



Legislation Text

File #: HCC-48-FY23, **Version:** 1

Submitted by: Laura Reams
Submitting Department: City Clerk
Agenda Section: Discussion

Item Title:

Proposed Revisions to Chapter 8, Election Code for Campaign Finance Reporting

Suggested Action:

For Discussion.

Summary Background:

In the last two years, the City has hosted two special elections and one regular election. After each election, the Board of Supervisors of Elections, Ethics Commission, and staff meet to conduct an after-action review. During the after-action review, successes are identified as well as areas for improvement in upcoming elections. While several areas for improvement have been identified for future evaluation, there is one area pertaining to campaign finance in which immediate changes are recommended going into the City's upcoming Ward 2 Special Election scheduled for October 4.

The City's current campaign finance regulations require candidates to file the following reports.

- Initial Report, due 21 days prior to the Election
- Second Report, due 7 days prior to the Election
- Annual Report, due the first Tuesday of September

The 2021 Ward 1 Special Election was held on September 14, 2021. Because this date fell after the first Tuesday in September of 2021, annual reports for the Ward 1 Special Election are not due until September 6, 2022, almost a full year after the election. There are currently four (4) open campaign accounts from the Ward 1 Special Election. The Ethics Commission identified the long delay in the current reporting structure as an area for concern. The Commission noted that a long delay in accounting may fail to ensure transparency and could potentially make it more difficult for campaigns to meet all the requirements stipulated in the code. As such, the Ethics Commission has recommended that the City update the campaign finance reporting requirements.

City staff has discussed the recommended changes with the Ethics Commission, Board of Supervisors of Elections, and City Attorney. The following change is recommended to address the issue for the Ward 2 Special election and future elections.

- Addition of a Third Campaign Finance Report due 45 - 60 days post-election. The report will provide an opportunity for candidates to close their campaign accounts prior to an annual report deadline and increase timely transparency into campaign expenditures.

Staff will present the proposed change during the August 1 Council meeting. Due to the timing of the upcoming Ward 2 Special Election, it will be necessary to adopt an ordinance amending the City's Election Code as emergency legislation in September for changes to be implemented for the October 4 Election.

Next Steps:

An ordinance will be drafted by the City Attorney and presented for emergency adoption on the September 19 Council meeting agenda.

Fiscal Impact:

None.

City Administrator Comments:

Recommend Support

Community Engagement:

Campaign Finance requirements will be communicated to all election candidates, posted on the City's website and included in the City's election guide.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

Pending