STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

July 17, 2026

Cathedral City
Robert Khuu, City Attorney
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Advisory Letter re FPPC No. 2026-00140; Cathedral City

Dear Cathedral City:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act").[1] This letter is in response to a complaint regarding whether Cathedral City sent prohibited campaign-related mass mailings at public expense by sending mass mailings regarding Measure W, a local ballot measure on the November 5, 2024 ballot that would increase the sales tax by .5%. The Enforcement Division completed its review of the case and will close its file on this matter without prosecution.

The Act prohibits sending a newsletter or other mass mailing at public expense.[2] Specifically, a mass mailing is prohibited if (1) the item is a tangible item; (2) the item expressly advocates the qualification, passage, or defeat of a clearly identified measure, or unambiguously urges a particular result in an election; (3) public moneys are paid to distribute the item, or to prepare the item, for more than $50, with the intent of sending the item; and (4) more than 200 substantially similar items are sent during the course of an election.[3] This prohibition limits the public subsidy of political campaigns, which would grant an unfair advantage to governmental bodies that desire to use public resources in pursuit of favorable election results.

An item unambiguously urges a particular result in an election in one of two ways: (1) when it clearly is campaign material or campaign activity because it is related to an election and it is an item such as bumper stickers, billboards, door-to-door canvassing, posters, advertising "floats," or mass media advertising;[4] or (2) when the style, tenor, and timing of the communication can be reasonably characterized as campaign material and not a fair presentation of facts serving only an informational purpose.[5]

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[1] The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in sections 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.
[2] Section 89001.
[3] Regulation 18901.1, subd. (a).
[4] Regulation 18901.1, subd. (c)(1).
[5] Regulation 18901.1, subd. (c)(2).

A payment of public moneys by a local governmental agency made in connection with a communication, whether it is a mass mailing or not, that expressly advocates passage of a ballot measure, or that taken as a whole and in context, unambiguously urges a particular result in an election is an independent expenditure.[6] Any person or combination of persons who, in a calendar year, makes independent expenditures totaling $1,000 or more qualifies as an independent expenditure committee.[7] An independent expenditure committee must file semi-annual campaign statements each year for the period ending June 30 and December 31 if it made independent expenditures during the 6-month period prior to those dates.[8] Further, an independent expenditure committee must report its late independent expenditures within 24 hours of the time they are made to the appropriate filing officers.[9]

Our review found that the mass mailing sent by Cathedral City did not contain express words of advocacy. The mass mailing was generally informational, not argumentative, and moderate in tone. However, the mailers look very similar to typical campaign mailers provided by any other campaign committee,[10] and parts of that mass mailing came close to meeting the standard of unambiguously urging a particular result in an election.

The first issue with the mass mailing is its similarity to typical campaign mailers provided by any other campaign committee, which supports the argument that the mailers are clearly campaign material. Further, when looking at style, tenor, and timing, the second issue is the emotionally charged photographs, including a house on fire and two gloves holding a crowbar breaking into a house. These photographs are unnecessary for informational content and serve no purpose other than to trigger supportive feelings of the effects of passing Measure W. The third issue of the mass mailing is the phrase, "With historical state takeaways of local funds…" The phrase is a bit over the top and elicits feelings of fear and desire to correct those missing funds with the passage of Measure W.

However, the photographs and statements in the mass mailing are not sufficiently inflammatory and argumentative to conclude that the mass mailing constituted campaign activity rather than informational material. Thus, the Enforcement Division cannot conclude that the mass mailings in question violated the Act's prohibition against campaign mass mailings at public expense. Therefore, we are closing this matter with this advisory letter.

Although we are closing our file, please be advised of the provisions in the Act and regulations regarding campaign-related communications. If you need additional guidance, you may contact the Commission's Advice team by sending an email to advice@fppc.ca.gov. There is also information pertaining to campaign-related communications and advertisement disclosure requirements available on the Commission's website, www.fppc.ca.gov and www.fppc.ca.gov/learn/campaign-rules/campaign-related-communications-at-public-expense.html.

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[6] Section 82031; Regulation 18420.1, subd. (a).
[7] Section 82013, subd. (b).
[8] Section 84200, subd. (b).
[9] Section 84204.
[10] *See* Norton Advice Letter (A-21-120)

Should you have any questions regarding this letter, please feel free to contact me at arose@fppc.ca.gov or (279) 237-3752.

Sincerely,

Alex J Rose

Alex J. Rose
Senior Commission Counsel, Enforcement Division