



City of Long Beach

**Office of Lena Gonzalez**  
Councilwoman, First District

**Date:** September 16, 2014

**To:** Honorable Mayor and Members of the City Council

**From:** Councilwoman Lena Gonzalez, Chair, Elections Oversight Committee *LG*

**Subject:** Amendments to Long Beach Elections Codes

**Background:**

At its meeting of September 5, 2014, the Elections Oversight Committee heard the recommendations of the City Attorney to make certain amendments to the Long Beach Municipal Code, Long Beach Campaign Reform Act and Campaign Disclosure statements. The committee was able to ask questions and give the City Attorney clear direction in bringing our elections codes up to date. The City Attorney was then able to create a list of specific recommendations to be heard by the full Council. The Elections Oversight Committee recommends adopting these recommendations.

**Recommendation:** Recommendation to receive a report from the City Attorney regarding proposed amendments to the Long Beach Municipal Code Chapter 2.01 the Long Beach Campaign Reform Act and Chapter 2.02 Campaign Disclosure statements and adopt recommendations.

**Fiscal Impact:** There is no significant fiscal impact associated with this action.



**Lena Gonzalez**  
Councilwoman, First District  
City of Long Beach

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## **Recommendation**

*Recommendation to receive a report from the City Attorney regarding proposed amendments to the Long Beach Municipal Code Chapter 2.01 the Long Beach Campaign Reform Act and Chapter 2.01 and Chapter 2.02 Campaign Disclosure statements, and adopt recommendations.*

**Background:** During the recent election cycle concerns were raised about various substantive and procedural issues related to the City's election and pre-election processes including the fact that the City's current campaign regulations are in some cases ambiguous and/or difficult to both interpret and administer. Likewise, some of the City's current regulations have been rendered obsolete or in some cases have been determined to be legally unenforceable. In light of the concerns raised the Elections Oversight Committee met on September 5, 2014, to receive input from interested persons and the public and to formulate possible recommendation for the Council's consideration and action. During the Committee discussions it was determined that some of the suggested ordinance amendments can be made by the City Council upon a two thirds (2/3rds.) vote, while other suggested amendments would require a vote of the people.

Below is a listing of the various Municipal Code sections that the Committee determined may or should be amended by the City Council in order to improve the City's current election practices and procedures (See "Proposed Amendments Which Can Be Approved by Council (2/3 vote required)"). Those Sections below which are marked "Pending" or "Amendments Approved by Vote of People" should be referred back to the Elections Oversight Committee for further discussion and/or action.

### **Proposed Amendments Which Can Be Approved by Council (2/3 vote required)**

#### **2.01.210 B Election Cycle**

Amendment to the term of election cycle to allow sufficient time to retire debt. (Current term shorter than other jurisdictions.)

#### **2.01.210 D Person**

Additional information required for reporting purposes.

#### **2.01.330 Return of Contributions**

Proposed deletion - conflicts with State Law.

2.01.340 B Loans

Amend language-Loans from all sources are reported on FPPC 460.

2.01.350 Family Contributions

Proposed deletion - unconstitutional

2.01.370 One campaign committee and one checking account per candidate

Amend language to allow one committee per election. \*EOC requested language added to allow transfer from primary to general for same candidate.

2.01.380 Contributions for officeholder expenses

Amend language to (A)-est. date & increase amounts; delete (C)-information provided on FPPC 460 form.

2.01.390 Transfer of funds

Amend language to enable campaign to contribute to other candidates.

2.01.420 Time periods for expenditures

Amend language to clarify ability to fundraise.

2.01.610 Contribution limitations

Proposed deletion - unconstitutional.

2.01.620 Reproduction of materials

Proposed deletion is too broad, defer to state law requirements.

2.01.730 Disclosure of occupation and employer

Proposed deletion-state law requires refund or turn funds over to state.

2.01.1020 Retention of ten thousand dollars by officeholders

Proposed move to different section; clarify amounts transferred & raised in calendar year.

2.01.1210 Inflation/deflation

Amend language to adjust effective date to eliminate change during election cycle.

2.02.010 Electronic Filing of Campaign Disclosure Statements

Amend language to require E-filing.

Add new section

Add a section/language clarifying that intra-district transfers are generally not allowed, except in conformance with other provisions of the Act. This would allow a single contribution (or several smaller contributions up to contribution limit) from a candidate-controlled committee into a Long Beach campaign account.

Add new section

Add a section/language that write-in candidates are not allowed during a general municipal election.

**Pending**

2.01.630 Notice of independent expenditures

To be discussed at EOC -amend language to require additional information or determine if Form 496 is sufficient.

2.01.1010 Surplus Funds-Defined

Need to see if post election fundraising is approved & how to amend or delete.

2.01.1030 Disposal of surplus funds

Amend language depending on other changes.

Add new section

Consideration of legal defense fund

**Amendments Approved by Vote of People**

2.01.310 Limitations on contributions from persons

Adjust contribution limits for primary & general.

2.01.340 E Loans

Adjust loan amounts.

**Pending**

2.01.410 Expenditure ceilings

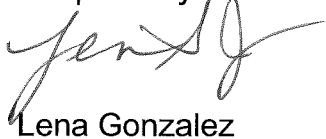
2.01.720 Additional pre-election campaign statement

Consider either deletion or amendment to add time for reporting & pre-general election filing requirement.

**SUGGESTED ACTION:**

Approve recommendation

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lena Gonzalez', written in a cursive style.

Lena Gonzalez

Elections Oversight Chairperson



**City of Long Beach Memorandum**  
*Working Together to Serve*

## REQUEST TO ADD AGENDA ITEM

**Date:** **September 12, 2014**  
**To:** Larry Herrera, City Clerk

**From:** **Councilwoman Lena Gonzalez, Chair, Elections Oversight Committee**

**Subject:** Request to Add Agenda Item to Council Agenda of **September 16, 2014**

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Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

***Recommendation to receive a report from the City Attorney regarding proposed amendments to the Long Beach Municipal Code Chapter 2.01 the Long Beach Campaign Reform Act and Chapter 2.02 Campaign Disclosure statements, and adopt recommendations.***

Council District	Authorizing Councilmember	Signed by
1	Lena Gonzalez	[Signature]
7	Ray Pol for Robert Ureya	[Signature]
9	Shauna Stevens for Rex Richardson	[Signature]

Attachment: Staff Report dated **September 16, 2014**

CC: Office of the Mayor