

OVERVIEW

THE CITY'S ROLE

When it comes to election activities, **the role of the City** is to provide fair, impartial, and accurate facts about election items. This is also the role of City employees, elected officials and appointed officials, when they are working in their official capacities. Doing so is imperative to safeguarding the public's trust in government.

The City may place measures on a ballot, provide impartial analyses, and adopt official positions through City Council action. However, the City and its employees, elected officials, and appointed officials – when they are working in their official capacities may not advocate for or against any measures or candidates for elected positions. Public funds, resources, and staff time must also not be used to influence voters.

For more information, please visit the California Fair Political Practices Commission's (FPPC) website at:

www.fppc.ca.gov

ELECTIONS



**Please contact
the City Attorney's Office
for questions and clarifications.**

**City of Huntington Beach
City Attorney's Office**

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August 2022



CITY OF
HUNTINGTON BEACH

ELECTION ACTIVITIES

GUIDELINES FOR CITY EMPLOYEES,
ELECTED OFFICIALS & APPOINTED
OFFICIALS

August 2022



TWO RULES OF THUMB...*

The City cannot engage in any election activities to advocate for or against election items, such as ballot measures and candidates for elected positions. However City employees, elected and appointed officials may engage in such activities on their own time and with their own resources. Those who choose to do so must follow two simple, but important rules of thumb:

1. DON'T USE PUBLIC FUNDS

Public funds include actual City funds, City facilities, and City equipment (i.e. phones, computers, email accounts, vehicles, copy machines, office supplies, official attire, etc.). Only use your personal resources to advocate on an election matter such as ballot measures and candidates.

2. CAMPAIGN ON YOUR OWN TIME

Make sure that any time spent on advocacy – whether fundraising or sending a quick text message – is clearly done during non-work hours.

**The FPPC and courts of law have prepared various opinions on specific issues, thus these are termed "rules of thumb".*

MUST NOT'S AND MAY'S

FOR CITY EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS ON ELECTION ACTIVITIES

MUST NOT'S

CITY EMPLOYEES AND OFFICIALS:

MUST NOT distribute election advocacy materials via the City's email system, website, employee bulletin boards, or any other City property.

MUST NOT engage in any election advocacy activities during compensated work hours. Such activities include advocating to other employees, creating or reviewing materials, texting or making phone calls, public appearances, etc.

MUST NOT use City equipment for election advocacy purposes. Equipment includes copy machines, computers, telephones, fax, stationary, cell phones, etc.

MUST NOT add a link from the City website to election advocacy websites or materials.

MUST NOT use public funds or resources to pay for advocacy-related expenses like signs and ads or campaign contributions.

MAY'S

CITY EMPLOYEES AND OFFICIALS MAY ENGAGE IN THESE ELECTION ACTIVITIES, IN ACCORDANCE WITH THE MUST NOT'S:

MAY take a position on election items as a member of the public (not as a City representative)

MAY work on election advocacy activities during their personal time, such as lunch hours, breaks, vacations, etc.

MAY make a campaign contribution using personal funds or attend related advocacy events such as fundraisers during personal time.

MAY make public appearances during personal time for election advocacy activities.

MAY send/receive advocacy related emails/texts using a personal account and device during non-work hours.

When you are advocating on personal time, make it clear to others that you are not representing the City in your official capacity.