



BOARD OF SUPERVISORS  
COUNTY OF VENTURA

GOVERNMENT CENTER, HALL OF ADMINISTRATION  
800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

RECEIVED

JUN 16 2014

VENTURA COUNTY  
GRAND JURY

June 6, 2014

The Honorable Brian J. Back  
Presiding Judge, Superior Court of California  
County of Ventura  
800 S. Victoria Avenue  
Ventura, CA 93009

Subject: Response to Grand Jury Report on Ventura County Campaign Finance Ordinance

Dear Judge Back:

This cover letter and the attached document are written to respond to the Ventura County Grand Jury report on Ventura County Campaign Finance Ordinance. Thank you for the opportunity to provide input on this very important subject.

Sincerely,

  
John C. Zaragoza, Supervisor – Fifth District  
Ventura County Board of Supervisors

c: Ms. Rosemary Reitz, Foreperson  
2013-14 Ventura County Grand Jury

## Response to 2013-2014 Grand Jury

**Report Title:** Ventura County Campaign Finance Ordinance

**Report Date:** June 6, 2014 Responding Party- Office of Supervisor John C. Zaragoza, Board of Supervisors

**Response by:** John C. Zaragoza, Supervisor- Fifth District, Board of Supervisors

### FINDINGS

- Our office disagrees with the finding numbered: ***FI-01*** - the process used to revise the ordinance failed to proactively include stakeholders.

Supervisor Zaragoza's staff reviewed the following documents related to this report, the:

Grand Jury report, Board of Supervisors agenda and summary minutes of May 14, 2013 and Board of Supervisors agenda and summary minutes of May 21, 2013. Supervisor Zaragoza's staff found significant evidence that stakeholders were invited to participate in the process. First, this issue was twice (May 14 and May 21, 2013) placed on the Board of Supervisor agenda consistent with the Brown Act, providing stakeholders with the opportunity to review the materials and provide their input. Section FA-06 of the Grand Jury report notes that two stakeholder letters were received on this subject when the Board of Supervisor first discussed this issue at the May 14, 2013 Board of Supervisors meeting. This in itself is evidence stakeholders had the opportunity to participate in the review process. Stakeholders also could have submitted written comments and /or appeared before the Bard on May 21, 2013. The fact the Board of Supervisors did not agree with these letters is not evidence that the process did not involve stakeholders.

- Our office disagrees with the finding numbered: ***FI-04 – The changes made in Ordinance 4453 to provide better disclosure appear to be a solution to a non-existent problem given the Stipulation results of the past two election cycles.***

Supervisor Zaragoza's staff reviewed the following documents related to this report, the:

Grand Jury report, a November 26, 2012 Los Angeles Times Article (entitled States Crack Down on Campaigning nonprofits), a January 24, 2014 Los Angeles Times Article (entitled Campaign organization pays state \$300,000 of \$11 million owed) and a League of Women voters web site ([www.lwv.org](http://www.lwv.org)) January 17, 2014 article (entitled Citizens United Four Years Later- The Unleashed Tide of Secret Money). Far from being a "non-existent problem", the Los Angeles Times and League of Women Voters' articles show there is an on-going issue with secret funding affecting the outcome of elections. While there have been a few problems in Ventura County the past few years, there is the strong potential for more frequent and more serious campaign financing problems. County Ordinance 4453, and previous County campaign finance efforts, are very important for addressing existing concerns and to address the potential for future, potentially more significant campaign finance concerns.

## RECOMMENDATIONS

- Recommendation number R-01 has not been implemented- ***The Grand Jury recommends, in the short term, that the Board of Supervisors review Ordinance 4453, including a thorough stakeholder review. The review should address the issues raised by stakeholders and modify Ordinance 4453 by deleting problematic changes and /or making revisions to clarify the process. The resolution of the issues raised or an explanation of why the issues are not problematic should be made available to the public.***

Our office would agree to a review of Ordinance 4453, including a stakeholder review process, if two or more of the other Supervisors were to concur. Our office strongly disagrees with much of the prescriptive language contained later in this recommendation. The objective of a stakeholder review process would be to obtain public input, and then take action based on the input received. The language in R-01 makes conclusions and specific recommendations that may run contrary to stakeholder input that could be received as part of a future stakeholder review process.

- Recommendation numbered R-02 requires further analysis– ***The Board of Supervisors (BOS) provide a “help resource” for those seeking information of the ordinances and how to comply. This help resource should represent the official and legal interpretation of the ordinances upon which the complaint proceeding will be based. It should be under the umbrella of the Commission.***

Our office agrees in concept that a “help resource” would be a useful tool to provide details and generally how to comply with the ordinance. The prescriptive language of the help resource representing the “official and legal Interpretation” of the ordinances is highly problematic. County staff regularly provides assistance on how to comply with County rules and regulations. Examples include Public Works Transportation staff assisting the public with obtaining encroachment permits, or Planning staff answering questions after an applicant has laid out a variety of options they could consider for a project. As appropriate, staff advises the public that they are not providing legal advice, and that an attorney should be consulted if they are seeking a legal opinion. To provide assistance otherwise could open the County to significant liabilities. Our office strongly believes any help resource should be provided with the understanding that this assistance is not official, nor is it legal advice.

- Recommendations number R-03 requires further analysis- ***The Board of Supervisors (BOS) organize a full review of the ordinance to determine if the ordinance can be simplified or if an entirely needs to be written...( more specific recommendations continue)***

Our office would agree to a long term, more thorough review of Ordinance 4453, if two or more of the other Supervisors were to concur. Our office again strongly disagrees with the prescriptive language contained later in this recommendation. The thorough review would include input from stakeholders, research of other Campaign reform ordinances and analyses on how the current Ordinance can be improved. The language in R-03 makes conclusions and specific recommendations that may run contrary to the information and input received in a long term, more thorough review of the Ordinance.

JUNE 6, 2014  
Date:

Signed: 