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800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

May 14, 2013

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; Read Ordinance in Title and Set May 21, 2013, at 11:00 a.m. as Date for Ordinance Adoption

RECOMMENDATIONS:

1. Introduce the attached ordinance (Exhibit "A") repealing and reenacting Article 6, Chapter 2, Division 1 of the Ventura County Ordinance Code, Section 1261 et seq., Regarding Local Campaign Finance Reform, read in title only and waive further reading; and
2. Set second hearing and adoption of the final ordinance on the Board of Supervisors agenda for May 21, 2013, at 11:00 a.m.

DISCUSSION:

We are proposing several revisions to the Ventura County Campaign Finance Reform Ordinance (Ordinance). These revisions address questions and concerns that arose in the last campaign cycle as well as a new State law, and these revisions should be adopted in advance of the next campaign cycle, which commences next month. The adoption of these revisions will increase the clarity and consistency of the Ordinance and its application, conform the ordinance to new State laws, and moderately raise donation and spending limits.

Summary of substantive proposed revisions:

Section 1262: Adds findings and language regarding electronic filing that are required by a new State law and highlights public information as a purpose of the ordinance.

Section 1264: Defines "Clerk" as the office of the County Clerk. Defines "Violator".

Section 1265: Raises expenditure limits for participating candidates.

Sections 1267, 1268, & 1269: Raises contribution limits.

Section 1270: Eliminates outdated reference to standards for State Committees and addresses improper filing as a State Committee.

Section 1271: Reduces the trigger point at which participating candidates are released from spending limits by the expenditures of non-participating candidates or independent expenditure committees from the current 25% to 20% of the spending.

Sections 1275 & 1279: Conforms requirements for electronic filing to new State law and established County practice, and requires electronic filing and posting of Statements of Organization of local independent expenditure committees. Repeats 20% trigger point.

Section 1276: Requires Clerk to inform candidates of any reports showing independent expenditures and to post reports of Independent Expenditures.

Section 1279: Increases specificity and updates requirements regarding electronic filing and posting.

Section 1280: States that the candidate's own money may be contributed at any time.

Sections 1290 and 1291: Lowers disclosure of largest donors to Independent Committees from largest donors over \$5,000 to largest donors over \$3,000.

Section 1297 (e): States that the Commission may direct the Clerk or seek a judicial order against the Clerk but may not assess monetary penalties against the Clerk.

Section 1298: Deletes requirement that Initial Complaint Reviewer be an attorney and directs Initial Complaint Reviewer to consider evidence in addition to that contained in complaints and render a recommendation within 5 days and discuss recommendations with complainant.

Section 1299: Identifies ideal qualifications of the Investigating Attorney and clarifies that the Investigating Attorney shall consider evidence in addition to that contained in the complaint. States that proposed settlements address deterrent value and be discussed with complainant.

Section 1300: Goal and purpose statements regarding the importance of the last eight weeks of the campaign.

Section 1301: Provides for staggered terms of the Ethics Commission and qualifications. Requires a Commission hearing before elections; requires release of proposed settlements five days before hearing, guidance to Commission.

Section 1302: Establishes timely filing and posting as duties of clerk.

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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