



**CITY COMMISSION
STAFF REPORT**

DEPARTMENT: Commission

SUBJECT: Discussion on the Adoption of a Campaign Finance Ordinance – **Commissioner Shrouder**

RECOMMENDATION:

Commissioner Shrouder requests a discussion on the Adoption of a Campaign Finance Ordinance.

BACKGROUND OF ITEM:

The following chart sets forth possible code actions for consideration:

PROHIBITED ACTIONS	ACTIONS NOT PROHIBITED
<p>May not “directly” (i.e., the candidate him/herself) solicit, accept, or deposit into that candidate’s campaign account a campaign contribution from a vendor, real estate developer, or lobbyist of a vendor or real estate.</p>	<p>May directly solicit, accept, or deposit a campaign contribution from a donor into a candidate’s campaign account, so long as the donor is not a vendor, real estate developer, or lobbyist of a vendor or real estate developer.</p> <p>NOTE: Candidates and their campaign committees are directed to make reasonable efforts to ensure that potential donors solicited on a wide-scale basis (such as open invitations to a particular class of invites, or solicitations via e-mail blasts) do not include City vendors, real estate developers, or their lobbyists.</p>
<p>May not “indirectly” (i.e., through a third party, where the candidate has coordinated with or directed another person/entity to act) solicit, accept, or deposit into that candidate’s campaign account a campaign contribution from a vendor, real estate developer, or lobbyist of a vendor or real estate developer.</p>	<p>May indirectly solicit, accept, or deposit a campaign contribution into a candidate’s campaign account from a donor, so long as the donor is not a vendor, real estate developer, or lobbyist of a vendor or real estate developer.</p> <p>NOTE: Candidates and their campaign committees are directed to make reasonable efforts to ensure that those potential donors solicited on a wide-scale basis (such as open invitations to a particular class of invitees, or solicitations via e-mail blasts) do not include City vendors, real estate developers, or their lobbyists.</p>
<p>May not directly or indirectly solicit a vendor, real estate developer, or lobbyist of a vendor or real estate developer for a campaign contribution to a political</p>	<p>May directly or indirectly solicit a vendor, real estate developer, or lobbyist of a vendor or real estate developer, for a campaign contribution to an electioneering communication organization (ECO), to a</p>

<p>committee (PC) that supports or opposes candidates for City elected office</p>	<p>PC that does not support or oppose candidates for City elected office, or to a candidate for office other than City Mayor or Commissioners.</p> <p>NOTE: The City Code prevents candidates for City office from soliciting campaign contributions on behalf of a PC when that PC supports/opposes candidates for City elected office BUT does not prohibit a City candidate from otherwise associating with or serving as an officer of a political committee, regardless of whether that PC does or does not support/oppose candidates for City elected office.</p>
<p>May not solicit, accept or deposit into a candidate's campaign account a campaign contribution from a potential donor without first checking the City's website, as well as verifying with the City's Procurement Division the "vendor" status of any potential donor verifying with the City Clerk's records department the "real estate developer" status of any potential donor, and verifying with the City Clerk's records whether a potential donor is a "lobbyist" for a vendor or real estate developer.</p>	<p>Once this verification process has occurred and the candidate and his/her campaign committee has confirmed that a potential donor is not a vendor, real estate developer, or a lobbyist for a vendor or real estate developer, the candidate and his/her campaign committee may then solicit, accept or deposit into the candidate's campaign account a campaign contribution from the subject potential donor.</p>

ANALYSIS:

N/A

STRATEGIC PLAN:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ATTACHMENTS:

1. City of Miami Beach Campaign Finance Laws
2. <https://www.miamibeachfl.gov/city-hall/city-clerk/election-information/campaign-finance/#:~:text=Candidates%20for%20the%20offices%20of,%2C%20and%20for%20their%20lobbyists.>