



COUNTY OF SAN DIEGO

2015 JAN 16 AM 11 51

RON ROBERTS
SUPERVISOR, FOURTH DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

CLERK OF THE BOARD
OF SUPERVISORS

AGENDA ITEM

DATE: January 27, 2015

TO: Board of Supervisors

SUBJECT: ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS FOR POLITICAL PARTIES (DISTRICTS: ALL)

Overview

The County's Election Campaign Finance and Control Ordinance (Campaign Finance Ordinance) currently has no limit on the amount of campaign contributions that political parties may donate to candidates for elective County offices or their controlled committees. The previous limit of \$1,000 was removed in response to a court decision invalidating the city of San Diego's \$1,000 limit. In 2013, the city of San Diego established a new campaign contribution limit for political parties of \$10,000 for district elections and \$20,000 for city-wide elections. It did so after performing a very thorough analysis of the factual basis, legal requirements and policy considerations involved in establishing such limits.

Today's action asks the Board of Supervisors to consider the attached memorandum from County Counsel, which includes much of the city's analysis and public input provided during this meeting, and balance the need to allow individuals to participate in the political process by contributing to political parties with the need to prevent using contributions to political parties to circumvent the County's individual contribution limits.

I believe the limits established by the city of San Diego strike the appropriate balance of these interests. Furthermore, adopting these limits in the County will create greater consistency within the jurisdiction. Therefore, I ask that the Board of Supervisors approve the attached amendments to the Campaign Finance Ordinance establishing campaign contribution limits for political parties of \$10,000 for supervisorial elections and \$20,000 for elections for Assessor/Recorder/County Clerk, District Attorney, Sheriff and Treasurer/Tax-Collector.

Recommendation(s)

SUPERVISOR RON ROBERTS

1. Having reviewed and considered County Counsel's attached memorandum including all enclosures and all public testimony, find that limiting the amount political parties may contribute to candidates for County elective offices to \$10,000 for district elections and \$20,000 for county-wide elections will meet the obligation to balance the right of

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individuals to participate in the political process by contributing to political parties with the County's interest in preventing the use of contributions to political parties to circumvent the County's individual contribution limits.

2. Approve the introduction of the ordinance (first reading), read title and waive reading of the ordinance:

AN ORDINANCE AMENDING SECTION 32.923 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO CAMPAIGN FINANCING REQUIREMENTS

If the Board of Supervisors approves the actions requested in recommendations 1 and 2, then on February 3, 2015 :

1. Submit the Ordinance for further Board consideration and adoption (second reading).

Fiscal Impact

N/A

Business Impact Statement

N/A

Advisory Board Statement

N/A

Background

The County's Election Campaign Finance and Control Ordinance (Campaign Finance Ordinance) currently has no limit on the amount of campaign contributions that political parties may donate to candidates for elective County offices or their controlled committees. The previous limit of \$1,000 was removed in response to a court decision invalidating the city of San Diego's \$1,000 limit. In 2013, the city of San Diego established a new campaign contribution limit for political parties of \$10,000 for district elections and \$20,000 for city-wide elections. The city did so after performing a very thorough analysis of the factual basis, legal requirements and policy considerations involved in establishing such limits.

Recognizing that the County had removed its campaign contribution limits on political parties in response to an earlier court decision against the city, I asked the County Counsel to review the action taken by the city of San Diego to establish new limits, and to see if the County legally would be able to take a similar action. Ideally, we would use the same limits to maintain some consistency within the jurisdiction. While this consistency would be nice to have, it is not essential to taking action.

County Counsel reviewed the matter and prepared the attached memorandum analyzing the action taken by the city of San Diego and its applicability to the County of San Diego. The memorandum and its attachments contain information the Board of Supervisors must consider

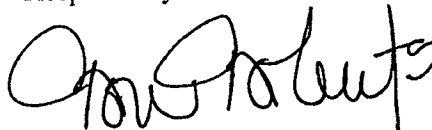
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carefully together with public testimony on this item. Having considered all of this information, the Board must weigh the need to allow individuals to participate in the political process by contributing to political parties with the need to prevent using contributions to political parties to circumvent the County's individual contribution limits.

I believe the limits established by the city of San Diego strike the appropriate balance. Therefore, I ask that the Board of Supervisors approve the attached amendments to the Campaign Finance Ordinance establishing campaign contribution limits for political parties of \$10,000 for supervisorial elections and \$20,000 for elections for Assessor/Recorder/County Clerk, District Attorney, Sheriff and Treasurer/Tax-Collector. The proposed amendments include a provision requiring the Registrar of Voters to adjust the limits every two years to reflect the change in the Consumer Price Index, as is currently done with the campaign contribution limit on individuals.

Linkage to the County of San Diego Strategic Plan
N/A

Respectfully submitted,



RON ROBERTS
Supervisor, Fourth District

ATTACHMENT(S)

- A: Information Copy
- B: New Ordinance
- C: Summary Of Proposed Ordinance
- D: County Counsel Memorandum

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

BOARD POLICIES APPLICABLE:

BOARD POLICY STATEMENTS:

MANDATORY COMPLIANCE:

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

ORIGINATING DEPARTMENT: District 4, Board of Supervisors

OTHER CONCURRENCES(S):

CONTACT PERSON(S):

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