



# STAFF REPORT

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April 6, 2022  
File Number 0650-40

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## SUBJECT

### DESIGNATION OF ENFORCEMENT AUTHORITY FOR THE ESCONDIDO CAMPAIGN CONTROL ORDINANCE

## DEPARTMENT

City Attorney's Office

## RECOMMENDATION

It is requested that the City Council adopt Resolution No. 2022-33 designating Christina M. Cameron, Esq. and the law firm of Devaney Pate Morris & Cameron, LLP ("Law Firm") as the enforcement authority for the Escondido Campaign Control Ordinance for the 2022 Municipal Election ("Special Counsel"), as required by Escondido Municipal Code Section 2- 110.5(c).

Staff Recommendation: Approval (City Attorney's Office: Michael R. McGuinness)

Presenter: Michael R. McGuinness, City Attorney

## FISCAL ANALYSIS

The costs associated with this engagement will depend on the number and complexity of referrals made to the Special Counsel pursuant to the Escondido Municipal Code.

## PREVIOUS ACTION

On April 8, 2020, the City Council adopted Resolution No. 2020-41 appointing the City Attorney's nominee, Gary Schons, Esq., with the law firm of Best Best & Krieger, LLP, as the enforcement authority for the 2020 municipal election. No citizen complaints, and therefore no referrals, were made to Mr. Schons during that campaign and elections period. Mr. Schons retired from the practice of law last year and is no longer available to serve in this capacity.

## BACKGROUND

Pursuant to Escondido Municipal Code Section 2-110.5(c), special counsel shall be selected as the enforcement authority for the Campaign Control Ordinance by the City Attorney and appointed by the City Council at least one hundred and eighty (180) days prior to a city election. The next regularly scheduled municipal election will be held on November 8, 2022.



# CITY *of* ESCONDIDO

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Under the California Government Code and the Escondido Municipal Code, the appointed City Attorney acts under the direction of the mayor and four elected councilmembers. When candidates and incumbents compete against each other for local offices, campaign issues, including possible Campaign Control Ordinance violations, should be handled by outside counsel. Therefore, Escondido Municipal Code Section 2-110.5 provides for outside or special counsel.

The City Attorney's Office recommends that the City Council appoint Christina M. Cameron, Esq. as the City's Special Counsel for enforcement of the Campaign Control Ordinance based on her extensive experience and knowledge of municipal law, election matters and public integrity compliance. Ms. Cameron is a founding member and partner of the Law Firm and has 31 years of local government experience. Ms. Cameron currently serves as General Counsel to the San Diego Ethics Commission providing advisory, administrative enforcement and litigation services. She and the Law Firm provide regular training to local agencies and government officials in government ethics laws. Ms. Cameron has also served as special counsel to the Los Angeles City Ethics Commission and Oakland Public Ethics Commission.

In addition to Ms. Cameron, the Law Firm includes as a founding partner Leslie E. Devaney, Esq. Her relevant experience includes serving in the San Diego City Attorney's Office for approximately 20 years, including service as a prosecutor with jury trial experience, as a legal advisor to the city council and city departments on elections issues. Ms. Devaney has comprehensive experience with campaigns and elections, and Brown Act and open government issues in her role as City Attorney for the cities of Murrieta, Del Mar and Encinitas. She has served as Special Counsel to the Chula Vista Board of Ethics since 2012 working as an enforcement authority to manage complaints of violations of the City's Code of Ethics, a role very similar to the City of Escondido's Campaign Control Ordinance special counsel.

Based on the above, it is recommended that the City Council adopt Resolution No. 2022-33 designating Christina M. Cameron, Esq. and the law firm of Devaney Pate Morris & Cameron, LLP as the enforcement authority for the Escondido Campaign Control Ordinance for the 2022 Municipal Election, as required by Escondido Municipal Code Section 2-110.5(c).

### **RESOLUTIONS**

- A. Resolution No. 2022-33