



**City of San Bernardino
Request for Council Action**

Date: June 2, 2021

To: Honorable Mayor and City Council Members

From: Rebekah Kramer, Assistant City Manager

Subject: Establishment of Local Campaign Finance Regulations (All Wards)

Recommendation

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Accept the final reading and adopt Ordinance No. MC-1558, adding Chapter 2.55 to the City of San Bernardino Municipal Code, relating to local campaign finance regulations; and
2. Adopt Resolution No. 2021-136 authorizing the City Manager to execute an agreement with the State of California Fair Political Practices Commission for campaign law enforcement; and
3. Amend the proposed FY 2021/22 operating budget to include funding to support enforcement of Ordinance MC-1558.

Background

At the December 16, 2020, Mayor and City Council meeting, City Council requested staff bring back an ordinance for City Council consideration that provided: (1) a campaign contribution limit; (2) limits on contributions by applicants and their agents during the permitting process; (3) limits on solicitation of contributions by elected officials from applicants and their agents during the permitting process; and (4) disclosure requirements from any contributions for a 12-month period prior to any City Council action involving the contributor.

A draft ordinance establishing local campaign finance regulations was presented at the April 21, 2021, Mayor and City Council meeting for review and consideration. Following discussion and feedback from the Mayor and City Council, the item was continued.

On May 19, 2021, a draft of the ordinance with the changes discussed at the April 21st Mayor and City Council meeting was presented for consideration. After review and discussion, Ordinance No. MC-1558 adding Chapter 2.55 of the City of San Bernardino Municipal Code relating to local campaign finance regulations was introduced for first reading with minor additional edits to clarify that the regulations apply to the making of

contracts.

Discussion

Ordinance No. MC-1558, adding Chapter 2.55 of the City of San Bernardino Municipal Code relating to local campaign finance regulations, including restrictions for contracts pending approval by the Mayor and City Council and members of the City, is presented this evening for final reading and adoption.

Also presented for approval is a resolution authorizing the City Manager to execute an agreement with the State of California Fair Political Practices Commission (FPPC) for Campaign Law Enforcement services as established under Chapter 2.55 of the Municipal Code.

2020-2025 Key Strategic Targets and Goals

The proposed action would meet Key Target No. 1: Financial Stability and Key Target No. 2: Focused, Aligned Leadership and Unified Community. The proposed action would minimize risk and litigation exposure by providing a transparent entitlement process and by increasing trust in City government. Further, the proposed action would build a culture that attracts, retains, and motivates the highest quality talent setting a tone of political transparency.

Fiscal Impact

The cost associated with having the State of California Fair Political Practices Commission enforce the City's local campaign contribution ordinance is based upon the cost of providing services set not to exceed \$400,000 during a two year contract period. The proposed FY 2021/22 operating budget will be amended to include funding to support this agreement.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Accept the final reading and adopt Ordinance No. MC-1558, adding Chapter 2.55 to the City of San Bernardino Municipal Code, relating to Local Campaign Finance regulations; and
2. Adopt Resolution No. 2021-136 authorizing the City Manager to execute an agreement with the State of California Fair Political Practices Commission for campaign law enforcement; and
3. Amend the proposed FY 2021/22 operating budget to include funding to support enforcement of Ordinance MC-1558.

Attachments

Attachment 1	Ordinance No. MC-1558
Attachment 2	Resolution No. 2021-136
Attachment 3	FPPC Local and Municipal Contract 2019-20

Ward: All Wards

Synopsis of Previous Council Actions:

- September 2 and 16, 2020 Considered but did not adopt, Ordinance MC-1542, establishing no campaign contribution limit requirements for elected officials within the City of San Bernardino.
- December 16, 2020 The City Council requested that staff prepare an ordinance establishing local campaign finance regulations including: 1) Election campaign contribution limits; 2) Limits on contributions by applicants and their agents during the permitting process; 3) Limits on solicitation of contributions by elected from applicants and their agents during the permitting process; 4) Disclose requirements for any contributions for a 12-month period prior to any Council action involving the contributor.
- April 21, 2021 The Mayor and City Council reviewed and discussed a draft Ordinance No. MC-1558 establishing local campaign finance regulations. Following discussion and feedback from the City Council, the item was continued.
- May 19, 2021 Ordinance No. MC-1558 adding chapter 2.55 to the City of San Bernardino Municipal Code relating to local campaign finance regulations was introduced for first reading.