



CITY OF DEL MAR CITY COUNCIL POLICY BOOK

108	DEL MAR FAIR CAMPAIGN PRACTICES	DATE ADOPTED:	2-20-2018
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I. PURPOSE:

The foundation of representative democracy rests on the ability of the electorate to make informed decisions regarding the character and qualifications of those seeking to represent them, and on issues presented for voter approval or rejection.

Ideally, election campaigns reveal the true character and positions of candidates seeking to represent the electorate, and factual information regarding issues presented to the voters.

Election campaign conduct that is objectively unfair, untruthful, or misleading regarding the positions or character of candidates seeking office, or that misleads or misrepresents issues presented to the voters, denies the electorate an opportunity to make fully informed decisions on candidates or issues. Such campaign conduct is unfair and unethical.

Unfair and unethical campaign conduct promotes cynicism and distrust on the part of the electorate toward its representative government, and damages the ability of elected representatives to govern effectively.

It is incumbent upon elected representatives and community leaders to promote discussion and consideration of what constitutes ethical and fair campaign conduct within the values and mores of the community; and to inform both candidates and the public generally on principles and guidelines for ethical campaign conduct.

The following guidelines and activities are intended to promote fair and ethical conduct by candidates, committees, and the public, in the course of Del Mar municipal elections, ensure that candidates and committees have ready access to information and assistance needed to comply with state and City law related to campaigns and to conform to the expectations of the Del Mar electorate.

II. CAMPAIGN PRACTICES:

A. Supplemental Code of Fair Campaign Practices:

In addition to the Campaign Disclosure provisions of the Fair Political Practices Act (Gov. Code § 84100 et seq.), the State has declared that there are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues. In furtherance of these goals, candidates, along with their campaign managers and treasurers as applicable, for public office are invited to sign on to the State Code of Fair



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Campaign Practices (Elec. Code § 20440) (“State Pledge”). Signing on the State Pledge is voluntary.

The Institute for Local Government has proposed additional, updated and expanded fair campaign practices in various categories that local jurisdictions may adopt along with agency-specific provisions in addition to the State Pledge.

Therefore, the City of Del Mar shall enhance, as needed, the State Pledge with the additional pledges which shall, after adoption by the City Council, be attached hereto as Exhibit A and offered along with the State Pledge to all potential candidates, and their campaign managers and treasurers as applicable, for City Council and their controlled committees, and to independent committees in the City of Del Mar in support or opposed to such candidates, or in support or opposed to ballot measures submitted at any Del Mar municipal election.

B. Promulgation and Adoption.

1. Whenever it is deemed necessary or desirable, the City Council shall call for a public discussion to consider the community’s values and mores on the conduct of fair and ethical municipal election campaigns. Thereafter, in its discretion, the City Council may adopt or amend, by a resolution approved by a majority of its members, guidelines or examples that define conduct or activity that is deemed fair and ethical and conduct or activity that is deemed unfair or unethical, in its municipal election campaigns in the form of a Supplemental Fair Campaign Practices Pledge
2. Upon the approval by the City Council of a resolution adopting or amending these Supplemental Fair Campaign Practices, the City Clerk shall post a copy of the resolution in a public place for thirty days.
3. The City Clerk shall thereafter make copies of the approved or amended Supplemental Fair Campaign Practices available to any person upon request.

C. Candidate Education

1. Candidate Meeting and Pledge. Upon the close of the nominating period for each municipal election, the City Clerk, City Attorney, or other qualified person on behalf of the City, shall conduct one-on-one or group training and discussion session(s) for all qualified candidates to provide information regarding California and Del Mar campaign laws and to present the California Code of Fair Campaign Practices, as required under Section 20400 of the California Elections Code, and any Del Mar Supplemental Fair Campaign Practices



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adopted by the City Council pursuant to this Council Policy. Each candidate shall be offered the opportunity to voluntarily endorse, subscribe to, and solemnly pledge to conduct his or her campaign in accordance with these principles and practices. The City Clerk shall inform each candidate, along with their campaign managers and treasurers as applicable, that the subscription to the either of the Fair Campaign Practices Codes is voluntary. The City Clerk shall post all signed candidate pledges on the City website and make them available for inspection upon request by any member of the public.

2. Pre-Election Public Workshop. When, in the discretion of the City Clerk, there is sufficient interest and available resources, prior to the close of the candidate nomination period, the City Clerk may prepare, publish notice of, and provide for a public workshop and training program to be conducted regarding state and local campaign laws, and Fair Campaign Practices (as defined in this Policy) for all interested or concerned members of the public.

EXHIBIT "A"
COUNCIL POLICY 108

CITY OF DEL MAR SUPPLEMENTAL CODE OF FAIR CAMPAIGN PRACTICES

As a candidate, campaign manager, treasurer, or campaign committee chairperson in the City of Del Mar, I acknowledge and pledge as follows:

- (1) The release or distribution of campaign materials late in the campaign deprives candidates, against whom such materials may weigh, the opportunity to respond. Therefore, I pledge to refrain from distributing new campaign materials that are not a direct response to materials or statements by opponents or members of the public at least two days (Sunday and Monday) prior to Election Day. During the final two days prior to Election Day, I will focus my campaign activities on direct personal contacts and to "get out the vote" activities.
- (2) The use of anonymous surrogates or "straw men" as a campaign tactic misleads voters and deprives them of critical information regarding the relationship between such devices and the candidate who encourages or employs them. Therefore, I will not use such tactics, or allow my committee to use such tactics, in my campaign.
- (3) The voters of the City of Del Mar are entitled to expect that candidates will be truthful, honest, and forthcoming in all campaign materials and conduct. Therefore, I further pledge:
 - a. To take personal responsibility to review and to fact-check all campaign materials released by myself or my committee.
 - b. To disavow any assertions made on my behalf that I know or reasonably should know to be false or misleading.
 - c. Not to exaggerate or embellish any campaign information presented as fact.
 - d. Not to use personal slurs or innuendoes about another candidate.
 - e. Not to knowingly make any false claims and, if I discover an inadvertent false claim, to publicly acknowledge the falsehood and correct the record as soon as I discover it.

I, the undersigned, candidate for election to public office in the City of Del Mar, California or campaign manager, treasurer or chairperson of a committee making any independent expenditures in a Del Mar City Measure, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Date

Signature

Print Name