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April 19, 2011

Board of Supervisors
800 S. Victoria Ave.
Ventura, CA 93009

SUBJECT: Recommendation of Supervisors Bennett and Long to Adopt Revisions to the Ventura County Campaign Finance Reform Ordinance

RECOMMENDATIONS:

1. On April 19, 2011, introduce and read in title only an ordinance (Exhibit "A") repealing and reenacting Article 6, Chapter 2, Division 1 of the Ventura County Ordinance Code, Section1261 et seq., Regarding Local Campaign Finance Reform, waive further reading, and place the ordinance on the Board of Supervisors agenda for April 26, 2011; and
2. On April 26, 2011 at 9:10 AM adopt the ordinance.

DISCUSSION:

We are proposing several revisions to the Ventura County Campaign Finance Reform Ordinance (Ordinance). These revisions are intended to add clarity to the ordinance, clarify the Ethics Commission's relationship to our Board, add political party campaign spending to the list of expenditures that can potentially release a candidate from the expenditure limits of the Ordinance, eliminate the enforcement burden on the District Attorney, and establish times limits on filing complaints or civil actions.

Summary of substantive proposed revisions:

1264(a): makes "candidate" and "county candidate" synonymous.

1265: incorporates current expenditure limits as calculated by the Clerk pursuant to the CPI

1270: enables this section to encompass future revisions of FPPC regulations

127(c): clarifies that candidates are released from expenditure limits regardless of whether notified by the Clerk

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1275(f): similar revisions to 1271(c), plus adds that release from expenditure limits can also occur based on political party spending

1294: revised such that ordinance violations are not misdemeanors. In light of the budget constraints and burdensome misdemeanor workload in the District Attorney's Office, this section relieves the District Attorney of prosecutorial responsibility for this local ordinance. Enforcement would continue to be administered by the Campaign Finance Ethics Commission- a mechanism that has proven to be both effective and efficient. It should be noted that violations of the State laws regarding campaigns, such as laundering campaign contributions, could still be reported to the State and enforcement action taken by the Fair Political Practices Commission.

1294(c) & 1295(a): establishes a 3-year filing window for filing complaints or civil actions

1295(a) exempts the Clerk from needing to file complaints under penalty of perjury

1296: establishes time periods for the filing of Investigating Attorney reports to assure timely complaint resolution

1297(f): requires that future amendments to the Ethics Commission's rules and regulations be approved by the Board of Supervisors and treats reports from the Clerk in the same manner as citizen complaints

1297(m) requires the Ethics Commission to provide a periodic report to the Board

With these revisions, the Ventura County Campaign Finance Reform Ordinance will be set to continue to serve its purpose into its second decade.

This letter and ordinance have been reviewed by County Counsel.

Cordially,

Steve Bennett
Supervisor, First District

Kathy Long
Supervisor, Third District

Attachments:
Exhibit A: "clean" ordinance
Exhibit B: "redline" ordinance