

Agenda Report

DATE: February 2, 2026

TO: Honorable Mayor and City Council

FROM: Legislative Policy Committee

SUBJECT: REQUEST FROM THE LEGISLATIVE POLICY COMMITTEE TO ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA RESCINDING RESOLUTION NO. 9396, AND APPROVING A VOLUNTARY FAIR CAMPAIGN PRACTICES AGREEMENT PURSUANT TO PASADENA MUNICIPAL CODE SECTION 9.88.050 TO BE DISTRIBUTED BY THE CITY CLERK TO ALL CANDIDATES FOR PASADENA CITY COUNCIL OFFICE

RECOMMENDATION:

It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a “project” subject to the California Public Resources Code (“PRC”) Section 21065 and within the meaning of California Environmental Quality Act (“CEQA”) Guidelines Section 15378(b); and
- (2) Adopt a resolution of the City Council of the City of Pasadena rescinding Resolution No. 9396, and approving a voluntary Fair Campaign Practices Agreement pursuant to Pasadena Municipal Code (PMC) Section 9.88.050 to be distributed by the City Clerk to all candidates for Pasadena City Council office.

BACKGROUND:

Chapter 9.88 of the Pasadena Municipal Code is known as the “Pasadena fair campaign practices and disclosure ordinance” (Attachment A). The stated purpose of this PMC Chapter is to “encourage fair campaign practices” related to City of Pasadena City Council elections. The ordinance was adopted in 1985, and covers issues related to disclosure of receipts and expenditures by candidates and committees active in City elections. Additionally, the Chapter requires the City Clerk to “include in each set of nomination papers a copy of a fair campaign practices agreement” (Attachment B), which summarizes certain provisions of the ordinance and seeks the voluntary agreement of all candidates in City elections to abide by the provisions contained within the agreement.

Pursuant to PMC Section 9.88.050, during the nomination period of each City Council election cycle, the City Clerk's Office distributes the Resolution No. 9396, which includes the adopted Fair Campaign Practices Agreement (Attachment B). Section 2.B. of the agreement states, "If all my opponents sign this Agreement, then during the last 14 days before the election I will provide my opponents with copies of all campaign advertisements and mailings at least 48 hours before they are distributed or placed in the mail."

PROPOSED REVISIONS TO AGREEMENT:

At the August 20, 2025 Legislative Policy Committee meeting, the Committee discussed the various ways that elections have changed over time, and noted how some of the provisions of the Fair Campaign Practices Agreement have become outdated and no longer align with current campaign and election practices. For example, the provision requiring disclosure of campaign messaging during the last 14 days prior to the election to all opponents does not reflect that voting begins much earlier on the 29th day prior to the election (when vote by mail ballots are sent to all registered voters in the City of Pasadena). It was also discussed how messaging now takes the form of social media and email distribution, not necessarily just campaign mailers sent through the US Postal Service.

The Committee also discussed the issue raised by the Commission on the Status of Women regarding concerns with the use of voter location information by candidates and campaigns in campaign materials. The Committee sought to address this issue as part of the proposed update to the Fair Campaign Practices Agreement by adding a requirement that written consent be given by the voter to use the information in campaign materials.

On January 6, 2026, the Committee discussed and approved the following modifications to the agreement:

- Amend Section 2, renaming the section "Written Campaign Messaging" to expand the application of campaign materials beyond "Campaign Advertisements and Mailings";
- Amend Section 2b, defining "Written Campaign Messaging" to include mailers, billboards, signage, electronic mail (to 250 or more recipients), videos, or social media, where campaign funds are expended towards the distribution or amplification of such messaging;
- Amend Section 2b, increasing the period of required disclosure of campaign messaging to opponents 48 hours prior to distribution of the messaging, from 14 days prior to the election to 30 days prior to election to cover the full voting period;

- Add Section 2C, prohibiting a candidate from withdrawing from the agreement (mid-campaign) without first giving written notification of alleged violations of the agreement to all participating candidates in that City Council race, and attempting to mitigate or address the alleged violation(s) directly; and
- Add Section 4, Voter Support Information, to require that the candidate or campaign receive written consent from the voter, including approval of whether and what location information about the voter is used as part of the campaign messaging.

Attachment C is a redline version of the agreement providing the revisions approved by the Legislative Policy Committee at their January 6, 2026 meeting, and submitted these changes for consideration to the City Council.

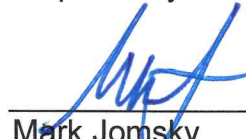
CITY STAFF NOTES:

The Pasadena Fair Campaign Practices Agreement is unique and specific to the City of Pasadena, and is intended to be self-monitored by the candidates and their campaigns. Adherence to the agreement is based on the “honor-system” and neither the ordinance nor the agreement empower City staff or agencies such as the Fair Political Practices Commission to enforce or regulate these provisions.

FISCAL IMPACT:

There is no anticipated fiscal impact to the proposed action.

Prepared by:



Mark Jonsky
City Clerk

Attachment A – Pasadena Municipal Code, Chapter 9.88
Attachment B – Resolution No. 9396
Attachment C – Redlined Fair Campaign Practices Agreement