

CITY OF SAN MATEO

Special Meeting Minutes

City Council

Monday, March 1, 2021
Remote 5:30 PM
Special Meeting

CALL TO ORDER This meeting is being held under the provisions of State of California Governor Gavin Newsom's Executive Order N-29-20; in which Brown Act regulations are relaxed to allow members to remote in due to the Coronavirus Covid-19 health emergency.

Roll Call

Remote: Mayor Rodriguez, Deputy Mayor Bonilla, Council Members: Papan, Lee and Goethals joined meeting at 5:40 pm

STUDY SESSION

1. Campaign Contribution Limits Review

City Attorney Shawn Mason provided an overview on the City's campaign contribution code and highlighted some issues that arose in this past election with regard to nonmonetary contributions and contributions controlled by individuals. He outlined how the City's law differs from the state law. He noted that the municipal code requires the Council to review the campaign contribution limitations three months after the election certification. Council was asked to provide direction on options including: repeal the City's campaign regulations; provide direction on the handling of nonmonetary contributions, aggregating contributions by individuals and related entities, disclosure of contributions by donor location and voluntary expenditure limits.

Council asked questions of staff.

Public Comment – Mike Dunham, a City Council candidate in Burlingame, spoke in favor of cutting the campaign contribution limit to a lower amount. Erin Kazur, President of Peninsula Young Democrats, stated that regulations around campaign contributions ensures more diversity as younger participants have more opportunities. Carol Steinfeld spoke in support of reviewing the regulations for more equitable democracy. Elizabeth Weal, League of Women Voters (LWV), noted the LWV is conducting a study of local campaign ordinances. Sarah Fields noted the opportunity to model the ordinance similar to Mountain View, which has a spending cap. Jordan Grimes spoke in support of increasing campaign finance reform and campaign transparency measures modeled on Mountain View and Santa Clara.

Council Members shared their thoughts. Council Member Lee noted the need for a more transparent, equitable, and trusted process. She supports regulations clarifying non-monetary contributions and noted they should be capped at the same level as contributions. She is in favor of following the same structure as the state regulations and only allowing one donor per organization. She is in support of reporting contribution by location and likes the dashboard of data idea. She strongly supports a voluntary expenditure limit and noted this may need another study session to give Council time to thoughtfully consider all the options. She noted Mountain View's ordinance as a good model.

Deputy Mayor Bonilla stated his strong support of Lee's recommendations noting the need to level the playing field and remove the perception of undue influence in the electoral process. He does not want to repeal the ordinance; rather make adjustments to it to enhance transparency, noting nonmonetary contributions need to be

limited and capped, he is in support of tracking contributions by location and is in favor of voluntary expenditure limits.

Council Member Goethals was generally in favor of comments made and noted the biggest influencer is Independent Expenditures, which cannot be limited noting it is a loophole that is not regulated at all by the City. He is concerned with special interests having undue influence by allowing unfettered contributions.

Council Member Papan concurs with Goethals comments regarding Independent Expenditures and noted raising funds for public office is difficult, and that direct campaign donations allow a candidate to reach voters in a more transparent way. She is concerned that regulating too much will exacerbate independent expenditures and result in unintended consequences. Having the candidate fundraise directly allows them to reach out to voters directly in the most transparent way. She cited concerns with tracking where the money comes from as resulting in candidate limiting consequences.

Council Member Rodriguez stated he strongly supports most of the reforms proposed, noting the need to remove the loophole in nonmonetary contributions and the need to aggregate individuals and related entities will make reporting easier and more transparent. He noted that if disclosure of contributions by donor location is pursued, it should be Bay Area versus non-Bay Area as local politics are regional. He noted concern with weaponizing reporting as a consequence of our rules and does not want to add any bureaucracy to a candidate. He supports voluntary spending limits and has some concern about increasing Political Action Committee monies to local elections and overall feels the pros of spending limits outweigh the negatives.

2. Billboards on City-owned Property – Consider Options

City Attorney Shawn Mason provided an update on the issue of allowing billboards on City property. He shared information on San Carlos' billboard ordinance and outlined case law. He noted that options include: doing nothing, adopt a program modeled on San Carlos' program and highlighted the legal risk, or pursuing California Business and Professions (B&P) Code 5412 to negotiation with billboard owner to relocate existing billboards to City property. Council asked questions of staff. Public Comment – there were no speakers. Council provided comments.

Council Member Lee would like to consider where there may be other opportunities for billboards. Council Member Goethals proposed regulating where billboards can be due to safety concerns and proposed only allowing along freeway 101 and 92 with limits on placement in residential neighborhoods, and a requirement that placement must be a minimum of 1,000 feet apart. Deputy Mayor Bonilla stated Goethals ideas are interesting and present a concrete idea of possibilities and he proposes grandfathering in existing billboards or move to one of the newly designated spots and upgrade the billboards and noted he is in favor of a combination of San Carlos' ordinance and using the B&P code.

City Attorney Mason noted staff will identify standards that would be used to determine where signs could be placed that protects safety as well as aesthetics and that the safest approach is for the owner to enter into a lease to place a billboard on that property and he will pursue B&P code concurrently. Staff has more to do flush this out further.

ADJOURNMENT - The meeting adjourned at 6:51 p.m.

APPROVED BY:

Eric Rodriguez, Mayor

SUBMITTED BY:

Patrice M. Olds, City Clerk