



LOCAL CAMPAIGN REGULATIONS

June 28, 2023
City Council Chambers



Introduction

- April 19, 2023 City Council Meeting Discussion on Local Campaign Contribution Regulations
- The Council voted to appoint a limited term ad hoc to work with staff on drafting a final ordinance to bring back to the City Council for consideration

Ad Hoc



Paloma Aguirre
Mayor



Mitch McKay
Councilmember
District 3

Support Staff

Jennifer Lyon, City Attorney
Reyna Ayala, Mangt. Associate

Jacque Kelly, City Clerk
Erika Cortez-Martinez, CAO

State Default



Regulation 18545(a)

\$5,500

As of January 1, 2021 (AB 571) default contribution limits for elections occurring between 1/1/23 and 12/31/24

Applies to individuals, business entity, committee, small contributor committee, and political party

Chapter 2.55 Campaign Regulations and Contribution Limits

Sections:

2.55.010	Purpose and Scope.
2.55.020	Definitions.
2.55.030	Campaign Statements.
2.55.040	Form of Monetary Contribution.
2.55.050	Limitation on Amount of Contributions.
2.55.060	Regulations Associated with Contributors.
2.55.070	Prohibitions.
2.55.080	Appointment of Special Counsel.
2.55.090	Enforcement
2.55.100	Penalties.

2.55.010 Purpose and Scope.

Participation in fair and inclusive elections is the cornerstone to effect local government. The purpose of this chapter is to ensure all candidates and their supporters are provided with rules and guidelines that are clear, unbiased, and objective. Additionally, contribution limits have been established to ensure that qualified candidates have an opportunity to engage in the political process even if they possess different fiscal resources. The ideal is for each candidate to be motivated by community interests without even the appearance of influence from large financial contributors.

The contents of this chapter are intended to be consistent with and supplement the requirements of California State law regarding election protocols. Specifically, the provisions of Article XI, Section 7 of the California Constitution and California Government Code Section 81013 support the finding that municipal elections are municipal affairs; the regulation of campaign contributions and expenditures in municipal elections is not preempted by general state law; and such activity is the proper subject of municipal regulation under the authority granted to cities by the State of California. Should any provision of this chapter be determined to be invalid for any reason, the remainder shall be severed therefrom and shall remain in full force and effect.

2.55.020 Definitions.

A. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

“Campaign statement” means an itemized report prepared on a form provided by the City Clerk that provides the information required by this chapter.

“Candidate” means an individual listed on the ballot or qualified to receive write-in votes counted by election officials for nomination or election to the position of Mayor or member of the City Council, or who receives a financial contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with the intention of bringing about his or her nomination or election to the position of Mayor or member of the City Council, whether or not the specific elective office is known at the time the contribution is received or the expenditure is made and whether



City of Coronado
As an example

SB 1439

New Rules on Campaign Contribution Disclosure

- Became effective January 1, 2023
- Prohibits officials from accepting, soliciting or directing a campaign contribution or more than \$250 from any "party" to or "participant," in a proceeding involving a license, permit or other entitlements
- FPPC adopted an opinion concluding that the regulations apply to contributions received after January 1, 2023
- City Council members would have to recuse themselves from any proceeding if the member received campaign contributions of more than \$250 within the previous 12 months



Purpose: To establish safe, fair, and accessible campaign process



Contribution Limits

- Coronado - \$200
- Chula Vista - \$360; \$1,240 for PAC
- Carlsbad - \$100
- Del Mar - \$250
- El Cajon - \$10,000 limitation
- Encinitas - \$250
- Escondido - \$1,000 Council & \$1,750 Mayor
- Lemon Grove - \$1,000
- National City - \$1,000
- Poway - \$250
- San Diego - \$500 Council & \$1,000 Mayor
- San Marcos - \$250
- Santee - \$100
- Solana Beach - \$100
- Vista - \$150

La Mesa &
Oceanside No
Limits - State
Default

**Not the
FPPC**

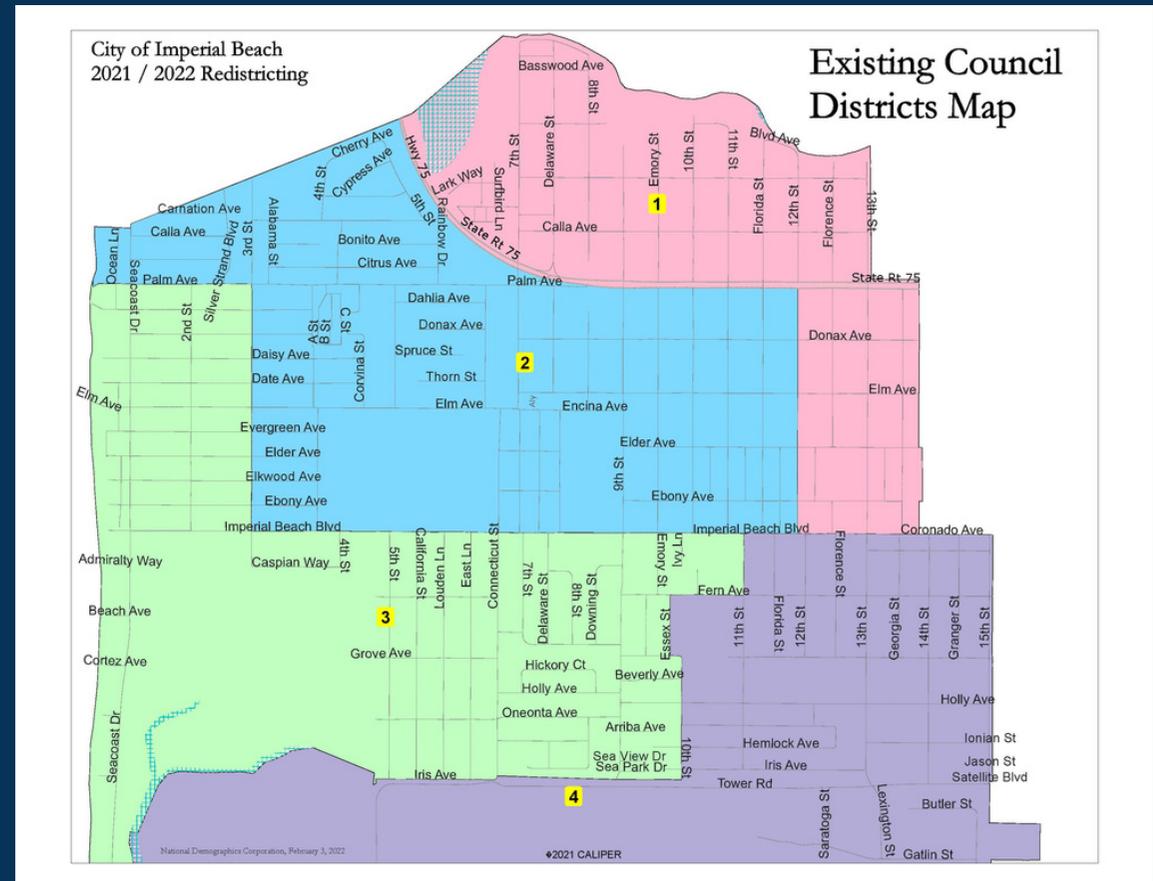
City's with established Ordinances become the Enforcement Authority

- City reviews and investigates complaints of alleged violations
- Special counsel determines conduct investigations and violations.



District Elections

The City Council is comprised of four Councilmembers who are elected by district, and one Mayor who is elected at large, all serving staggered four-year terms.



TIMELINE

- Continue with community outreach
- Bring forward an Ordinance to the City Council for consideration no later January 2024 effective March 2024
- Filing period begins July 2024
- November 4, 2024 next Election Day



A hand in a blue sweater is shown putting a white ballot into a white ballot box. The background is a blue-tinted American flag. Two horizontal red lines are positioned above and below the text.

PUBLIC COMMENTS

Next Meeting

August 26, 2023 at 10AM
Dempsey Holder Center



comments@imperialbeachca.gov



www.imperialbeachca.gov



(619) 423-8616

A hand in a blue sweater is shown putting a white card into a ballot box. The background is a blue-tinted American flag. The text 'THANK YOU' is centered in yellow, flanked by two red horizontal lines.

THANK YOU