

February 3, 1992

REPORT TO THE HONORABLE  
MAYOR AND CITY COUNCIL

REVISIONS TO PROPOSED AMENDMENTS TO THE SAN DIEGO  
MUNICIPAL ELECTION CAMPAIGN ORDINANCE

At the Council meeting of January 21, 1992, the City Attorney proposed amendments to the San Diego Municipal Campaign Control Ordinance ("Campaign Control Ordinance"). At Councilmember Behr's request, the matter was continued until 10:00 a.m. on February 4, 1992.

The proposed amendments to the San Diego Municipal Campaign Control Ordinance ("Campaign Control Ordinance") that will be before you on February 4, 1992 (docket item 335), contain two revisions to the proposed amendments that were presented to you at the meeting on January 21, 1992. This report describes briefly the two revisions and the reasons therefor, as follows:

An outline of the amendments originally proposed in January and the reasons for them were presented in the City Attorney's Report to the Rules Committee dated January 10, 1992 (copy attached without attachments). A copy of the proposed amendments was also presented to the Rules Committee at that time.

The City Attorney also prepared a report dated January 21, 1992, to the full Council responding to questions about the proposed amendments raised at the January 15th Rules Committee meeting by Councilmember Wolfsheimer and Mr. Joseph S. Francis, Executive Secretary of the San Diego-Imperial Counties Labor Council, AFL-CIO (copy of that report also attached).

In the City Attorney's Report to the full Council on January 21, we had recommended revising the proposed amendments to clarify that the statute of limitations for a violation of the Campaign Control Ordinance does not begin to run until the date the violation is discovered. Proposed language was presented in the Report to the Council. That same language has been inserted as a revision to the proposed amendments (see new subsection SDMC section 27.2971(f)).

Since the January 21 Council meeting, we've been able to conduct further research into Mr. Francis's questions. As a result, the City Attorney recommends revising the proposed ordinance to delete the requirement for statewide and regional organizations to file disclosure forms (delete proposed SDMC sec. 27.2931(b) and (c)). These two subsections had contained new law, as opposed to mere clarification of

existing law. In light of Mr. Francis's objections and in keeping with the Task Force's original desire merely to clarify existing law, the City Attorney proposes deleting these two subsections.

The City Attorney recommends that the Council adopt the proposed amendments to the Campaign Control Ordinance, as revised, so that they become effective for the upcoming City-wide office elections.

Respectfully submitted,  
JOHN W. WITT  
City Attorney

CCM:jrl:011(043.1)

Attachments

RC-92-5