



# AGENDA REPORT

**TO:** Members on the City Council and  
Members of the Public

**FROM:** Councilmembers **Dan Kalb,**  
**Nikki Fortunato Bas,**  
**Carroll Fife**

**SUBJECT:** Additional Information Regarding the  
Resolution Creating the Oakland Fair  
Elections Act Ballot Measure

**DATE:** July 11, 2022

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## **EXECUTIVE SUMMARY**

This Ordinance substantially redesigns Oakland’s campaign finance framework. Through the creation of an innovative Democracy Dollars program, this redesign will create election participation opportunities for all Adult Oaklanders. The Democracy Dollars program will provide \$100—four \$25 vouchers—for every Oakland voter to donate to the local candidate(s) of their choice.

The legislation will eliminate and replace the current Limited Public Financing Act by creating the new Oakland Fair Elections Act. The **Oakland Fair Elections Act** outlines participation criteria and benchmarks that candidates must achieve to qualify for the public financing program.

The legislation will adjust contribution limits and spending limits for campaigns by position, extend the post-employment lobbying ban by one year and add funding to the Public Ethics Commission for necessary staffing to implement the program.

## **ADDITIONAL INFORMATION**

There were a number of questions during the July 5, 2022 City Council meeting around the legislation. Please see some initial attempts to answer them here:

### **Regarding what the top three donors mean if there many donors who give the same amount if all donors are limited to a low set number:**

The top three donors are only for independent expenditures where donors can give substantially more.

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**How does this strengthen oversight and enforcement of independent expenditures?**

This legislation does not directly address this problem. That said, the City Council could address this through Ordinance and nothing here precludes future Council action regarding this issue. The hope is that the increase in use of public financing could make the value of independent spending slightly less relevant.

**How does this strengthen the enforcement of the lobby registration ordinance?**

This legislation does not address this. That said, the City Council could address this directly through a revised lobbyist registration ordinance and nothing here precludes future Council action regarding that issue.

**How does this address individuals and organizations using ballot measure committees to subvert the donor limits?**

This legislation does not address this matter. That said, the City Council could address this through a Council ordinance and nothing here precludes future Council action regarding this issue.

**Questions about what has happened in Seattle:**

Please see the study in the agenda packet and the study from Oakland Public Ethics Commission in the packet for relevant additional information.

**Questions regarding costs of the program:**

If each eligible adult resident is getting \$100 per household how does this mean \$2 million averaged per year? How many people do we expect to take advantage of Democracy Dollars?

The limiting factor is how many candidates we have and the relevant spending limits for those candidates, not how many total voters. Please see the spreadsheet in the packet for an outline of this.

For the two-year budget cycle beginning July 1, 2023 and each subsequent two-year budget cycle beginning on July 1 of odd-numbered years, the City shall appropriate no less than \$4M for the purpose of funding the Democracy Dollars Fund. Any unspent revenue remaining in the Fund after an election shall remain in the Fund and accrue for making future disbursements under Subsection A.

There is a spreadsheet in the packet that directly outlines the costs for the program.

**Regarding the effect of the Program on fundraising limits on black women candidates and women of color on the reduction of contribution limits on equity regarding on candidates for office:**

The Democracy Dollars Program will support candidates for elected office who lack networks of wealthy contributors, and will encourage candidates across the political spectrum and from different backgrounds to seek elected office, thereby resulting in a pool of candidates that is more reflective of the diversity of Oakland residents and resulting in more competitive elections.

Lower contributions limits must be seen in combination with the increased availability of public financing.

**Regarding impact on Ranked Choice Voting:**

We do not expect there to be any impact on Oakland’s Ranked Choice Voting system.

**Regarding forum guidelines, will the Public Ethics Commission manage this oversight? Will it be difficult for them to manage? Will it be in partnership with community? Will the guidelines be in this measure?**

Forum guidelines and criteria will be explicitly promulgated through Public Ethics Commission regulations.

**ACTION REQUESTED BY THE CITY COUNCIL**

Please review all the supplementals in the agenda packet. We respectfully request that the City Council approve the Resolution to place the Oakland Fair Elections Act on the November 2022 ballot.

For questions regarding this report, please contact Seth Steward, Chief of Staff to Councilmember Kalb, at 510-238-7013.

Respectfully submitted,



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Dan Kalb  
City Councilmember, District 1



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Nikki Fortunato Bas  
Council President, District 2



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Carroll Fife  
City Councilmember, District 3