



CITY OF HUNTINGTON BEACH
CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: DAN KALMICK, CITY COUNCILMEMBER

DATE: OCTOBER 18, 2022

SUBJECT: ELECTED OFFICIAL CONFLICT OF INTEREST REFORM

The recent passage and signing into law of SB 1439, which effectively implements the Levine Act for directly elected local officials, possesses a serious logistics problem for the City Council. Without direct support staff, the volunteer members of the City Council will have to maintain massive lists of applicants and/or contractors who have come before the City Council to make sure that come election time, they do not receive contributions from a person or entity that had business before the Council within the past year. Our Consent Calendars have dozens of items on them and not remembering 11 months later that someone had an item before the Council on a proforma basis could result in a hefty fine. To avoid this, the City Council should ask staff to maintain a rolling list of ineligible persons or entities that cannot make campaign contributions.

In addition to this recent update, I believe that it has come time to evaluate other conflict of interest and political campaigning rules the City maintains and to strengthen them. Elimination of corporate contributions and implementing TINCUP regulations are a few of the items that should be brought back for discussion. Understanding the role that Independent Expenditures play in our local campaigns and how other cities handle them and their reporting should also be reviewed. A staff review of other cities in the County (or State as deemed necessary) should be conducted and best practices brought forward for review at study session early next year. Strong ethical guidelines, gifts received by all elected officials and timely reporting and effective penalties for violation of said rules should be other topics of discussion.

RECOMMENDED ACTION

Direct the City Manager to create a process to maintain a list of ineligible persons or entities under SB 1439 rules. Have this in place by January 1, 2023. Additionally direct the City Manager to come back to a Study Session in Q1 of 2023 with suggested reforms to strengthen transparency and reporting of campaign contributions, conflict of interest and ethics rules and other best practices used throughout the County (or State as deemed appropriate).