

**RESOLUTION
OF THE GOVERNING BOARD OF THE
SANTA BARBARA COMMUNITY COLLEGE DISTRICT
Limiting Campaign Contributions**

WHEREAS, members of the Board of Trustees of the Santa Barbara Community College District serve in a nonpartisan elected role setting policy for the District in furtherance of its educational mission; and

WHEREAS, there is a broad diversity of students who enroll at the District reflecting diversity of thought as well as individual backgrounds and characteristics and the District seeks to support the success of all of its students; and

WHEREAS, the District is a diverse community with many talented and experienced residents who could become excellent trustees and diversity of thought and experience among the trustees can assist the Board in its policy-making role; and

WHEREAS, Section 1 of Chapter 566 Statutes of 2019 (AB 571) states, in part, that “The Legislature finds and declares.... (d) In counties and cities in this state that have not imposed limitations on contributions, candidates for elective office in those jurisdictions sometimes raise 40 percent or more of their total campaign funds from a single contributor. (e) A system allowing unlimited contributions to a candidate for elective county or city office creates the risk and the perception that elected officials in those jurisdictions are beholden to their contributors and will act in the best interest of those contributors at the expense of the people”; and

WHEREAS, in recent years there has been a very significant increase in the amounts of money contributed to campaigns, including trustee campaigns, and many potential trustee candidates can be deterred from running for office by the prospect of having to raise large amounts of money; and

WHEREAS, each District trustee is Serves for a term of four years and is elected from one of seven areas within the District with approximately equal populations and approximately 10,000 to 12,000 registered voters; and

WHEREAS, the California Political Reform Act of 1974 (Gov. Code § 81000 et seq.) (“Political Reform Act”), was amended by the voters in 1988, to impose contribution limitations for statewide offices, and authorized local jurisdictions to enact contribution limits or other prohibitions;

WHEREAS, in 2021, the Legislature amended the Political Reform Act to impose contribution limitations on local elective offices in jurisdictions that have not enacted their own contribution limits, but that bill does not apply to school districts; and

WHEREAS, Education Code section 72029 authorizes the Board to limit, by resolution, campaign contributions in elections to district offices; and

WHEREAS, the Board of Trustees of the Santa Barbara Community College District believes it is in the public's and the District's interest to encourage broader participation in the political process and to prevent corruption and the appearance of corruption by limiting source and amount of contributions that may be made to, and coordinated expenditures on behalf of, committees controlled by candidates for Trustee; and

WHEREAS, the Board has consulted with legal counsel and reviewed numerous local and special district campaign contribution provisions posted on the website of the Fair Political Practices Commission including contribution limits for jurisdictions with 10,000 to 12,000 registered voters ranging from \$200 to \$1000; and

WHEREAS, it is the intent of the Board that this Resolution limiting contributions comply with the free speech clauses of the United States and California Constitutions and the decisional law by the federal and state courts.

NOW THEREFORE, BE IT RESOLVED THAT the Board wishes to encourage qualified candidates to run for the nonpartisan office of trustee without the barrier of raising large sums of money to compete in such an election and without the perception that any candidate is beholden to any contributor or contributors; and

IT IS FURTHER RESOLVED that all of the following limits shall hereby apply to all candidates for trustee, and all sitting trustees in the Santa Barbara Community College District:

1. Unless otherwise defined in this Resolution, or the contrary is stated or clearly appears from the context, the definitions of the Political Reform Act and the definitions contained in the regulations adopted by the Fair Political Practices Commission shall govern the interpretation of this Resolution.
2. No person (as defined in the Political Reform Act) and including an individual, corporate or other entity, or affiliated entity, including a small contributor committee, a controlled committee, a political party committee or Political Action Committee, may contribute more than [\$200.00] cash or In Kind Services to the campaign of a candidate seeking to be elected as a trustee for this District. No foreign entity or individual may contribute any amount to a campaign for District trustee.
3. No candidate shall solicit or accept any amount of money or In Kind Services for their campaign for trustee are in violation of the limitations in this Resolution including all funds raised before or after the candidate has formally filed as a candidate during the relevant filing period, and after the election, and also including funds previously raised by the candidate and transferred from another controlled committee for the election.
4. The contribution limit of [\$200.00] applies to and includes the fair market value of the provision of In Kind Services and/or benefits such as printing, professional election

advice or the inclusion on a “slate” or “doorhanger”, media advertisement, or other literature together with other candidates (collectively “In Kind Services”), with fair market value calculated by the actual cost to the candidate if they had purchased or produced, paid for and distributed such In Kind Services entirely at their own expense. A public forum or debate to which all candidates are invited, and press coverage or endorsements where all trustee candidates are eligible, are not a campaign contribution subject to the [\$200.00] limit.

5. In Kind Services do not include the activities of independent groups communicating with their members provided that the activity or In Kind Service is not communicating with the general public or nonmembers, for example, through media advertisements, or doorhangers or flyers distributed to nonmembers.
6. The campaign contribution limit of [\$200.00] does not apply to the candidate’s own monetary contribution to his or her campaign and any loan to the candidate or by the candidate to the campaign, except to the extent limited by the Political Reform Act.
7. The contribution limit set by this Resolution shall be increased in proportion to the cumulative change in the Consumer Price Index (CPI), for all urban consumers for the Los Angeles area, published by the United States Department of Labor using the CPI most recently available prior to April 1st of each year; provided, however, that an adjustment shall be based upon the cumulative change in the CPI since enactment of this measure, but each adjustment shall be rounded down to the nearest increment of \$50.00.
8. Each candidate for trustee may prepare a candidate’s statement that may include the name, age, and occupation of the candidate and a brief description, of no more than 400 words, of the candidate’s education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations, nor shall the statement criticize another candidate.
9. Each trustee candidate shall, in addition to filing all required financial campaign reports with the State and County shall provide a copy of all such reports to the Superintendent/President of the college as well as a separate report by the 6th day of each month listing all contributions in the previous month, their source and amount and all In Kind Services and specifically demonstrating compliance with this Resolution. The Superintendent/President shall publish this Resolution, the candidates’ statements and all financial campaign reports on the college website in a location easily accessible to the public. The District shall hold and publicize at least one public forum and invite all trustee candidates.
10. The District may contract with the Fair Political Practices Commission for enforcement of this Resolution.
11. The Superintendent/President shall transmit copies of this Resolution and its limitations on campaign contributions to the Santa Barbara County Elections Office and the County

Superintendent of Schools together with the Order of Elections Resolution for each Trustee election.

RESOLVED that in the event that any part of this Resolution is found by the courts to be unconstitutional, that language shall be deleted and all other parts shall remain in effect.

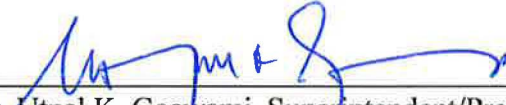
PASSED AND ADOPTED by the Board of Trustees of the SANTA BARBARA COMMUNITY COLLEGE DISTRICT this 14th day of May, 2020 by the following vote:

Ayes: Trustee Gallardo, Trustee Nielsen Trustee Haslund, Trustee Croninger

Noes: Trustee Abboud Trustee Parker, Trustee Miller, Student Trustee Igbechi (advisory vote)

Absent: None

Concur: None



Dr. Utpal K. Goswami, Superintendent/President and Secretary/Clerk to the Board of Trustees