

**COUNTY OF RIVERSIDE, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

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<b>PRE-ELECTION MAILING AND COMMUNITY IMPROVEMENT DESIGNATION FUND RESTRICTIONS</b>	<b><u>A-70</u></b>	<b>1 of 2</b>

**Purpose:**

State and federal laws create an extensive and complex set of requirements and regulations that guide elected officials in their service to their communities. These laws reflect the view that it is unfair for public officials to use public resources with the express purpose to enhance their visibility and name identification with potential voters. As extensive and complex as these laws are, such ethics laws only constitute a minimum standard for public officials' conduct. It is the policy of the Board of Supervisors to strive for greater transparency and a higher standard for members of the Board of Supervisors seeking re-election or election to another office so as to avoid even the appearance of using public resources to enhance board members' visibility and name identification with potential voters.

**Mass Mailing Restriction**

Government Code section 89001 prohibits the use of public funds to pay for newsletters or other mass mailings, subject to certain exceptions set forth in state law. The Fair Political Practices Commission has defined "mass mailings" as sending more than two hundred (200) substantially similar pieces that contain the name, office or pictures of elected officials except as part of a standard letterhead. The rationale for this mass mailing prohibition is to eliminate practices that favor incumbent elected officials and to create a level playing field in elections. The mass mailing restrictions under state law apply to mailings delivered by elected officials as well as county departments. So as to avoid even the appearance of using public funds for political purposes, county departments shall refrain from sending mailings that contain board members' names, office or pictures unless it has been determined, in consultation with County Counsel, that an exception to the mass mailing prohibition applies.

Moreover, it shall be the policy of the Board of Supervisors to prohibit the use of public funds to pay for the following types of mailings that contain the name, office or pictures of a member of the Board of Supervisors during the sixty (60) day period prior to a primary, special or general election if the board member's name is on any ballot for such primary, special or general election, and has an opponent on that ballot:

1. A mailing containing an announcement to the board member's constituents concerning a public meeting which is directly related to the board member's duties, which is to be held by the board member, and which the board member intends to attend.
2. A mailing containing an announcement of an official county event, including but not limited to county department events, for which the county is providing use of its facilities, staff or other financial support.

**Community Improvement Designation Fund Restrictions**

Community improvement designation (CID) funds are divided evenly among the Board of Supervisors to award to community organizations, non-profits, county departments, and government agencies. The awarding of CID funds immediately before an election can create

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the appearance of an unfair advantage for a member of the Board of Supervisors seeking re-election or election to another office.

1) It shall be the policy of the Board of Supervisors to prohibit the awarding or announcing of any CID funds at the request of a member of the Board of Supervisors during the sixty (60) day period prior to a primary, special or general election if the board member's name is on any ballot for such primary, special or general election, and has an opponent on that ballot.

During the sixty (60) day period prior to a primary, special or general election, if the board member's name is on any ballot for such primary, special or general election, the board member:

1. Shall not place any agenda items on the Board of Supervisors agenda seeking approval to award CID funds.
2. Shall not announce or participate in any press releases announcing the awarding of any CID funds previously approved by the Board of Supervisors.
3. Shall not participate in or make a ceremonial presentation awarding previously approved CID funds.

This prohibition applies whether the Board Supervisor's name is on the ballot as a candidate for the Board of Supervisors or for any other election in which an opponent is on the ballot.

2) The CID budget will be split in half for any board member whose name is on the ballot for re-election or who is in the final year of their term. One half of the CID budget shall be available from July through December and the other half (plus remaining funds from the first half of the fiscal year) to be available from January through June.

3) The CID fund restrictions stated in this policy shall not apply if a Federal, State, or County emergency has been declared.

**Reference:**  
Minute Order 3-1 of 06-18-2013