

## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: April 2, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Rischa S. Cole, Secretary of the District *RC*

SUBJECT: 2026 Elections – Campaign Contributions

### SUMMARY

This memorandum summarizes the actions and forms that may be required before soliciting or accepting campaign contributions or expending personal funds for the upcoming Board elections. Campaign contribution limits for 2026 are posted on the District's website along with other election-related documentation.

### DISCUSSION

The Fair Political Practices Commission (FPPC) states a candidate must file *Form 501 – Candidate Intention Statement* with the county election office or county clerk and a copy with the Secretary's Office before soliciting or accepting contributions or making expenditures from personal funds on behalf of their candidacy. Additionally, when filing Form 501 with the counties, candidates must file one of the following District forms, as applicable, with the Secretary's Office:

- *Accepting Voluntary Campaign Expenditure Ceiling Form*: Filed if the candidate accepts the voluntary campaign expenditure ceiling
- *Declining Voluntary Campaign Expenditure Ceiling*: Filed if the candidate declines the voluntary campaign expenditure ceiling

Attached to this memorandum are the forms above and the following reference documents:

- EBMUD's Campaign Finance Reform Ordinance (CFRO)
- Voluntary Campaign Expenditure Ceilings and Campaign Contribution Limits for 2026
- FPPC Filing Schedule for Candidates and Controlled Committees for Local Office Being Voted on November 3, 2026

In addition to Form 501 and the forms referenced above, candidates may also be required to complete other campaign-related forms depending on the level of a candidate's fundraising. For example, Form 410 and Form 460 must be filed when a candidate has spent or raised \$2,000 or more. Form 501 and other campaign-related forms can be obtained from the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Please note EBMUD's CFRO requires that any campaign-related forms filed with the counties must also be filed with the Secretary's Office per CFRO Section VI(1).

## **NEXT STEPS**

Candidates should review EBMUD's CFRO to verify they have satisfied all responsibilities under the ordinance and the filing requirements under the Political Reform Act to begin soliciting or accepting campaign contributions for the November elections. If you have questions regarding CFRO compliance, please contact the Secretary's Office. If you have questions regarding the FPPC forms or requirements, please check the FPPC website or call (866) 275-3772. Staff will provide the Board with additional elections information, as necessary, and as it becomes available.

CCC:RSC

- Attachments:
1. Accepting Voluntary Campaign Expenditure Ceiling
  2. Declining Voluntary Campaign Expenditure Ceiling
  3. EBMUD's Campaign Finance Reform Ordinance
  4. Voluntary Campaign Expenditure Ceilings and Campaign Contribution Limits for 2026
  5. FPPC Filing Schedule for Candidates and Controlled Committees for Local Office Being Voted on November 3, 2026



## Candidate Statement Accepting Voluntary Campaign Expenditure Ceiling

*-- File at the time of filing Form 501*

*-- File with the EBMUD Secretary*

NAME OF CANDIDATE:	DATE OF DISTRICT ELECTION:
DESIGNATED COMMITTEE:	I.D. NUMBER:

I, \_\_\_\_\_, declare that I am a candidate in Ward Number \_\_\_\_\_ for election to the East Bay Municipal Utility District Board of Directors. I hereby agree to accept the voluntary campaign expenditure ceiling as defined in Paragraph V of the East Bay Municipal Utility District Campaign Finance Reform Ordinance ("Ordinance") of which I have been provided a copy. Further, I understand that the Secretary of the District has determined that the campaign expenditure ceiling in this Ward is \$ \_\_\_\_\_ for this election.

I understand that the execution of this Statement, whereby I voluntarily agree to accept said campaign expenditure ceiling, is irrevocable and will govern all qualified campaign expenditures, as defined in the Ordinance, incurred for this election. I further understand that, as a result of my voluntary agreement to accept said campaign expenditure ceiling, I will be designated in the voter information portion of the sample ballot as having accepted the voluntary expenditure ceiling.

I am further advised and understand that civil action may be brought against any person or committee who intentionally or negligently violates the contribution and expenditure limitations set forth in the Ordinance.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Name of Candidate

\_\_\_\_\_  
Signature of Candidate

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## Candidate Statement Declining Voluntary Campaign Expenditure Ceiling

*-- File at the time of filing Form 501*

*-- File with the EBMUD Secretary*

NAME OF CANDIDATE:	DATE OF DISTRICT ELECTION:
DESIGNATED COMMITTEE:	I.D. NUMBER:

I, \_\_\_\_\_, declare that I am a candidate in Ward Number \_\_\_\_\_ for election to the East Bay Municipal Utility District Board of Directors. I hereby decline to accept the voluntary campaign expenditure ceiling as defined in Paragraph V of the East Bay Municipal Utility District Campaign Finance Reform Ordinance (“Ordinance”), of which I have been provided a copy.

I understand that no later than the filing deadline for nomination papers under Section 8020 of the Elections Code, I may revoke my decision not to accept the campaign expenditure ceiling by filing with the EBMUD Secretary of the District the “Candidate Statement Revoking Decision Declining the Voluntary Campaign Expenditure Ceiling” and the “Candidate Statement Accepting Voluntary Campaign Expenditure Ceiling.”

I am further advised and understand that civil action may be brought against any person or committee who intentionally or negligently violates the contribution and expenditure limitations set forth in the Ordinance.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Name of Candidate

\_\_\_\_\_  
Signature of Candidate

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## **EAST BAY MUNICIPAL UTILITY DISTRICT CAMPAIGN FINANCE REFORM ORDINANCE**

BE IT ENACTED by the Board of Directors of East Bay Municipal Utility District that this Ordinance is adopted as the policy of East Bay Municipal Utility District setting forth that:

Campaigns for election to the Board of Directors of the East Bay Municipal Utility District be conducted fairly and that each candidate for election to the District Board be aware of the District's commitment to fair campaigns.

Candidates for election to the Board of Directors of the East Bay Municipal Utility District be permitted to accumulate the resources necessary to effectively advocate and to campaign for election to the Board.

Campaigns for election to the Board of Directors of the East Bay Municipal Utility District be free of corruption or the appearance of corruption.

Campaigns for election to the Board of Directors of East Bay Municipal Utility District be free from improper influence stemming from the dependence of candidates on large campaign contributions.

Campaign contributions be reasonably limited so as to not unduly infringe upon the First Amendment rights of political expression and association and not have a significant adverse effect on the funding of campaigns for District office.

The contribution limits set forth herein shall apply for each election to the Board of Directors of the East Bay Municipal Utility District.

### **I. FINDINGS AND DECLARATIONS**

The Board of Directors of the East Bay Municipal Utility District find and declare each of the following:

- (a) Monetary contributions to political campaigns are a legitimate form of participation in the American political process. However, disproportionately large contributions from certain persons or organizations may lead to a perception that they exercise a disproportionate or controlling influence upon candidates.
- (b) The increasing costs of political campaigns compel many candidates to raise larger percentages of money from interest groups with a specific financial stake in matters which may come before the Board of Directors. This has caused a public perception that votes may be improperly influenced by monetary contributions.
- (c) The tendency for campaign contributions to be dominated by a small number of very large contributors undermines the integrity of the

governmental process, the competitiveness of campaigns, and the public's confidence in local officials and local agencies.

## II. PURPOSE OF THIS ORDINANCE

The Board of Directors enacts this Ordinance to accomplish the following purposes:

- (a) To improve methods of financing campaigns in order to ensure the public's right-to-know, combat corruption and undue influence, and promote citizen participation in the political process.
- (b) To prevent parties with a specific financial interest in the District's decisions from exerting undue influence over those decisions by means of large campaign contributions.
- (c) To improve the disclosure of contribution sources in reasonable and effective ways.
- (d) To restore public trust in governmental and electoral institutions.

## III. DEFINITIONS

1. Unless otherwise specifically provided in this Ordinance or required by the context, the words and phrases in this Ordinance shall have the same meanings as in the Political Reform Act of 1974 as amended (Government Code section 81000 *et seq.*, hereafter "Political Reform Act") and regulations adopted thereunder by the Fair Political Practices Commission (hereafter "FPPC").
2. "Candidate" means a candidate for election to the Board of Directors of the East Bay Municipal Utility District, or an incumbent who holds that office.
3. "Contribution" has the same meaning as in the Political Reform Act, Government Code section 82015, and includes a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received or if it is clear from the surrounding circumstances that the payment is not made for political purposes. A non-monetary contribution shall be valued at the true or estimated fair market value of the goods, services, or facilities contributed to the campaign. A fair market value is the price that a person would be required to pay to acquire the same goods or services or facilities in the open market place.

The term "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the total costs for the meeting or fundraising event are five hundred dollars (\$500) or less, exclusive of the fair rental value of the premises; nor does it include volunteer personal services or payments

made by any individual for their own travel expenses if such payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid for such expenses.

A contribution to the committee designated by the candidate for their election to the District Board of Directors is deemed a contribution to the candidate.

4. “District” means the East Bay Municipal Utility District.
5. “Expenditure” has the same meaning as in the Political Reform Act, Government Code section 82025 and includes a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from surrounding circumstances that it is not made for political purposes. “Expenditure” does not include a candidate’s use of their own money to pay for either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier.
6. “Officeholder expenses” means those expenditures that arise out of the performance of the officeholder’s official duties, directly assist the officeholder in performing those official duties, or are directly related to a governmental purpose. Officeholder expenses include, but are not limited to:
  - (a) Donations to charitable organizations;
  - (b) Cost of tickets to political or community events;
  - (c) Postage, office supplies, stationery and similar expenses related to the conduct or performance of the officeholder’s governmental activities and duties;
  - (d) Reasonable expenses for travel to conferences, seminars, educational events or similar activities related to the officeholder’s position; or
  - (e) Costs of books or publications reasonably related to the officeholder’s position.

The expenses listed in (a) through (e) shall be considered officeholder expenses as long as they are not used in connection with the candidate’s election to a future term of office.

7. “Person” means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, limited liability company, corporation, association, committee, and any other organization or group of persons acting in concert.

8. “Qualified Campaign Expenditure” means any expenditure made or incurred by a candidate or their agent for the purpose or with the primary effect of influencing or attempting to influence the actions of the voters for or against the election of the candidate. Such expenditures shall include, but are not limited to:
- (a) Payments for fundraising and campaign strategy expenses for election to a future term of office;
  - (b) Payments for mass mailings, political advertising, opinion polls or surveys, and other communications in connection with election to a future term of office. For purposes of this paragraph, a mass mailing, political advertisement, opinion poll or survey, or other communication shall be considered “in connection with election to a future term of office” if it makes reference to the candidate’s future election or status as a candidate for a future term of office, or if it is made by an incumbent officeholder within three (3) months prior to an election for which he or she will be a candidate and it features the candidate;
  - (c) Payments for services and actual expenses of political consultants, the campaign treasurer and other campaign staff, pollsters and other persons providing services directly in connection with a future election;
  - (d) Payments for office space, postage, office supplies, stationery, newsletters, and equipment which is used primarily for the administration of the candidate’s campaign to a future term of office;
  - (e) Payments for voter registration and get-out-the-vote drives;
  - (f) That portion of the total cost of a slate mailing or mailing of other campaign literature produced or authorized by more than one candidate which is the cost actually paid or incurred by the candidate; and
  - (g) A non-monetary contribution provided at the request of or with the approval of the candidate or his or her agent which is made in connection with the candidate’s future election.

“Qualified campaign expenditure” does not include officeholder expenses.

9. “Small Contributor Committee” has the same meaning as in the Political Reform Act, Government Code section 85203 and Cal. Code of Regulations, title 2, section 18503, and includes:

- (a) A committee of persons that has been in existence for more than six months, and

- (b) Within 36 months before making a contribution has received contributions from 100 or more persons, and
- (c) Has campaign funds that do not include any contributions of more than \$200 per person per calendar year, and
- (d) Has made contributions to five or more candidates every 36 months of at least \$25 each.

For purposes of this Paragraph III.9 only, the term “Candidate” shall have the same meaning as in the Political Reform Act (Government Code section 82007).

#### **IV. CAMPAIGN CONTRIBUTION LIMITATIONS**

##### **1. Limitations on Contributions from Persons**

- (a) Except as provided in Paragraph IV.2 of this Ordinance, no person shall make to any candidate and no such candidate shall solicit or accept any contribution which would cause the total amount contributed by that person to that candidate to exceed \$2,000 for each election. The District shall adjust this amount in January of every odd-numbered year starting on January 1, 2025 based on the increase or decrease in the San Francisco-Oakland-Hayward Consumer Price Index for Urban Consumers. This adjustment shall be rounded to the nearest ten dollars (\$10) and shall be published on the District’s website no later than the 1st day of February in the year the adjustment is made.
- (b) No person shall make an anonymous contribution or contributions to a candidate, and no candidate shall accept or solicit an anonymous contribution, totaling twenty-five dollars (\$25) or more for an election.
- (c) A candidate shall maintain a written record of the name and address of each person from whom contributions of twenty-five dollars (\$25) or more are received for an election.
- (d) The provisions of this paragraph shall not apply to a candidate’s contribution of their own personal funds to their designated candidate committee. “Personal funds” includes a loan obtained from a commercial lending institution.
- (e) A candidate may not personally loan to their campaign an amount, the outstanding balance of which exceeds twenty-five thousand dollars (\$25,000). The District shall adjust this amount in January of every odd-numbered year starting on January 1, 2025 based on the increase or decrease in the San Francisco-Oakland-Hayward Consumer Price Index for Urban Consumers. This adjustment shall be rounded to the

nearest ten dollars (\$10) and shall be published on the District's website no later than the 1st day of February in the year the adjustment is made.

2. Limitations on Contributions from Small Contributor Committees

No small contributor committee shall make contributions to any candidate and no candidate shall solicit or accept any contribution which would cause the total amount contributed by that small contributor committee to that candidate to exceed \$4,000 for each election. The District shall adjust this amount in January of every odd-numbered year starting on January 1, 2025 based on the increase or decrease in the San Francisco-Oakland-Hayward Consumer Price Index for Urban Consumers. This adjustment shall be rounded to the nearest ten dollars (\$10) and shall be published on the District's website no later than the 1st day of February in the year the adjustment is made.

3. Return of Excess Contributions

A contribution need not be reported nor shall it be deemed accepted if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported.

4. Prohibition on Certain Contributions from Persons with Business Before the District

- (a) Contributions from participants, parties and their agents in a proceeding before the District involving a license, permit, or other entitlement for use shall be subject to the restrictions and prohibitions of the Political Reform Act, Government Code section 84308 and applicable regulations of the FPPC.
- (b) In addition to the prohibitions and restrictions imposed by Government Code section 84308 and applicable regulations of the FPPC, no person who contracts with the District, pursuant to a contract approved by the Board of Directors, shall make any contribution to a candidate at any time between the submittal of a proposal for said contract and twelve months following the completion of the performance under such contract.
- (c) No person who submits a proposal to contract with the District, pursuant to a contract to be approved by the Board of Directors, shall make any contribution to a candidate at any time between the submittal of a proposal for said contract and a final determination by the District to reject the proposal.

- (d) No candidate, or their agent, shall knowingly solicit or accept any contribution from any person or organization prohibited by Paragraph IV.4(a), (b) or (c) of this Ordinance from making such contribution.
- (e) No person who knowingly violates Paragraph IV.4(b) or (c) of this Ordinance shall be awarded a contract a which is not obtained as a result of a competitive bidding process for one (1) year after the date of the violation.

5. Limitations on Transfers from Candidate Controlled Committees

Contributions received by any other committee controlled by a candidate shall be subject to the contribution limitations set forth in this Ordinance when such contributions are transferred to the candidate's committee for election to the District Board of Directors. The following method shall be utilized to calculate the amount that is in compliance with the contribution limitations.

- (a) The candidate shall review the contributions which have been received by the candidate controlled committee beginning with the last contribution received and working back in time until the total amount of cash and cash equivalents held by the candidate controlled committee is reached.
- (b) Should the review indicate that the aggregate amount of contributions from a contributor in the candidate controlled committee and in the candidate's committee for election to the District Board exceeds any applicable limitation, the total amount that may be transferred shall be reduced by the amount in excess of the applicable contribution limitation.

6. Post-Election Fundraising

- (a) A contribution for an election may be accepted by a candidate after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limit for that election.
- (b) "Net debts outstanding from the election" means the total of a committee's outstanding debts minus its assets.
- (c) "Outstanding debts" includes all of the following:
  - (1) An amount necessary to cover the cost of raising funds as permitted under this Ordinance.
  - (2) Costs related to complying with the post-election filing requirements of this Ordinance and the Political Reform Act

and for other reasonable and necessary administrative costs related to winding down the campaign, including office space rental, staff salaries, and office supplies.

- (3) Legal fees and expenses incurred directly in connection with monitoring the count of absentee or provisional ballots for the election, or with a ballot recount.
  - (4) The total amount of unpaid debts, loans and accrued expenditures incurred with respect to the election.
- (d) “Assets” includes all of the following:
- (1) The total cash on hand available to pay those debts and obligations, including: currency; balances on deposit in banks, savings and loan institutions, and other depository institutions; traveler's checks; certificates of deposit; treasury bills; and any other committee investments valued at fair market value.
  - (2) The total amounts owed to the candidate controlled committee in the form of credits, refunds of deposits, returns, or receivables, or a commercially reasonable amount based on the collectability of those credits, refunds, returns, or receivables.
- (e) Raising Funds. A candidate may accept contributions after the date of the election only up to the amount of net debts outstanding from the election. The contributions accepted are subject to the applicable contribution limit for that election. The candidate shall reduce the total amount of net debts outstanding as additional funds are received. The candidate and their controlled committee(s) may not accept a contribution that exceeds the total amount of net debts outstanding on the date the contribution is received. A contribution that exceeds the amount of net debts outstanding shall be treated in the same manner as a contribution in excess of the contribution limits.
- (f) Paying Net Debt. A candidate may only use a contribution accepted after the election for payment of net debts outstanding from the election. The candidate shall use available funds to pay net debts outstanding as soon as practicable.
- (g) Transfer. A candidate may transfer campaign funds from another of their controlled committees for the purpose of paying the net debts outstanding of their District committee. A transfer of this type is subject to the transfer and attribution requirements in Paragraph IV.5.

## 7. Surplus Funds

- (a) Funds remaining in the committee established by the candidate for their election to the District Board of Directors as of the end of the first postelection reporting period after the candidate is defeated or has left office may be used only for the following purposes:
  - (1) To pay campaign debts or debts from officeholder expenses;
  - (2) To refund contributions;
  - (3) To donate to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the candidate, any member of their immediate family, or their campaign treasurer; and
  - (4) To pay professional services reasonably required by the committee to assist in the performance of its administrative functions, including payment for attorney's fees for litigation arising directly out of the candidate's duties or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action brought of a violation of state or local campaign, disclosure, or election laws, and an action from an election contest or recount.
- (b) Funds remaining in the committee established by the candidate for their election to the District Board as of the end of the first postelection reporting period after the candidate is defeated or has left office may not be used for their election to any other office unless they are first transferred to a committee set up for that other office.

**V. VOLUNTARY EXPENDITURE CEILING**

1. Ballot Designation of Candidate Accepting Voluntary Expenditure Ceiling

Candidates who adopt the voluntary expenditure ceiling as defined below shall be designated in the voter information portion of the sample ballot as having voluntarily agreed to the expenditure ceiling set forth in this paragraph.

2. Statement Accepting Voluntary Expenditure Ceiling

All candidates who accept the voluntary campaign expenditure ceiling as defined below must file a statement with the Secretary of the District indicating acceptance of the expenditure ceiling and acknowledging such decision to be irrevocable. Said statement shall be filed no later than the time for filing the FPPC Form 501 (Candidate Statement of Intention). A candidate who does not adopt the voluntary campaign expenditure ceiling by filing the required statement shall be presumed to have rejected the expenditure ceiling.

3. Statement Declining Voluntary Expenditure Ceiling

Candidates who decline to accept the voluntary campaign expenditure ceiling as defined below shall file a statement with the Secretary of the District indicating their decision not to adopt the expenditure ceiling. Said statement shall be filed no later than the time for filing the FPPC Form 501 (Candidate Statement of Intention). A candidate who has filed a statement with the Secretary of the District indicating their decision not to accept the expenditure ceiling may, no later than the deadline for filing nomination papers within section 8020 of the Elections Code, revoke such decision by filing with the Secretary of the District a statement accepting the expenditure ceiling and a separate statement, signed under penalty of perjury, verifying that the candidate's qualified campaign expenditures to date have not exceeded the expenditure ceiling.

4. Amount of Expenditure Ceiling

- (a) Candidates who agree to expenditure ceilings shall not incur qualified campaign expenditures during the election cycle exceeding \$0.80 (eighty cents) multiplied by the number of residents in the ward in which the candidate seeks election. At the beginning of each election cycle, the number of residents in each ward shall be determined by the Secretary of the District based upon EBMUD's redistricting plan or federal census data, whichever provides the most current information.
- (b) The District shall adjust the amount otherwise determined under this Paragraph V.4 in January of every odd-numbered year commencing January 1, 2025, based on the increase or decrease in the San Francisco-Oakland-Hayward Consumer Price Index for Urban Consumers. The adjusted expenditure ceiling shall be rounded to the nearest one hundred dollars (\$100) and shall be published on the District website no later than the 1st day of February in the year the adjustment is made.

5. Expenditure Ceiling Lifted

If any candidate declines to accept the campaign expenditure ceiling by the deadline provided in Paragraph V.3, then the expenditure ceiling shall no longer be binding on any candidate.

**VI. DISCLOSURE**

1. Statements of Organization, Candidate Intention Statements, and Campaign Statements.

Any Statement of Organization (Form 410), Candidate Intention Statement (Form 501) and Campaign Statements (including Forms 460, 465, 470, 495, 496 or 497) required to be filed under the Political Reform Act shall also be

filed at the same time with the Secretary of the District. The candidate's obligation to file such campaign statements with the Secretary of the District shall continue until such time as the candidate has filed all campaign statements required by the Political Reform Act for the period ending December 31 following the election, including the Semi-Annual Campaign Statement (Form 460) due on January 31 following the election.

2. Statement Accepting or Declining Voluntary Expenditure Ceiling

Each candidate shall file a statement with the Secretary of the District accepting or declining the voluntary expenditure ceiling for each election as set forth in Paragraphs VI.1 and VI.2. The Secretary shall provide each candidate with a form that may be used for this purpose.

3. Press Disclosure

The Secretary of the District shall, upon determining that a candidate has failed to comply with any filing deadline set forth in this Ordinance, immediately notify the candidate of the apparent violation by any method that provides for confirmation of receipt, including but not limited to certified mail, telephone call and e-mail. The candidate shall be given five (5) working days from the date of actual notification to either cure the violation or to demonstrate that the required filings have been made. Upon conclusion of the five-day period, if the candidate has not demonstrated that full compliance has occurred, the Secretary shall disclose to the public by press release the name of any candidate who has failed to file any statements required under this Ordinance in the current election.

## **VII. INDEPENDENT EXPENDITURES IN DISTRICT ELECTIONS**

1. Campaign Advertising Disclosure

(a) In addition to the disclaimers required to appear on advertisements by the Political Reform Act, Government Code sections 84501 *et seq.* and the regulations of the FPPC, any committee that spends at least \$1,000 on advertisements to support or oppose any candidate for election to the District Board shall list the following information in its advertisements: "Ad paid for by [name of committee]. Ad Committee's Top Funders: [name and occupation of three largest contributors of \$5,000 or more to the committee within the prior 12 months]."

(b) The requirements of this paragraph shall not apply to any communication distributed by an organization solely to its own members, employees, shareholders, or families of members, employees, or shareholders.

2. Independent Expenditure Reports

In addition to the reporting requirements of the Political Reform Act, any committee primarily formed to support or oppose a District candidate that makes independent expenditures totaling \$1,000 or more within 90 days of a District election to support or oppose a candidate for election to the District Board of Directors shall file a copy of their Form 496 24-Hour Independent Expenditure Report with the Secretary of the District.

## VIII. ENFORCEMENT

1. Campaign Statement Review
  - (a) The Secretary of the District shall monitor all campaign forms and statements filed by candidates for the District Board and shall notify the candidate of any of the following apparent violations of this Ordinance:
    - (1) The non-filing or late filing of any required campaign forms or statements.
    - (2) A statement that does not conform on its face with the requirements of this Ordinance.
    - (3) Any reported contributions that exceed the allowable maximums established under this Ordinance.
  - (b) The Secretary of the District shall also investigate any report or information received indicating that a candidate may have failed to file a statement required under this Ordinance, if the Secretary has sufficient information to reasonably conduct such investigation.
  - (c) The candidate shall be allowed to correct any reports within five days after receipt of notice of an apparent violation by the Secretary of the District.
  - (d) The Secretary of the District shall refer to the FPPC any complaint alleging a violation of the Political Reform Act (Government Code Section 81000 *et seq.*) by any candidate or committee and shall cooperate in any investigation conducted by the FPPC as a result of such referral.
2. Violations
  - (a) In addition to any other remedies provided in this Ordinance, the East Bay Municipal Utility District and any person residing in the District may bring a civil action against any person or committee who intentionally or negligently violates the reporting requirements or the contribution and expenditure limitations set forth herein, and may also sue for injunctive relief to enjoin violations or to compel compliance

with the provisions of this Ordinance. Any such action must be brought within 4 (four) years of the date of the violation.

- (b) In any legal action brought under this Ordinance for injunctive relief or civil liability, the court may award to a plaintiff or defendant who prevails their costs of litigation, including reasonable attorney's fees.
- (c) In any legal action brought under this Ordinance for injunctive relief or civil liability, where it is determined that the candidate has accepted a contribution or contributions in excess of the applicable limit set forth herein, the full amount of said contribution(s) shall be forfeited to the District general fund. If funds are not available in the candidate's designated committee account for this purpose, the candidate shall be personally liable to pay said amount to the District general fund.

3. Enforcement by Other Agencies

Nothing in Paragraph VII shall be construed as limiting the authority of any law enforcement agency, prosecuting attorney or other person to enforce the provisions of this Ordinance, under any circumstances where such law enforcement agency, prosecuting attorney or other person has lawful authority to do so.

**IX. APPLICABILITY OF OTHER LAWS**

Nothing in this Ordinance shall exempt any person or committee from applicable provisions of any other laws of this State.

**X. SEVERABILITY**

If any provision of this Ordinance shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

THE EFFECTIVE DATE of this Ordinance shall be May 26, 1992; the amendments adopted on February 8, 1994 shall take effect on May 11, 1994 provided however that the contribution limits specified in Paragraphs IV.1(a) and IV.2(a) shall take effect on, January 25, 1994; the amendments adopted on March 12, 1996 shall take effect on April 11, 1996; the amendments adopted on June 9, 1998 shall take effect on July 9, 1998; the amendments adopted on August 11, 1998 shall take effect on September 10, 1998; the amendments adopted on January 8, 2002 shall take effect on February 7, 2002; the amendments adopted on January 12, 2010 shall take effect on February 12, 2010; the amendments adopted on March 26, 2024, shall take effect on April 25, 2024.

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ORDINANCE NO. 375-24

AN ORDINANCE AMENDING ORDINANCE NO. 316 ENTITLED "EAST BAY MUNICIPAL UTILITY DISTRICT CAMPAIGN FINANCE REFORM ORDINANCE"

Introduced by Director Chan ; Seconded by Director Linney

WHEREAS, the Board of Directors of the East Bay Municipal Utility District enacted the Campaign Finance Reform Ordinance (CFRO) in 1992 and adopted it as the policy of the District; and

WHEREAS, the Board of Directors has amended the CFRO a number of times since its enactment in 1992, with the last adoption of amendments taking place in 2010; and

WHEREAS, since the CFRO's last amendment in 2010, there have been changes in the Political Reform Act and its implementing regulations that are recommended for incorporation into the CFRO; and

WHEREAS, the CFRO amendments necessitated by changes in law and opinions of the Fair Political Practices Commission include incorporation of the Levine Act into the CFRO, updates to the definition of a qualified campaign expenditure and updates to campaign advertisement disclaimer requirements; and

WHEREAS, other revisions to the CFRO are recommended for clarity and constancy, including alphabetization of definitions, correcting and updating the reference to the Consumer Price Index used in the CFRO, replacing "his or her" with the nonbinary term "their," and other minor revisions for the consistent use of terminology throughout the CFRO; and

WHEREAS, proposed revisions to the CFRO were presented to the Legislative/Human Resources Committee on January 9, 2024 and February 13, 2024, and the Committee recommended revisions for consideration by the Board of Directors; and

WHEREAS, the Board of Directors conducted a first reading of proposed revisions to the CFRO on February 27, 2024; and

WHEREAS, the Board of Directors conducted a second reading of proposed revisions to the CFRO on March 12, 2024 and, following discussion, voted to incorporate additional revisions to the CFRO; and

WHEREAS, the Board of Directors desires to increase the campaign contribution limits set forth in the CFRO from \$600 to \$2,000 for persons and from \$1,200 to \$4,000 for small contributor committees and to allow for biennial CPI adjustments to the contribution limit for small contributor committees; and

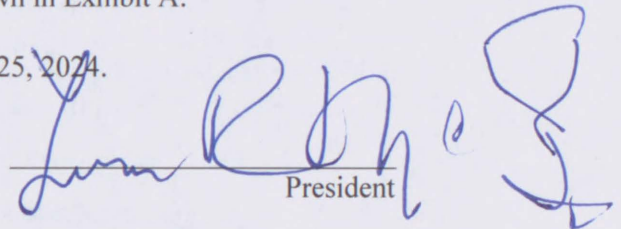
WHEREAS, the Board of Directors desires to increase the \$10,000 limit on the amount a candidate may loan to their campaign from personal funds to \$25,000, and to allow for biennial CPI adjustments of this amount; and

WHEREAS, the Board of Directors desires to expand the CFRO's prohibition on candidate contributions from persons contracting with the District to any Board-approved contract with the District and not only contracts that are not subject to the competitive bidding process; and

WHEREAS, following receipt of direction from the Board of Directors on further revisions to the CFRO at the second reading on March 12, 2024, the second reading of the amended ordinance was continued to the regular Board meeting of March 26, 2024;

NOW, THEREFORE, BE IT ENACTED by the Board of Directors of the East Bay Municipal Utility District that Ordinance No. 316 be amended as shown in Exhibit A.

THE EFFECTIVE DATE of this Ordinance shall be April 25, 2024.

  
\_\_\_\_\_  
President

I HEREBY CERTIFY that the revisions to Ordinance No. 316 were duly and regularly introduced at a regular meeting of the East Bay Municipal Utility District Board of Directors held on February 27, 2024, at the office of said District, 375 11th Street, Oakland, California, and thereupon, after being read, further action was scheduled for the regular meeting of said Board of Directors held at the same place on March 12, 2024, and for the regular meeting of said Board of Directors held at the same place on March 26, 2024, at which time Ordinance No. 375-24, adopting the revisions to Ordinance No. 316, was adopted by the following vote:

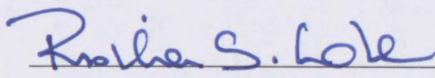
AYES: Directors Chan, Katz, Linney, Patterson, Young, and President McIntosh.

NOES: None.

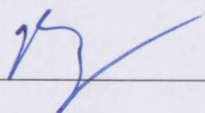
ABSENT: None.

ABSTAIN: None.

ATTEST:

  
\_\_\_\_\_  
Secretary

APPROVED AS TO FORM AND PROCEDURE

  
\_\_\_\_\_  
General Counsel



## East Bay Municipal Utility District Board of Directors Election – 2026

### Voluntary Expenditure Ceiling

*Per EBMUD's Campaign Finance Reform Ordinance*

Candidates who agree to expenditure ceilings shall not incur campaign expenditures during the election cycle exceeding 0.81 cents multiplied by the number of residents in the ward in which the candidates seek election.

Ward	Population	Adjustment	Expenses <i>(rounded)</i>
1	211,157	0.81	\$171,000
<b>2*</b>	<b>211,624</b>	<b>0.81</b>	<b>\$171,400</b>
<b>3*</b>	<b>209,075</b>	<b>0.81</b>	<b>\$169,300</b>
<b>4*</b>	<b>212,925</b>	<b>0.81</b>	<b>\$172,400</b>
5	213,373	0.81	\$172,800
6	209,421	0.81	\$169,600
<b>7*</b>	<b>211,633</b>	<b>0.81</b>	<b>\$171,400</b>

*\*Ward seats up for election that may appear on the November 2026 Ballot*

### Campaign Contribution Limits

Limitations on Contributions from Persons:	\$2,020
Anonymous Contribution Limit:	\$25
Candidate Personal Loan*:	\$25,310
Limitations on Contributions from Small Contributor Committees:	\$4,050

*\*"Personal Funds" includes a loan obtained from a commercial lending institution.*

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**Filing Schedule for  
Candidates and their Controlled Committees for Local Office  
Listed on the November 3, 2026 Ballot**

<i>Deadline</i>	<i>Period</i>	<i>Form</i>	<i>Notes</i>
<b>Jul 31, 2026</b> <i>Semi-Annual</i>	* – 6/30/26	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> </ul>
<b>Within 24 Hours</b> <i>Election Cycle Reports</i>	8/5/26 – 11/3/26	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to or in connection with <i>another</i> candidate or measure listed on the November 3, 2026, ballot.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours of receiving the contribution.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online if available.</li> </ul>
<b>Sep 24, 2026</b> <i>1<sup>st</sup> Pre-Election</i>	7/1/26 – 9/19/26	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
<b>Oct 22, 2026</b> <i>2<sup>nd</sup> Pre-Election</i>	9/20/26 – 10/17/26	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> <li>File by personal delivery or guaranteed overnight service. The committee may also file online if available.</li> </ul>
<b>Feb 1, 2027</b> <i>Semi-Annual</i>	10/18/26 – 12/31/26	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before December 31, 2026.</li> <li>The January 31 deadline falls on a Sunday, so the deadline is extended to the next business day.</li> </ul>

**Additional Notes:**

- \*Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- Local Ordinance:** Always check whether additional local rules apply.
- Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-hour/10-day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-hour/10-day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- Method of Delivery:** Unless otherwise noted, all paper filings may be filed by first-class mail. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- Form [501](#):** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

## Fair Political Practices Commission

- **Form 460:** Candidates who have raised/spent \$2,000 or more file Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.
- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2026 and do not have an open committee may file Form 470 on or before September 24, 2026. If the candidate raises or spends \$2,000 or more, later during the calendar year, a Form 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - **Form 496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
  - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements and reports are public documents.
- **Resources:** Campaign manuals and other instructional materials are available on the [Campaign Rules](#) page. Or, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) > Learn > Campaign Rules. Refer to the FPPC video tutorial for candidates and treasurers for basic information for candidates and committees.