900/1,800 annually, if they accepted the voluntary spending limits in their most recent election.

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Contributions to an officeholder committee must be made by check or “other separate written instrument.” The contribution must be earmarked or designated in some way as a contribution to the officeholder committee, such as a note on the “memo” line of a check or with an accompanying note or letter from the contributor.

The limits on aggregate contributions cap the total amount of contributions an officeholder committee may receive for every year in office. There is no requirement that this money be spent annually, and it may accrue for as long as the elected City Official holds elective office.

Persons and broad-based political committees may contribute, up to their permissible maximum levels, only once per election to a candidate's campaign committee, but may make annual contributions to an officeholder committee.

Campaign Tip: Do not accept or deposit contributions to the officeholder committee unless you have something in writing from the contributor that expressly designates that the money is to be deposited into the officeholder committee.

As stated above, officeholder committees may be used for any “political, governmental or lawful purpose” for those expenses associated with holding the office currently held by the elected city officer. OCRA sets forth a long list of permissible expenditures from the officeholder committee, such as for office furniture, office rent, fundraising for the officeholder committee, donations to tax-exempt organizations, and other expenses incurred in connection with government-related activities [OMC §3.12.150(B)].

Forming an Officeholder Committee

Establishing and using an officeholder committee can be tricky. The reason is that state law permits an elected City Official to receive contributions into only one campaign account – whether for campaign or officeholder purposes.

To accept officeholder contributions under Oakland law, a candidate must establish an “officeholder” committee by re-designating their campaign committee after the election and after all campaign related expenses and debts have been paid.

Officeholder committee funds may NOT be used for an elected City Official’s own campaign-related expenses, nor may they be transferred to another candidate committee (including one's own).

See Officeholder Committees Fact Sheet (Appendix I) for more information.

OCRA also expressly **prohibits** officeholder committee funds being used for the following activities or purposes:

- Expenditures in connection with a future election for any city, county, regional, state, or federal elective office;
- Expenditures for campaign consulting, research, polling, photographic or similar services for election to other elective office;
- Membership in any athletic, social, fraternal, veteran, or religious organization;
- Supplemental compensation for city employees for performing an act that would be required or expected of them in the regular course of their city duties;
- Any expenditure that would violate the California Political Reform Act [OMC §3.12.150(C)].

Finally, OCRA prohibits officeholder committee funds from being transferred to any candidate committee [OMC §3.12.150(D)].

NEW RESTRICTION ON OFFICEHOLDER EXPENDITURES

Effective January 6, 2026, officeholders are prohibited from making expenditures for mailings to people within the City that provide information related to City-sponsored events, school district-sponsored events, an official's governmental duties or an official's position on a particular matter pending before the Council, Mayor, or School Board within three months of any election in which the elected City official is running for a City office. [OMC 3.12.150(B)(13)]

Legal Expense Fund

An elected City Official or candidate for city office may receive contributions for a separate legal expense fund for attorney fees and legal costs incurred to defend against actions arising directly out of the conduct of the campaign or election process, or the performance of the candidate's or elected City Official's governmental activities and duties [OMC §3.12.170].

All contributions to a legal expense fund must be “earmarked” by the contributor at the time the contribution is made. The contributions must be first deposited into the elected City Official's appropriate bank account before being deposited into the legal expense fund. The legal expense fund may be in the form of certificates of deposit, interest-bearing savings accounts, money market or similar accounts, which shall be established only for the legal expense fund [OMC §3.12.170(A)].

Unlike officeholder or campaign committees, there is no limit to the amount a person or broad-based political committee may contribute to a legal expense fund [OMC §3.12.170(B)]. There is also no limit on the total amount that a legal expense fund can receive in any given year.

Donation of Office Space

A related provision to officeholder committees and legal expense funds is the provision that permits a person or broad-based political committee to donate office space to elected City Officials in furtherance of their duties and responsibilities. A donation of this kind will not be considered an expenditure by, or non-monetary contribution to, an elected City Official **if** the donation is made to the City and accepted pursuant to Oakland City Charter Section 1203 for use elected City Officials (or to the School District for use by the School District board of directors), **and** the name, address, employer and occupation of the donor, and the current market value of the donated office space, are provided to the Public Ethics Commission.

ENFORCEMENT

Persons who violate the Oakland Campaign Reform Act are subject to criminal, civil, administrative, and other penalties. Note: A copy of the Public Ethics Commission's Mediation and Complaint Procedures, and Complaint Forms, are posted on its website and can be requested by contacting Commission staff.

Liability

In addition to a committee itself, all principal officers of the committee are jointly and severally liable for violations by the committee. For committees controlled by a candidate, the candidate and the committee's treasurers are deemed to be principal officers. When two or more parties are jointly and severally liable, each party is independently liable for the full extent of the violation.

An agent acting on behalf of a principal officer is also jointly and severally liable for violations that arise out of the agent's actions. The following are presumed to be agents of a committee: (1) a current or former officer of the committee, (2) an employee of the committee, (3) a person who has received compensation or reimbursement from the committee, and (4) a person who holds or has held a position within the committee organization that reasonably appears to be able to authorize expenditures for committee activities.

In addition, any person who receives a financial benefit because of a violation of OCRA shall be liable for forfeiting to the City's general fund the amount of the financial benefit received because of the violation.

Penalties

If, after an administrative hearing pursuant to its Complaint Procedures, the Public Ethics Commission determines that a violation under OCRA has occurred, the Commission may administer penalties and fines not to exceed \$5,000 per violation or three times the amount of the unlawful contribution or expenditure, whichever is greater [OMC §3.12.270(C)].

Injunctive Relief

The Public Ethics Commission, or any individual residing in the City, may seek a court order to stop violations or to compel compliance with certain provisions of OCRA. [OMC §3.12.280] The court may award litigation costs or attorney's fees to a complainant or respondent who prevails in a civil action for injunctive relief [OMC §3.12.300].

Disqualification

In addition to any other penalty, if an official receives a contribution above the contribution limits, the official shall not be permitted "to make, participate in making or in any way attempt to use their official position to influence a governmental decision in which the contributor has a financial interest" [OMC §3.12.330]. This language is borrowed from the California Political Reform Act's provisions on financial conflict of interest. The significant difference is that OCRA prohibits an official from participating in any decision affecting the contributor's financial interests, while state law restricts participation only if the official's financial interests are at stake.

APPENDIX I: OFFICEHOLDER COMMITTEES FACT SHEET

Officeholder Committees FACT SHEET

CA Political Reform Act/FPPC Rules for Officeholder Committees

State law allows local candidates who win the election to continue to maintain their campaign committee after the election to receive contributions and to use campaign funds to offset officeholder expenses. During non-election years, the Form 460 is filed on a semi-annual basis if the committee remains open. State law further requires that the committee name include the candidate’s last name, office sought, and year of the election, and that this name remain intact until and unless the candidate decides to run for re-election, in which case the candidate may re-designate the committee or create a new committee for the future office sought.

See FPPC *Disclosure Manual 2 – Information for Local Candidates, Superior Court Judges, Their Controlled Committees, and Primarily Formed Committees for Local Candidates*, available on the FPPC’s website at www.fppc.ca.gov.

Oakland Campaign Reform Act (OCRA) Rules for Officeholder Committees

Oakland law allows each elected City Official to maintain an officeholder committee for expenses associated with holding office. Contributions to the officeholder committee must be made by separate check or other separate written instrument, and single contributions may not be divided between the officeholder committee and any other candidate committee. The Oakland Campaign Reform Act (OCRA) imposes a limit on the total amount the officeholder committee may receive in contributions per year in office as follows (OMC 3.12.150A):

School Board Directors	\$25,000
District Councilmembers	\$75,000
Citywide Officeholders	\$100,000

In addition, annual contributions received by or made to the officeholder committee shall be subject to the same temporary contribution limits under OCRA. No funds may be transferred from the officeholder committee of an elected City Official to any other candidate committee [OMC 3.12.150(D)].

A contributor may contribute up to the contribution limit to the officeholder committee each year it is in existence, in addition to making contributions at the applicable limit to the elected City Official’s campaign committee for a future election.

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Transitioning a Campaign Committee into an Officeholder Committee

A candidate may decide to maintain the campaign committee in lieu of creating an officeholder committee; however, the candidate would be limited to the contribution limits that applied to their contributors during the election. In other words, an individual who contributed to the candidate's campaign at the maximum amount would not be able to contribute again to the campaign committee, until and unless the campaign committee is re-designated as a campaign committee for the candidate's re-election. Even then, the contributor would be limited to the maximum contribution limit for the next election.

By establishing an officeholder committee, an elected City Official can receive a new set of contribution limits as outlined above and subject to OCRA's officeholder expenditure rules listed below. The new limits are in addition to the limits allowable for campaign contributions and are applied annually rather than per-election. To trigger the ability to accept officeholder contributions, a candidate must establish an "officeholder" committee by re-designating the campaign committee as follows:

1. After the election, pay all campaign expenses and debts. Do not terminate the campaign committee.
2. After the elected official is sworn into office, file an amended Form 410 pursuant to state rules to add "Officeholder" to the committee name (the name must still include the candidate's last name, the prior office sought, and the year of the election). There is no required deadline for transitioning the committee from a campaign committee to an officeholder committee, except that, once a committee is renamed with "Officeholder," it can no longer accept campaign contributions, pay campaign debts, or make other campaign expenditures. The new "Officeholder" committee can only receive officeholder contributions and make officeholder expenditures per OMC 3.12.150 and is subject to the new annual contribution limit for "Officeholder" committees.
3. Any funds that remain in the account as it becomes an officeholder committee may not exceed the total amount the officeholder committee may receive in contributions per year in office under OMC 3.12.150A.
4. A contributor may not give to the campaign committee for the prior election and to the officeholder committee in the same calendar year; however, if and once the candidate forms a new campaign committee for their re-election or election to another office, a contributor may contribute up to the maximum amount to the officeholder committee and the future campaign committee.

Note: In lieu of the above campaign committee re-designation process, an officeholder could instead create a new campaign committee for re-election while in office, designate it with the name "officeholder," and use that committee for officeholder contributions and expenditures; however, the officeholder committee must have a zero balance before the candidate begins to accept campaign contributions and

Creating an Officeholder Committee

Establishing and using an officeholder committee can be tricky. The reason is that state law permits an elected City Official to receive contributions into only one campaign account – whether for campaign or officeholder purposes.

To accept officeholder contributions under Oakland law, a candidate must establish an "officeholder" committee by re-designating their campaign committee after the election and after all campaign related expenses and debts have been paid.

Officeholder committee funds may NOT be used for an elected City Official's own campaign-related expenses, nor may they be transferred to another candidate committee (including one's own).

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make campaign expenditures for the candidate's future re-election, as OCRA prohibits any transfer of officeholder funds to another candidate committee.

Officeholder Expenditure Rules

Under OCRA section 3.12.150B, expenditures from an officeholder committee may be made for any political, governmental, or other lawful purpose such as the following:

1. Expenditures for fundraising (including solicitations by mail) for the officeholder per statute;
2. Expenditures for office equipment, furnishings, and office supplies;
3. Expenditures for office rent;
4. Expenditures for salaries of part-time or full-time staff employed by the officeholder for officeholder activities;
5. Expenditures for consulting, research, polling, photographic or similar services except for campaign expenditures for any city, county, regional, state, or federal elective office;
6. Expenditures for conferences, meetings, receptions, and events attended in the performance of government duties by (1) the elected City Official (2) a member of the elected City Official's staff; or (3) such other person designated by the elected City Official who is authorized to perform such government duties;
7. Expenditures for travel, including lodging, meals and other related disbursements, incurred in the performance of governmental duties by (1) the elected City Official, (2) a member of the elected City Official's staff, (3) such other person designated by the elected City Official who is authorized to perform such government duties, or a member of such person's household accompanying the person on such travel;
8. Expenditures for meals and entertainment directly preceding, during or following a governmental or legislative activity;
9. Expenditures for donations to tax-exempt educational institutions or tax exempt charitable, civic or service organizations, including the purchase of tickets to charitable or civic events, where no substantial part of the proceeds will have a material financial effect on the elected City Official, any member of their immediate family, or their committee treasurer;
10. Expenditures for memberships to civic, service, or professional organizations, if such membership bears a reasonable relationship to a governmental, legislative, or political purpose;
11. Expenditures for an educational course or educational seminar if the course or seminar maintains or improves skills which are employed by the elected City Official or a member of the elected City Official's staff in the performance of their governmental responsibilities;
12. Expenditures for advertisements in programs, books, testimonials, souvenir books, or other publications if the advertisement does not support or oppose the nominations or election of a candidate for city, county, regional, state, or federal elective office;
13. Expenditures for mailing to persons within the city which provide information related to city-sponsored events, school district-sponsored events, an official's governmental duties or an

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official's position on a matter pending before the Council, Mayor, or School Board provided, however, that no such expenditures shall be made for any mailing distributed within three months of any election in which the elected City official is running for a City office;

14. Expenditures for expressions of congratulations, appreciation or condolences sent to constituents, employees, governmental officials, or other persons with whom the elected City Official communicates in their official capacity;
15. Expenditures for payment of tax liabilities incurred because of authorized officeholder expense fund transactions;
16. Expenditures for accounting, professional and administrative services provided to the officeholder fund;
17. Expenditures for ballot measures.

OCRA section 3.12.150C specifically prohibits the following expenditures from officeholder committees:

1. Expenditures in connection with a future election for any city, county, regional, state, or federal elective office;
2. Expenditures for campaign consulting, research, polling, photographic or similar services for election to city, county, regional, state, or federal elective office;
3. Membership in any athletic, social, fraternal, veteran, or religious organization;
4. Supplemental compensation for employees for performance of an act which would be required or expected of the person in the regular course or hours of their duties as a city official or employee;
5. Any expenditure that would violate the provisions the California State Political Reform Act, including Government Code Sections 89506 and 89512 through 89519.

Termination of the Officeholder Committee

The officeholder committee shall be terminated at the time the elected City Official's term of office ends or they leave that office, whichever is earlier. An officeholder committee may not transfer funds to a campaign committee for a future election or to any other campaign committee. If the elected City Official runs for re-election, the new campaign committee is a separate committee for a separate election and does not impact the existing officeholder committee. If the elected City Official wins re-election, it is advised that the campaign committee for the candidate's re-election become the candidate's new officeholder committee according to the above procedures.

APPENDIX II: SAMPLE CONTRIBUTOR CARD

[Insert Name of Candidate Committee and FPPC ID#]

Individual Contributor Verification Card

Amount of the Contribution: \$ _____ Date of the Contribution: _____

Type of contribution (check one): Monetary ____ In-kind ____

If in-kind contribution, please specify items contributed/services rendered: _____

Contributor Name (Print): _____
Street Address (no P.O. Boxes): _____
City/State/Zip: _____
For donors of at least \$100 (cumulatively), the following information is required:
Occupation: _____ Employer: _____
(If self-employed, provide the name of the business)

Please verify that your contribution is not a prohibited contribution by marking the box next to each item below:

- I am not contributing more than \$900 for this election. I understand that, for purposes of contribution limits, my personal contributions are aggregated with the contributions of a business in which I own a majority interest, and that contributions from multiple entities also are aggregated when the conditions are such that the entities:
1) share the majority of members of their board of directors;
2) share three or more, or a majority of, officers;
3) are owned or controlled by the same majority shareholder(s);
4) are in a parent-subsidiary relationship; or
5) one entity finances, maintains, or controls the other entity's contributions or expenditures [OMC 3.12.080].
I am not contracting or proposing to contract, currently or within the past 180 days, with the City, on a contract requiring approval by the City Council, or Oakland Unified School District, on a contract requiring approval by the School Board, and I do not hold any of the following positions with an entity doing so:
1) board chair, president, chief executive officer, chief operating officer, chief financial officer, or the functional equivalent of one or more of those positions;
2) owner with ownership interest of 20% or more; or
3) employee, independent contractor, or agent of the entity who is authorized to represent the entity before the City or OUSD regarding the contract [OMC 3.12.140].

Signature required of all contributors:
I certify that this contribution is not prohibited under Oakland's Campaign Reform Act as specified above.
X _____
Contributor Signature Date

APPENDIX III: SAMPLE OCRA FORM 300

CAMPAIGN FILER – APPLICATION FOR ONLINE LOGON AND PASSWORD

COMMITTEE INFORMATION

--	--	--

Committee name

Phone

FPPC ID#

--

Treasurer/Responsible Officer
(May be the same as above, if an individual)

--

Email (Must match disclosure email address)

I am entitled to file campaign statements on behalf of the above entity or person and hereby apply for the issuance of an account ID number and a password in order to file statements and reports electronically. I am submitting this application as a: (check one)

- Treasurer
- Assistant Treasurer
- Responsible Officer
- Major Donor

DECLARATION

- I acknowledge that electronic documents bearing my signature will be treated the same as original paper documents bearing my signature for the purposes of applicable state and local law.
- By signing and submitting this application, I acknowledge that documents filed electronically with the City of Oakland using the ID and password issued will bear my electronic signature and that I am signing such documents under penalty of perjury under the laws of the State of California.
- I also understand that I am solely responsible for the security of the ID issued to me, that sharing it with any party is done at my sole discretion, and that I assume any liability that results from sharing it with another person.

Original Signature - Treasurer/Responsible Officer _____ Date _____

Original Signature - Candidate (Candidate-controlled committees only) _____ Date _____

Return to:

Public Ethics Commission

APPENDIX IV: SAMPLE OCRA FORM 301

Voluntary Expenditure Limits - OCRA Form 301

Submitted on	20 May 2025, 11:55am
Receipt number	3
Related form version	5

Candidate Information

Name	John Doe
Email	john4oakland@oakland.com
Office Sought	City Council - District 6
Election Date	November 3, 2026

Candidate Intention Statement (Form 501)

Declaration

I hereby declare that I have established a campaign committee in order to solicit contributions towards my candidacy.	Agreed
---	--------

By submitting this form I accept the voluntary expenditure ceiling as defined in Section 3.15.140 of the Oakland Fair Elections Act.	Agreed
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I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.	Agreed
---	--------

Signature	Name of signatory: John Doe
-----------	-----------------------------

[Link to signature](#)

APPENDIX V: SAMPLE OCRA FORM 303

Solicited Contribution Report - OCRA Form 303



Submitted on	20 May 2025, 1:16pm
Receipt number	6
Related form version	3

1. Public Official Information

First Name	John
Last Name	Doe
Title/Office	Program Manager
Agency Name	Housing & Community Development
Phone	510-238-0000
Email	employee@oaklandca.gov

2. Contributor Information

Is the contributor an individual or an entity?	Business or organization
--	--------------------------

Contributor Name	Business A
Contributor Street Address	123 Oakland Way
Contributor City	Oakland
Contributor State	CA
Contributor Zip	94612
Country	USA

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3. Recipient Information

Committee Name Support Oakland - Measure O

1 of 2

SOS ID 1234567

Committee Street Address 123 Oakland Blvd

Committee City Oakland

Committee State CA

Committee Zip 94612

4. Contribution Information

Contribution Date 05/20/2025

Contribution Amount 20000

Contribution type Monetary Donation

Ballot Measure or Candidate Measure O

Election Date 11/03/2026

Purpose Support

5. Verification

Signature



[Link to signature](#)

APPENDIX VI: SAMPLE OCRA FORM 305

Supplemental Independent Expenditure Disclosure - OCRA Form 305



Submitted on	20 May 2025, 1:26pm
Receipt number	291
Related form version	17

Committee Information

Committee Name	Support Oakland
SOS ID	1234567
Committee address	1 Oakland Blvd
Committee City	Oakland
Committee State	CA
Committee Zip	94612
Committee Phone	5101234567
Committee Email	supportoakland@supportoakland.com

Supplemental Disclosure Information

Election Date	11/03/2026
Candidate or Ballot Measure	Measure O
Office Sought or Held	Measure
Position	Support
Form 496 Report Number	123456789
Was the expenditure for a communication distributed, displayed, or sent to voters?	Yes

Please describe the expenditure.

Dates the communication was distributed or displayed, if applicable.

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Type of Communication Mailer/Door Hanger/Walk Piece

Upload a copy of the communication. (If the communication is a video or audio recording, provide a separate copy of the script.) [campaign-finance.webp](#)

Payee Information

Payee Information

Item 1	Payee Name Voter Communications
	Payee Street Address 510 Oakland Blvd
	Payee City Oakland
	Payee State CA
	Payee Zip Code 94612
	Payee Country USA
	Was this a direct payment to a vendor or was the payee a subvendor (an agent or independent contractor, e.g., campaign worker, advertising agency, campaign management firm) that made payments on your behalf? Vendor

Contributions to Oakland Campaigns

Did you make a contribution of \$100 or more in the current calendar year to any City of Oakland political committee listed above? No

Upload of over 10 Contributions to Oakland Candidates

Contribution Information

Item 1	Contribution Date
	Committee Name
	Contribution Amount

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Public Ethics Commission
250 Frank H. Ogawa Plaza
Suite 6303
Oakland , CA 94612

www.oaklandca.gov/pec
ethicscommission@oaklandca.gov
510-238-3593

Item 09 - Enforcement Program Report



Francis Upton IV, Chair
 Karun Tilak, Vice Chair
 Luke Apfeld
 Tanya Bayeva
 L. Lawrence Brandon
 Angi Fisher
 Ryan Micik

Suzanne Doran, Executive Director

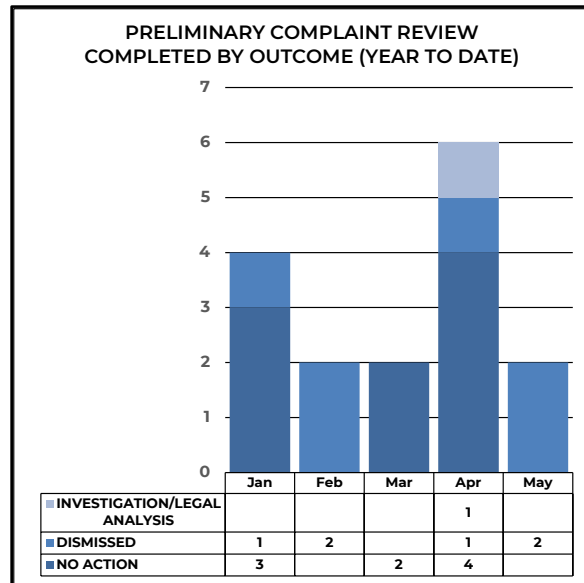
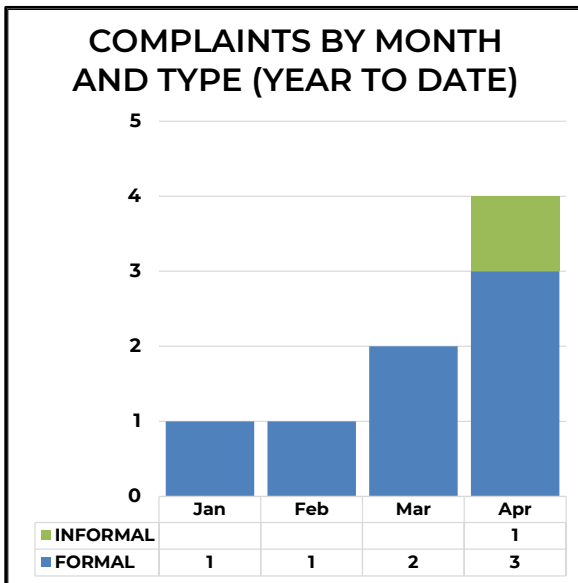
TO: Public Ethics Commissions
FROM: Tovah Ackerman, Enforcement Chief
DATE: May 8, 2026
RE: Enforcement Report for the May 20, 2026, Regular PEC Meeting

Since the last Enforcement Program update submitted to the Commission on January 9, 2026, Commission staff received one formal (sworn) complaint. This brings the total Enforcement caseload to 89 open matters.

The charts below summarize preliminary review of complaints completed by year and outcome, all open enforcement matters by complaint status, active cases by alleged violation, and open v. closed complaints by year initiated.

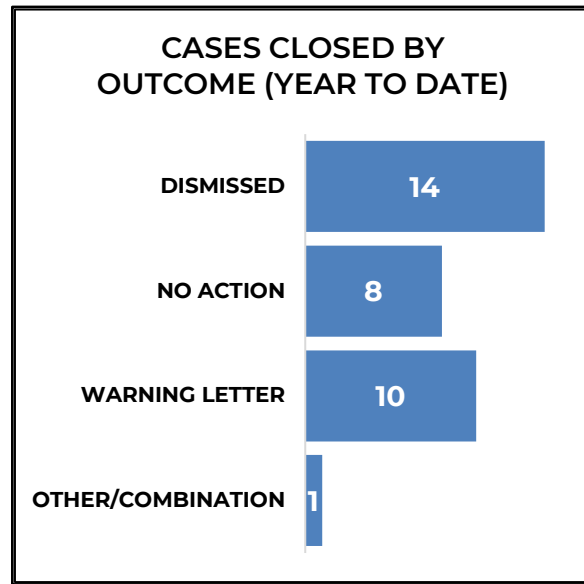
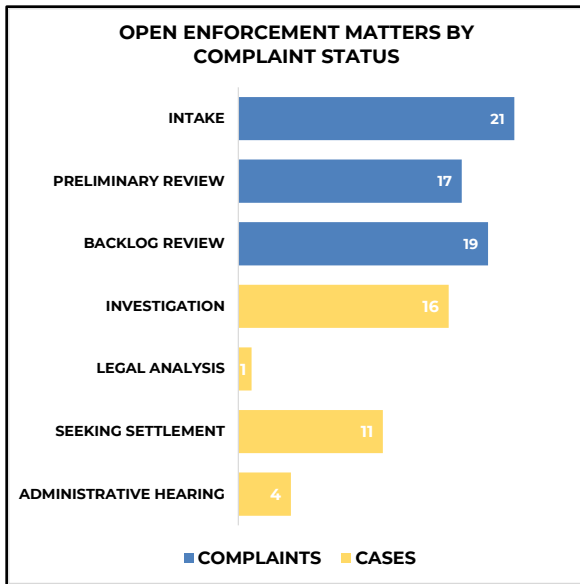
An overview of the complaint process as well as the Commission’s full Complaint Procedures and Penalty Guidelines can be found on our [Enforcement Program](#) webpage.

A searchable table of closed complaints can be found on our [Enforcement Actions](#) webpage.



250 FRANK H. OGAWA PLAZA (DALZIEL BLDG.), SUITE 6303, OAKLAND, CA 94612
 TEL: (510) 238-3593 | ETHICSCOMMISSION@OAKLANDCA.GOV

ENFORCEMENT REPORT – MAY 20, 2026



The following complaints have been dismissed:

- In the Matter of Jason Mitchell et al. (PEC # 18-04).*** On February 8, 2018, PEC staff received a formal complaint alleging, in substance, that, after the Complainant reported fraud, corruption, overtime abuse, and related sewer reporting concerns within Oakland Public Works, then-City Auditor Brenda Roberts compromised his whistleblower confidentiality and he was thereafter harassed, retaliated against, and ostracized. At this stage, the PEC could not provide a meaningful corrective remedy through the whistleblower process. Additionally, the PEC has no clear additional enforcement power expressed in either Oakland Municipal Code or the City Charter to impose fines or to send warning letters. Even if the PEC could pursue a penalty or warning letter, doing so would risk implying findings that the present materials in this matter’s file do not support. Additionally, the overtime abuse and sewer reporting allegations are not supported by the current case file.
- In the Matter of Libby Schaaf (PEC # 20-39).*** On October 21, 2020, the City of Oakland Public Ethics Commission (PEC) received an informal complaint alleging that then-Mayor Schaaf distributed an email endorsing several candidates and ballot measures up for vote in the November 2020 election, potentially using a city mailing list in violation of the Government Ethics Act. Due to the PEC’s resource limitations and the need to prioritize staff time, it is not feasible to pursue a six-year old case (such as this one) that presents a low probability of substantiating a violation alongside high investigative demands.

Item 10 - Executive Director's Report



Francis Upton IV, Chair
Karun Tilak, Vice Chair
Luke Apfeld
Tanya Bayeva
L. Lawrence Brandon
Angi Fisher
Ryan Micik

Suzanne Doran, Executive Director

TO: Public Ethics Commission
FROM: Suzanne Doran, Executive Director
DATE: May 5, 2026
RE: Executive Director's Report for the May 20, 2026, Regular PEC Meeting

This memorandum provides updates regarding Public Ethics Commission (PEC or Commission) programs and operations, such as budget, staffing, and legislative and policy initiatives since the last Commission meeting, as well as a summary of major 2026 Commission projects and initiatives.

Budget

In April, staff reviewed the draft balanced FY 2026-27 Midcycle Budget prepared by the City Administration and provided input on department impacts and proposed changes for the Mayor's Midcycle Budget proposal. The draft budget includes adjustments across departments to address the City's current fiscal conditions. The FY 2026-2027 Midcycle Budget Proposal is scheduled to be released on May 12. The Midcycle Budget process concludes when proposals are adopted by City Council in May or June. Information on the City of Oakland budget, including department-specific data is available to the public on the [City of Oakland website](#).

Staffing

As reported in March, applicant testing and candidate interviews are underway for three position vacancies, which are each vital to the Commission's non-enforcement education, compliance, and public financing programs. Interviews are scheduled for Program Manager this month, and interviews for Ethics Analyst will start in June. This is the first time the Commission has conducted full recruitments for non-enforcement positions in over ten years, and the process requires significant staff time to develop appropriate tests, assess applicants, and conduct interviews.

In addition, Investigator Treva Hadden made the decision to depart the PEC, effective March 29, 2026. We are very appreciative for all the work that Treva has done for us over the past two years and wish her the best of success in her future endeavors. Staff is conducting interviews this month to fill the vacancy.

In addition to filling permanent positions, the PEC gained authorization for a limited duration appointment for an additional ethics analyst until recruitment can begin for the permanent analyst

position budgeted to start in January 2027. Niels Thorsen, who has been working in a temporary analyst position to support the PEC’s communications and outreach activities since October 2025, has been promoted to the one-year appointment. Congratulations, Niels!

In addition to recruitment and hiring, May also initiates the performance evaluation process for City staff, which must be concluded by June.

PEC Legislation

Current activities related to implementation and administration of laws in the Commission’s jurisdiction include:

Democracy Dollars Program. Following up on the Commission discussion of the Democracy Dollars outreach strategy at the January meeting, Staff arranged to continue partnering with non-profit Local Policy Lab (LPL) in 2026 on projects to advance readiness for a future Democracy Dollars rollout. Project activities include continued efforts to build relationships and solicit input from community stakeholders and developing a suite of easy to understand outreach materials to increase awareness of the Democracy Dollars program, how it works, and why it matters for Oakland.

Commission Meetings

Strategic Planning Retreat. Staff is coordinating scheduling to determine the optimal date for the Commission’s “retreat” to conduct team development, assess Commission accomplishments and current context, participate in strategic visioning, and identify key opportunities and priorities for the next two to three years. Commissioners will be notified as soon as staff identifies a date that allows for robust Commissioner participation in this vital Commission activity.

Major 2026 Projects or Initiatives

The chart below provides a high-level overview of PEC projects and initiatives that are either statutory requirements or obligatory core services that require substantial staff time in 2026:

Quarter	Month	Commission Items	Major Staff Activities
1	January	<ul style="list-style-type: none"> ✓ Elect Chair and Vice Chair ✓ PEC-appointments to fill vacant seats ✓ Democracy Dollars Outreach Strategy Report presented 	<ul style="list-style-type: none"> • New Commissioner onboarding • Commission Chair and Vice Chair Orientation • City Council salary adjustment process • Implement hybrid meetings • Recruitment and onboarding to fill staff vacancies - ongoing • Mid-cycle budget adjustment process initiated
	February	No meeting scheduled	
	March	<ul style="list-style-type: none"> ✓ Adopt City Council Salary Adjustment (Charter Sec. 202) ✓ City Attorney and City Auditor Salary Adjustment process discussion 	

Item 10 - Executive Director's Report

EXECUTIVE DIRECTOR'S REPORT – MAY 5, 2026

P. 3

Quarter	Month	Commission Items	Major Staff Activities
2	April	<ul style="list-style-type: none"> ✓ City Attorney Salary Adjustment resolution adopted (Charter Sec. 401(1)) ✓ City Auditor Salary Adjustment resolution adopted (Charter Sec. 401(1); 403(1)) 	<ul style="list-style-type: none"> • City Attorney and City Auditor salary adjustment process completed • Mid-cycle budget adjustment process • Staff Performance Reviews • Recruitment and onboarding to fill staff vacancies – ongoing • Draft 2023, 2024, and 2025 Annual reports/Strategic Planning Retreat planning • Updates to OCRA and LPF guides and training materials for 2026 elections • Election-related education, compliance, and enforcement activities • Partner with OpenOakland volunteers to update the OpenDisclosure website for the 2026 elections
	May	<ul style="list-style-type: none"> • Review and comment on proposed Charter amendments • 2026 OCRA Guide published 	
	June	<ul style="list-style-type: none"> • TBD – Special meeting for strategic planning retreat • PEC jurisdiction and authority presentation by City Attorney • 2023 - 2025 Annual Reports published 	
3	July	<ul style="list-style-type: none"> • 2026 Limited Public Financing Guide published 	<ul style="list-style-type: none"> • Administer Limited Public Financing Program • Election-related education, compliance, and enforcement activities • Initiate Democracy Dollars software development process with vendor MapLight • Determine technical requirements for Democracy Dollars ID-verification and signature verification process • Recruit and onboard 3rd investigator • Conduct Administrative Hearings • Partner with ITD to update local disclosure forms and automate data processing
	August	<ul style="list-style-type: none"> • TBD Special Meeting – Adopt Limited Public Financing fund distribution 	
	September	<ul style="list-style-type: none"> • Presentation/demo of PEC disclosure tools • Announce Commissioner application process 	
4	October	No meeting scheduled	<ul style="list-style-type: none"> • Administer Limited Public Financing Program • Election-related education, compliance, and enforcement activities • Recruit 4th ethics analyst • Recruitment to fill PEC-appointed Commission seat/Coordinate with City Attorney Commissioner appointment
	November	<ul style="list-style-type: none"> • Adopt 2027 meeting schedule 	
	December	No meeting scheduled	
Projects On Hold			
			<ul style="list-style-type: none"> • Office suite renovations – pending funding appropriation • Select case management software – pending funding appropriation

Item 10 - Engagement and Compliance Program Report



Francis Upton IV, Chair
Karun Tilak, Vice Chair
Luke Apfeld
Tanya Bayeva
L. Lawrence Brandon
Angi Fisher
Ryan Micik

Suzanne Doran, Executive Director

TO: Public Ethics Commission
FROM: Jelani Killings, Senior Analyst, Engagement and Compliance
DATE: May 6, 2026
RE: Engagement and Compliance Program Report for the May 20, 2026
Regular PEC Meeting

This memorandum provides a summary of major accomplishments in the Public Ethics Commission's (PEC or Commission) Engagement and Compliance program activities since the last regular meeting. Commission Staff compliance activities focus on enhancing compliance with disclosure rules and improving tools for public access to local campaign finance and other disclosure data. 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.

Compliance with Disclosure Requirements

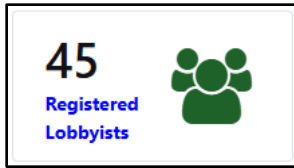
Commission Staff conducts filing officer duties as required by state and local law and aims to help candidates, lobbyists and City officials submit required disclosure reports and ensure residents can easily access campaign finance, lobbyist, and ethics-related data and information.

Campaign Finance Disclosure – The first pre-election filing deadline for the June primary election fell on April 23 covering the period from January 1, 2026 through April 18, 2026. There are three City ballot measures appearing on the June ballot (Measures C, D, and E). Ballot measure committees and other recipient committees with fundraising or spending activity connected with the June ballot were required to file Form 460 by the pre-election deadline. All required committees timely filed their first pre-election campaign statements. Commission staff completed surface review of all four pre-election campaign statements to ensure compliance. The next scheduled campaign statement is the second pre-election statement covering the period from April 19, 2026, through May 16, 2026, due May 21, 2026.

Campaign statements are available to view and download at the Commission's [Public Portal for Campaign Finance Disclosure](#).

250 FRANK H. OGAWA PLAZA (DALZIEL BLDG.), SUITE 6303, OAKLAND, CA 94612
TEL: (510) 238-3593 | ETHICSCOMMISSION@OAKLANDCA.GOV

Item 10 - Engagement and Compliance Program Report



Lobbyist Registration Program – The Oakland Lobbyist Registration Act (LRA) requires any person that qualifies as a lobbyist to register annually with the Commission before conducting any lobbying activity and to submit quarterly activity reports. To date, 45 lobbyists are registered with the City of Oakland.

April 30, 2026, marked the deadline for lobbyists to file their Quarterly Activity Report covering the period from January 1, 2026 through March 31, 2026. All registered lobbyists filed the required report.

An up-to-date list of registered lobbyists and lobbyist activity reports with links to view and download individual reports is available at the Public Ethics Commission’s [Lobbyist Dashboard and Data](#) webpage.

Behested Payment¹ Disclosure – During the months of January through April, the Mayor’s Office reported 25 behested payments totaling \$723,500 in solicited contributions for local charitable programs. Behested payment reports are available for public viewing through the [Public Portal for Campaign Finance Disclosure](#). A search for filings by a public official’s name will return any behested payment reports in the database submitted by the official (identified as Form 803).

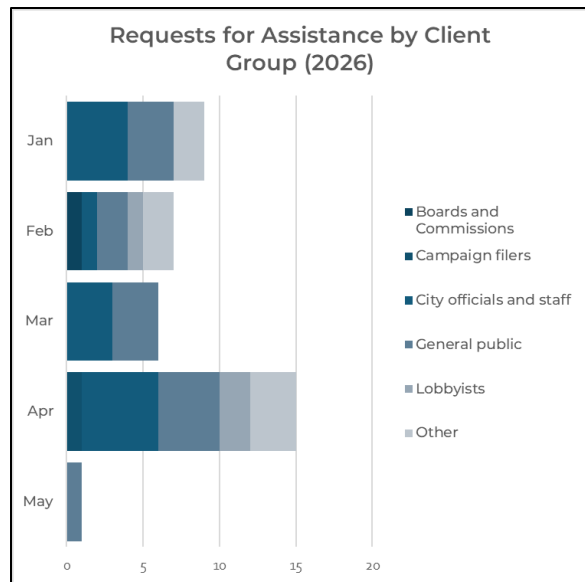
Advice and Engagement

Advice and Technical Assistance – Between March 2026 and the date of this report, Commission Staff responded to 22 requests for information, advice, or assistance regarding campaign finance, ethics, Sunshine law, or lobbyist issues.

Oakland Campaign Reform Act Guide –

Commission staff updated the PEC’s comprehensive guide to the Oakland Campaign Reform Act to reflect recent changes enacted through City Council amendments in January 2026 and improved the formatting to enhance accessibility.

PEC Advisories – Commission Staff issues regular advisories to ensure that stakeholders subject to the laws under the PEC’s jurisdiction are aware of local

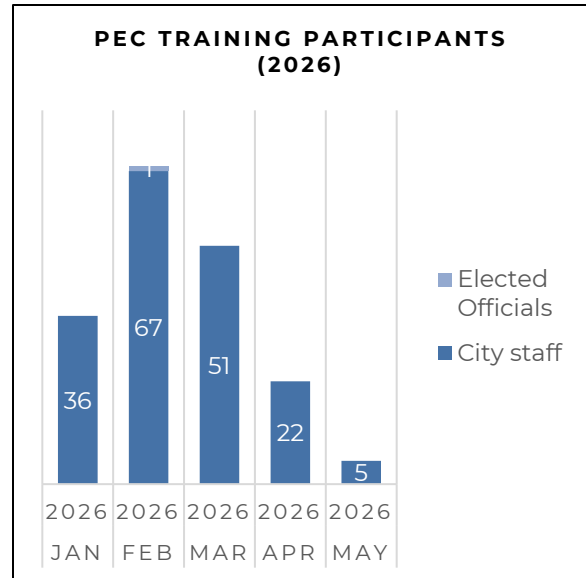


¹ “Behested payments” are payments made to a charity upon the solicitation of an elected official. Behested Payment Reports must be filed with the campaign filing officer within 30 days of successfully soliciting \$5,000 or more on FPPC Form 803.

Item 10 - Engagement and Compliance Program Report

rules. In April 2026, Commission Staff issued an advisory regarding the requirements for reporting behested payments with additional FAQs based on questions from incoming advice requests and trainings.

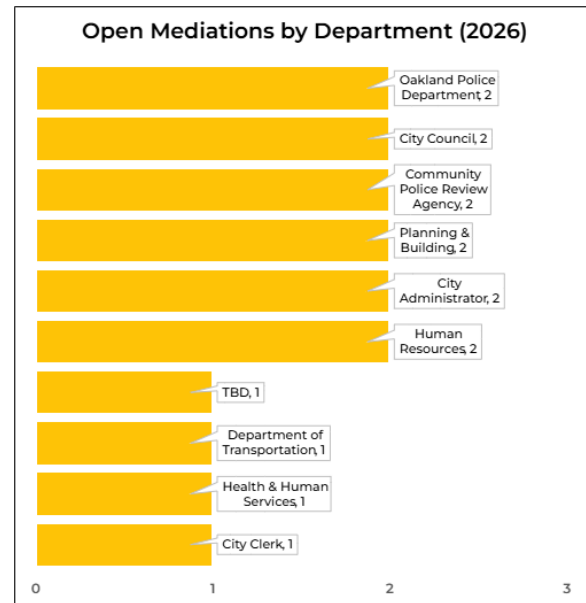
Ethics Training – In addition to the PEC’s online ethics trainings, Commission Staff regularly provide live trainings for City employees through the City’s New Employee Orientation (NEO), Supervisory Academy, and upon request. On May 5, Commission staff coordinated a follow-up training for the Mayor’s office focusing on behested payment rules and disclosure requirements with Fair Political Practices Commission staff. The table at right summarizes trainings held in 2026.



Social Media – Social media content in the months of March and April highlighted PEC meetings, community outreach events, and the lobbyist filing deadline.

Mediation Program

Pursuant to the Oakland Sunshine Ordinance, the Commission conducts mediation of public records requests made by members of the public to City departments for records within the department’s control. Since the last Commission meeting, the Commission received three new requests for mediation, and one mediation was completed, for a total of 16 open mediation cases this year.





Item 10 - Mediation Program Report

Francis Upton IV, Chair
 Karun Tilak, Vice Chair
 Luke Apfeld
 Tanya Bayeva
 L. Lawrence Brandon
 Angi Fisher
 Ryan Micik

Suzanne Doran, Executive Director

TO: Public Ethics Commission
FROM: Jelani Killings, Senior Analyst, Disclosure and Engagement
DATE: May 6, 2026
RE: Mediation Program Report for the May 20, 2026, PEC Meeting

Pursuant to the Oakland Sunshine Ordinance, the Commission conducts mediation of public records requests by members of the public that have been denied by City departments for records within the department’s control. Since the last Commission meeting, the Commission received three new mediation requests and concluded one mediation, bringing the current mediation caseload to 16 mediations.

The following mediation case has been resolved:

1. In the Matter of the Oakland Police Department (Mediation Case No. M2026-06).

On March 1, 2026, the Commission received a request for mediation alleging that the Oakland Police Department denied providing informative documents in response to a public records request made by the Requestor. The mediation sought records related to any calls for service, welfare checks, or suicide hotline calls associated with a specific address and individuals. The request was denied pursuant to California Welfare and Institutions Code §15633(b). Under this statute, juvenile and mental health records are confidential and may only be released pursuant to a court order. Because the department did not withhold additional responsive records and the Requestor has not responded to Staff communications, the mediation was closed with no further action.

