



Office of the City Clerk  
411 W. Ocean Blvd., 11<sup>th</sup> Floor  
Long Beach, CA 90802

October 21, 2020

ELECTIONS OVERSIGHT COMMITTEE

City of Long Beach  
California

RECOMMENDATION:

Recommendation to receive and file a report from the City Attorney on the process required to increase the campaign finance limits stated in Long Beach Municipal Code section 2.01.310.

DISCUSSION

Proposition M, the Long Beach Campaign Reform Act ("Act") was adopted by the voters in June 1994. It established fundraising limits for City Council candidates (\$250 each for primary and general elections), for candidates for City Attorney, City Auditor or City Prosecutor (\$350 each for primary and general elections), and for the office of Mayor (\$500 each for primary and general elections).

The attached memo from Deputy City Attorney Amy Webber outlines the process required to increase to Campaign Finance limits by City Council.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Monique De La Garza  
City Clerk

adb



## City of Long Beach

*Working Together to Serve*

### Office of the City Attorney

## Memorandum

**DATE:** September 17, 2020

**To:** Honorable Members of the Elections Oversight Committee

**FROM:** Amy R. Webber, Deputy City Attorney

**SUBJECT:** Process Required to Increase to Campaign Finance Limits by City Council

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Issue: What is the process required to increase the campaign finance limits stated in Long Beach Municipal Code section 2.01.310?

Answer: A vote of the people is required to change the limits enacted by Prop. M in 1994.

Discussion: In 1994, a ballot measure entitled “Long Beach Campaign Reform Act” was passed by Long Beach voters. Among other things, it established fundraising limits for City Council candidates (\$250 each for primary and general elections), for candidates for City Attorney, City Auditor or City Prosecutor (\$350 each for primary and general elections), and for the office of Mayor (\$500 each for primary and general elections)

It has been asked whether these limits may be increased. They may, but only by a vote of the people. Elections Code section 9217 provides that an ordinance that was proposed by initiative petition and adopted by the voters shall not be repealed or amended except by a vote of the people.”

There are two ways the issue could be placed before the voters. One way is for a citizens’ group to sponsor a measure to increase campaign finance limits using the initiative process, which requires the drafting of a measure and circulation of petitions. If a sufficient number of signatures of Long Beach voters are gathered in the time period, the measure would be placed on the ballot.

Alternatively, the City Council could choose to pursue increases to dollar amounts stated in Measure M. The Council would be required to follow the process of placing an item on the City Council agenda and requesting the City Attorney to draft a measure. If the Council approved this action, the measure would be placed on the ballot at the next regular election in 2022, or at a special election (which would be at additional cost).

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Once the measure is on the ballot, City staff and City funds would not be available to campaign for the measure's passage, according to FPPC regulations and case law. In either scenario, a majority vote of the people would be required to pass the measure.

If you have questions regarding this matter, please do not hesitate to contact us.

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cc: Charles Parkin, City Attorney  
Thomas B. Modica, City Manager