

**Meeting Date:** 4/2/2013

**Report Type:** Consent

**Report ID:** 2013-00260



**City Council Report**

915 I Street, 1<sup>st</sup> Floor

[www.CityofSacramento.org](http://www.CityofSacramento.org)

**Title:** Ordinance Modifications to City Code Chapter 2.13 (Contribution Limits) Periodic Review

**Location:** Citywide

**Issue:** City Code requires periodic updating to campaign contribution limits based on changes in the consumer price index.

**Recommendation:** Pass an Ordinance amending City Code Chapter 2.13 (Contribution Limits) to reflect changes in the Consumer Price Index.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200; and Shirley Concolino, City Clerk, (916) 808-7200, City Clerk's Office

**Presenter:** None

**Department:** City Clerk

**Division:** City Clerk

**Dept ID:** 04001011

**Attachments:**

- 1-Description/Analysis
- 2-Background
- 3-Ordinance Redlined
- 4-Ordinance Final

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**City Attorney Review**

Approved as to Form  
Matthew Ruyak  
3/20/2013 11:33:36 AM

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**Approvals/Acknowledgements**

Department Director or Designee: Dawn Bullwinkel - 3/18/2013 3:56:41 PM



## Description/Analysis

**Issue:** City Code requires periodic updating to campaign contribution limits based on changes in the consumer price index.

**Policy Considerations:** Approving updates to the contribution limits is in alignment with procedures contained in the City Code. Alternatively, as is provided in City Code section 2.13.120(B), the City Council may, in lieu of the cost of living adjustment, adjust the limits as determined appropriate.

**Economic Impacts:** None.

**Environmental Considerations:** None.

**Sustainability:** None.

**Commission/Committee Action:** Reviewed and approved by the Law and Legislation Committee on March 12, 2013.

**Rationale for Recommendation:** In compliance with City Code, update the various limits to reflect changes in the Consumer Price Index (CPI).

**Financial Considerations:** Updating the contribution limits to reflect changes in the CPI provide campaign committees with the ability to raise funds for election expenses in correlation to the rising cost of consumer services.

**Emerging Small Business Development (ESBD):** Not applicable.

**Background:**

City Code sections 2.13.120 and 2.14.320 – pertaining to contribution limits and campaign financing – require a periodic review of the various campaign limits. These limits include campaign contributions, campaign spending limits, public matching funds, aggregate off-year limits, and contributions to legal defense funds. As provided in the City Code, the City Clerk shall bring forth amendments in March of every odd year updating these limits to reflect any increase or decrease in the Consumer Price Index for All Urban Consumers (CPI-U) over the previous two years (2011 and 2012). Based on the activity of the CPI-U (3.2% and 2.1% respectively), the amendments will reflect the “proposed limits” column of the following table.

City Code Section 2.14.320(E) provides that in any budget year in which funds for public funding of campaigns are not included in the Campaign Reform Fund budget, such limits shall not be adjusted. Therefore, the limits for campaign spending and public matching funds are not being adjusted at this time.

<b>Limit Type</b>	<b>Office</b>	<b>2011 Approved Limits</b>	<b>2013 Proposed Limits</b>
Contribution Limits – From: Person From: Large Political Committee	To: Councilmember	1,500 5,050	1,600 5,350
Contribution Limits – From: Person From: Large Political Committee	To: Mayor	3,050 10,100	3,200 10,650
Aggregate Off-Year Contributions	Councilmember	25,300	26,650
Aggregate Off-Year Contributions	Mayor	50,600	53,300
Legal Defense Fund Contributions	Councilmember and Mayor	1,000	1,050

In addition, as an administrative clean up, all provisions relating to “charter commissioner” are being deleted. These provisions are contained in Section 2.13.040 (definitions) and Subsection (G) of Section 2.13.050.



**ORDINANCE NO. 2013-\_\_\_\_\_**

Adopted by the Sacramento City Council

\_\_\_\_\_, 2013

**AMENDING SECTIONS 2.13.040, 2.13.050, 2.13.065, 2.13.080, AND 2.13.085 OF THE SACRAMENTO CITY CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:**

SECTION 1. Section 2.13.040 of the Sacramento City Code is amended as follows:

A. The definition of "Charter commissioner" is deleted as follows:

~~"Charter commissioner" means a person serving on an elected charter commission pursuant to Government Code Sections 34451 et seq.;~~

B. The definition of "City office" is amended to read:

"City office" means the offices of mayor, and city council member, ~~and charter commissioner.~~

C. Except as specifically amended as set forth in subsections A and B above, Section 2.13.040 remains unchanged and in full force and effect.

SECTION 2.

Subsection A of Section 2.13.050 of the Sacramento City Code is amended to read as follows:

A. Councilmembers. Contributions to candidates for the office of city councilmember shall be subject to the following limitations in addition to the limitations established by Article 3 of Chapter 5 of the Political Reform Act (Government Code Sections 85301 through 85307):

1. Contributions by Persons. No person shall make, and no candidate for the office of city councilmember, or a controlled committee of such candidate, or person acting by or on behalf of such candidate or such candidate's controlled committee shall accept, any contribution ~~which~~that would cause the total amount contributed by that person to the candidate, or to the candidate's controlled committee, to exceed ~~one thousand five hundred dollars (\$1,500.00)~~ six hundred dollars (\$600.00) in any of the following periods: a primary election period; a general election period; or a special election period; ~~provided that, to the extent~~if the Political Reform Act establishes a lower limit for special elections, the lower limit ~~shall~~applies.

2. Contributions by Large Political Committees. No large political

committee shall make, and no candidate for the office of city council member, or a controlled committee of such controlled committee, or person acting by or on behalf of such candidate or such candidate's controlled committee shall accept, any contribution ~~which that~~ would cause the total amount contributed by that large political committee to the candidate, or to the candidate's controlled committee, to ~~exceed five thousand three hundred fifty dollars (\$5,050350.00)~~ in any of the following periods: a primary election period; a general election period; or a special election period. ~~If; provided that, to the extent~~ the Political Reform Act establishes a lower limit for special elections, the lower limit ~~shall applyies~~.

### SECTION 3.

Subsection B of Section 2.13.050 of the Sacramento City Code is amended to read as follows:

B. Mayor. Contributions to candidates for the office of mayor shall be subject to the following limitations in addition to the limitations established by Article 3 of Chapter 5 of the Political Reform Act (Government Code ~~S~~sections 85300 through 85307):

1. Contributions by Persons. No person shall make, and no candidate for the office of mayor, or a controlled committee of such candidate, or person acting by or on behalf of such candidate or such candidate's controlled committee, shall accept into the candidate's campaign contribution account, any contribution ~~which that~~ would cause the total amount contributed by that person to the candidate, or to the candidate's controlled committee to exceed ~~three thousand fifty two hundred dollars (\$3,050200.00)~~ in any of the following periods: a primary election period; a general election period; or a special election period. ~~If; provided that, to the extent~~ the Political Reform Act establishes a lower limit for special elections, the lower limit ~~shall applyies~~.

2. Contributions by Large Political Committees. No large political committee shall make, and no candidate for the office of mayor, or a controlled committee of the candidate or such candidate's controlled committee, or person acting by or on behalf of such candidate or such candidate's controlled committee shall accept, any contribution which would cause the total amount contributed by that large political committee to the candidate, or to the candidate's controlled committee, to exceed ~~ten thousand one six hundred fifty dollars (\$10,100650.00)~~ in any of the following periods: a primary election period; a general election period; or a special election period. ~~If; provided that, to the extent~~ the Political Reform Act establishes a lower limit for special elections, the lower limit ~~shall applyies~~.

### SECTION 4.

Subsection G of Section 2.13.050 of the Sacramento City Code is deleted as follows:

~~G. ——— Charter Commissioners. Contributions to candidates for the office of charter commissioner shall be subject to the following limitations in addition to the limitations established by Article 3 of Chapter 5 of the Political Reform Act (Government Code Sections 85301 through 85307):~~

~~1. Contributions by Persons. No person shall make, and no candidate for the office of charter commissioner, or a controlled committee of such candidate, or person acting by or on behalf of such candidate or such candidate's controlled committee shall accept any contribution which would cause the total amount contributed by that person to the candidate, or to the candidate's controlled committee, to exceed five hundred dollars (\$500.00);~~

~~2. Contributions by Large Political Committees. No large political committee shall make, and no candidate for the office of charter commissioner, or a controlled committee of such candidate, or person acting by or on behalf of such candidate or such candidate's controlled committee shall accept, any contribution which would cause the total amount contributed by that large political committee to the candidate, or to the candidate's controlled committee, to exceed one thousand five hundred dollars (\$1,500.00);~~

~~3. Contribution limits to a candidate for the office of charter commissioner are per charter commission election. The provisions of this chapter governing primary elections, general elections, special elections, and off-election years shall not be applicable to a candidate for the office of charter commissioner.~~

## SECTION 5.

Section 2.13.065 of the Sacramento City Code is amended to read as follows:

A. Candidate for City Council Position. A candidate or controlled committee of a candidate for a city council position other than mayor shall provide the following written notice:

### NOTICE

Chapter 2.13 of the Sacramento City Code limits the amounts that a contributor may give to a candidate for a City Council position for a primary, general or special election. Generally, a contributor other than a large political committee may not give more than \$1,~~500-600~~ to a candidate for a City Council position for a primary, general or special election, while a large political committee may not give more than \$5,~~050-350~~ to a candidate for City Council for a primary, general or special election. Chapter 2.13 contains certain other rules that may affect the amounts that an individual contributor may give. Please read Chapter 2.13 before making a contribution to my campaign.

B. Candidate for Mayoral Position. A candidate or controlled committee of a candidate for mayor shall provide the following written notice:

### NOTICE

Chapter 2.13 of the Sacramento City Code limits the amounts that a contributor may give to a candidate for Mayor for a primary, general or special election. Generally, a contributor other than a large committee may not give more than \$3,~~050-200~~ to a candidate for Mayor for a primary, general or special election, while a large political committee may not give more than \$10,~~400-650~~ to a candidate for Mayor for a primary,

general or special election. Chapter 2.13 contains certain other rules that may affect the amounts that an individual contributor may give. Please read Chapter 2.13 before making a contribution to my campaign.

C. Candidate for Charter Commissioner. A candidate or controlled committee of a candidate for a charter commission position shall provide the following written notice:

#### NOTICE

Chapter 2.13 of the Sacramento City Code limits the amounts that a contributor may give to a candidate for charter commission position. Generally, a contributor other than a large political committee may not give more than \$500 to a candidate for a charter commission position, while a large political committee may not give more than \$1,500 to a candidate for charter commission. Chapter 2.13 contains certain other rules that may affect the amounts that an individual contributor may give. Please read Chapter 2.13 before making a contribution to my campaign.

#### SECTION 6.

Subsection A of Section 2.13.080 of the Sacramento City Code is amended to read as follows:

##### A. Aggregate Limits.

1. Except as provided in subsection (A)(2) of this section, the following aggregate off-election year contribution limits ~~shall~~ apply:

a. No councilmember or candidate for the city office of councilmember shall accept contributions totaling more than ~~twenty-five six thousand three six hundred fifty dollars (\$25,300.00)~~ 26,650.00 in any single off-election year.

b. No mayor or candidate for the city office of mayor shall accept contributions totaling more than ~~fifty three thousand six three hundred dollars (\$50,600.00)~~ 53,300.00 in any single off-election year.

#### SECTION 7.

Subsection E of Section 2.13.085 of the Sacramento City Code is amended to read as follows:

E. No person (other than the officer or candidate) shall make, and no legal expense fund committee for an elective city officer or candidate for elective city office shall solicit or accept, contributions from any person to a legal defense fund totaling more than ~~one thousand fifty dollars (\$1,000.00)~~ 50.00.



**ORDINANCE NO. 2013-\_\_\_\_\_**

Adopted by the Sacramento City Council

\_\_\_\_\_, 2013

**AMENDING SECTIONS 2.13.040, 2.13.050, 2.13.065, 2.13.080, AND  
2.13.085 OF THE SACRAMENTO CITY CODE  
RELATING TO CAMPAIGN CONTRIBUTION LIMITS**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:**

SECTION 1. Section 2.13.040 of the Sacramento City Code is amended as follows:

- A. The definition of “Charter commissioner” is deleted.
- B. The definition of “City office” is amended to read:  
     “City office” means the offices of mayor and city council member.
- C. Except as specifically amended as set forth in subsections A and B above, Section 2.13.040 remains unchanged and in full force and effect.

SECTION 2.

Subsection A of Section 2.13.050 of the Sacramento City Code is amended to read as follows:

- A. Councilmembers. Contributions to candidates for the office of city councilmember shall be subject to the following limitations in addition to the limitations established by Article 3 of Chapter 5 of the Political Reform Act (Government Code Sections 85301 through 85307):
  - 1. Contributions by Persons. No person shall make, and no candidate for the office of city councilmember, or a controlled committee of such candidate, or person acting by or on behalf of such candidate or such candidate’s controlled committee shall accept, any contribution that would cause the total amount contributed by that person to the candidate, or to the candidate’s controlled committee, to exceed \$1,600 in any of the following periods: a primary election period; a general election period; or a special election period. If the Political Reform Act establishes a lower limit for special elections, the lower limit applies.
  - 2. Contributions by Large Political Committees. No large political committee shall make, and no candidate for the office of city council member, or a controlled committee of such controlled committee, or person acting by or on behalf of such candidate or such candidate’s controlled committee shall accept, any contribution that would cause the total amount contributed by that large political committee to the candidate, or to the candidate’s controlled committee, to \$5,350 in any of the following

periods: a primary election period; a general election period; or a special election period. If the Political Reform Act establishes a lower limit for special elections, the lower limit applies.

### SECTION 3.

Subsection B of Section 2.13.050 of the Sacramento City Code is amended to read as follows:

B. Mayor. Contributions to candidates for the office of mayor shall be subject to the following limitations in addition to the limitations established by Article 3 of Chapter 5 of the Political Reform Act (Government Code sections 85300 through 85307):

1. Contributions by Persons. No person shall make, and no candidate for the office of mayor, or a controlled committee of such candidate, or person acting by or on behalf of such candidate or such candidate's controlled committee, shall accept into the candidate's campaign contribution account, any contribution that would cause the total amount contributed by that person to the candidate, or to the candidate's controlled committee to exceed \$3,200 in any of the following periods: a primary election period; a general election period; or a special election period. If the Political Reform Act establishes a lower limit for special elections, the lower limit applies.

2. Contributions by Large Political Committees. No large political committee shall make, and no candidate for the office of mayor, or a controlled committee of the candidate or such candidate's controlled committee, or person acting by or on behalf of such candidate or such candidate's controlled committee shall accept, any contribution which would cause the total amount contributed by that large political committee to the candidate, or to the candidate's controlled committee, to exceed \$10,650 in any of the following periods: a primary election period; a general election period; or a special election period. If the Political Reform Act establishes a lower limit for special elections, the lower limit applies.

### SECTION 4.

Subsection G of Section 2.13.050 of the Sacramento City Code is deleted.

### SECTION 5.

Section 2.13.065 of the Sacramento City Code is amended to read as follows:

A. Candidate for City Council Position. A candidate or controlled committee of a candidate for a city council position other than mayor shall provide the following written notice:

#### NOTICE

Chapter 2.13 of the Sacramento City Code limits the amounts that a contributor may give to a candidate for a City Council position for a primary, general or special election.

Generally, a contributor other than a large political committee may not give more than \$1,600 to a candidate for a City Council position for a primary, general or special election, while a large political committee may not give more than \$5,350 to a candidate for City Council for a primary, general or special election. Chapter 2.13 contains certain other rules that may affect the amounts that an individual contributor may give. Please read Chapter 2.13 before making a contribution to my campaign.

B. Candidate for Mayoral Position. A candidate or controlled committee of a candidate for mayor shall provide the following written notice:

#### NOTICE

Chapter 2.13 of the Sacramento City Code limits the amounts that a contributor may give to a candidate for Mayor for a primary, general or special election. Generally, a contributor other than a large committee may not give more than \$3,200 to a candidate for Mayor for a primary, general or special election, while a large political committee may not give more than \$10,650 to a candidate for Mayor for a primary, general or special election. Chapter 2.13 contains certain other rules that may affect the amounts that an individual contributor may give. Please read Chapter 2.13 before making a contribution to my campaign.

#### SECTION 6.

Subsection A of Section 2.13.080 of the Sacramento City Code is amended to read as follows:

A. Aggregate Limits.

1. Except as provided in subsection (A)(2) of this section, the following aggregate off-election year contribution limits apply:

a. No councilmember or candidate for the city office of councilmember shall accept contributions totaling more than \$26,650 in any single off-election year.

b. No mayor or candidate for the city office of mayor shall accept contributions totaling more than \$53,300 in any single off-election year.

#### SECTION 7.

Subsection E of Section 2.13.085 of the Sacramento City Code is amended to read as follows:

E. No person (other than the officer or candidate) shall make, and no legal expense fund committee for an elective city officer or candidate for elective city office shall solicit or accept, contributions from any person to a legal defense fund totaling more than \$1,050.