CITY OF OAKLAND
Public Ethics Commission

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Daniel D. Purnell, Executive Director

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TO: Public Ethics Commission
FROM: Daniel Purnell
DATE: March 1, 2010

RE: A Staff Report And Action To Be Taken Regarding A Proposal By City Councilmembers Ignacio De La Fuente and Rebecca Kaplan To Suspend The Limited Public Financing Program (O.M.C. Chapter 3.13) And Authorizing The Transfer Of $225,000 From The Election Campaign Fund To The Instant Run-Off Voting Outreach And Education Fund For The November 2010 Municipal Election And Allocating Said Funds To Three Organizations Serving The Latino, Asian And African-American Communities

At its regular meeting of February 4, 2010, the City Council's Rules and Legislation Committee received a scheduling request from the Offices of City Councilmembers Rebecca Kaplan and Ignacio De La Fuente for the above-captioned item to be scheduled for City Council consideration at the City Council meeting of March 2, 2010. At the time of the scheduling request and, as of the time of this writing, no staff report explaining the proposal was available for review. Commission staff will forward a copy of the City Council staff report to the Commission as soon as it becomes available.

The City Council has in the past suspended the Limited Public Financing Program due to budgetary constraints. The last time this occurred was for the election cycle of 2004. In 2008, the City Council transferred $226,000 to the general fund but the money was restored in the following budget cycle.

The present proposal, as Commission staff understands, would again suspend the Limited Public Financing program for the November 2010 election and transfer $225,000 existing in the Election Campaign Fund to an account within the City's general fund that has been established to pay for outreach and education efforts in connection with Instant Run-Off voting. The

proposal also indicates that this money shall be additionally directed to three unidentified organizations serving Asian, Latino and African-American communities.

At the time of this writing, it is unknown whether there are any criteria for the use of the money by the organizations, what if any oversight on expenditures exist, and how this money or any programs sponsored by the organizations will complement the voter outreach strategy being developed by the Office of the City Clerk and/or the County of Alameda. Commission staff expects these issues to be addressed in the City Council staff report.

This item comes before the Commission for the purpose of allowing the Commission to develop a position on the proposal and to direct the Executive Director and/or the Commission chair or other members to communicate that position to the City Council at its March 2, 2010, meeting. Depending on the details of the proposal, the Commission may wish to express its position regarding, without limitation, 1) the proposed suspension of the matching fund program, 2) the transfer of funds to the City Clerk for voter outreach and education for IRV, and 3) the additional transfer of funds to specific community organizations, including any conditions or criteria regarding the use of any such funds.

Respectfully submitted,

Daniel D. Purnell
Executive Director