REPORT TO COUNCIL
City of Sacramento

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Consent

February 27, 2007

Honorable Mayor and
Members of the City Council

Title: Amend City Code to adjust contribution, campaign spending and public financing limits

Location/Council District: Citywide

Recommendation: 1) Review an **Ordinance** amending various sections of Chapters 2.13 Contribution Limits and 2.14 Campaign Spending Limits and Public Financing of the Sacramento City Code to adjust limits to changes in the consumer price index; 2) pass for publication the Ordinance title as required by Sacramento City Charter Section 32c; and 3) continue to March 6, 2007 for final adoption.

Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Shirley Concolino, City Clerk, 808-5442.

Presenters: N/A

Department: City Clerk

Division: N/A

Organization No: 0700

Description/Analysis

Issue: Adjust the various financial limits contained in the contribution and campaign spending and finance sections of the City Code to reflect changes in the consumer price index.

Policy Considerations: None

Environmental Considerations: None

Commission/Committee Action: None

Rationale for Recommendation: In compliance with City Code, update the various limits to reflect changes in the consumer price index.

Financial Considerations: N/A

Emerging Small Business Development (ESBD): N/A

Respectfully Submitted by: S. Mizuno
Stephanie Mizuno
Assistant City Clerk

Recommendation Approved:

Shirley Concolino
Shirley Concolino
City Clerk

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Attachment 1

Background:

City Code Section 2.13.120 pertaining to contribution limits and 2.14.320 pertaining to spending limits and public campaign financing provides for a periodic review of the various campaign limits contained in these Code sections. These limits include campaign contributions, campaign spending limits, public matching funds, aggregate off-year limits and contributions to legal defense funds. As provided in 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. Based on the activity of the CPI-U (6.6%), the amendments will reflect the increases listed in the "proposed limits" column of the following table.

Limit Type	Chapter	Office	Original Limits	1st Amended Limits	Proposed Limits
Campaign Spending Limits	Chapter 2.14 (rounded to the nearest $1,000)	Councilmember Mayor	75,000 500,000	77,000 514,000	82,000 548,000
Public Matching Fund Limits	Chapter 2.14 (percent of spending limits)	Councilmember Mayor	30,000 100,000	30,800 102,800	32,800 109,600
Aggregate Off-Year Contributions	Chapter 2.13 (rounded to the nearest $50)	Councilmember Mayor	15,000 30,000	16,450 32,900	17,550 35,150
Legal Defense Fund Contributions	Chapter 2.13 (rounded to nearest $50)	Councilmember and Mayor	750	800	900

Limit Type	Chapter	To: Office / From: Contributor Type	Original Limits	1st Amended Limits	Proposed Limits
Campaign Contributions	Chapter 2.13 (rounded to nearest $50	Councilmember - Person Large Political Committee	750 3,000	800 3,300	900 3,500
Campaign Contributions	Chapter 2.13 (rounded to nearest $50	Mayor - Person Large Political Committee	1,000 5,000	1,100 5,500	1,150 5,850
Campaign Contributions	Chapter 2.13 (rounded to nearest $50	Committee - Person Large Political Committee	750 3,000	800 3,300	900 3,500

Attachment 2

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AMENDING SECTIONS 2.13.050, 2.13.065, 2.13.080, 2.13.085, 2.14.050, AND 2.14.140 OF THE SACRAMENTO CITY CODE RELATING TO CAMPAIGN CONTRIBUTION AND SPENDING LIMITS

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

SECTION 1. Subsection (A) of Section 2.13.050 of the Sacramento City Code is amended to read as follows:

A. Council Members.

Contributions to candidates for the office of city council member 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—85307):

1. Contributions by Persons.

No person shall make, and no candidate for the office of city council member, 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 ~~eight hundred dollars ($800.00)~~ nine hundred dollars ($900.00) in any of the following periods: a primary election period; a general election period; or a special election period; provided that, to the extent the Political Reform Act establishes a lower limit for special elections, the lower limit shall apply.

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 would cause the total amount contributed by that large political committee to the candidate, or to the candidate's controlled committee, to exceed ~~three thousand three hundred dollars ($3,300.00)~~ three thousand five hundred dollars ($3,500.00) in any of the following periods: a primary election period; a general election

period; or a special election period; provided that, to the extent the Political Reform Act establishes a lower limit for special elections, the lower limit shall apply.

SECTION 2. 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—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 would cause the total amount contributed by that person to the candidate, or to the candidate's controlled committee to exceed ~~one thousand one hundred dollars ($1,100.00)~~ one thousand one hundred fifty dollars ($1,150.00) in any of the following periods: a primary election period; a general election period; or a special election period; provided that, to the extent the Political Reform Act establishes a lower limit for special elections, the lower limit shall apply.

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 ~~five thousand five hundred dollars ($5,500.00)~~ five thousand eight hundred fifty dollars ($5,850.00) in any of the following periods: a primary election period; a general election period; or a special election period; provided that, to the extent the Political Reform Act establishes a lower limit for special elections, the lower limit shall apply.

SECTION 3. Subsection (D) of Section 2.13.050 of the Sacramento City Code is amended to read as follows:

D. Contributions to Committees.

No person shall make to any committee which contributes to any candidate for city elective office or makes expenditures for or against any candidate for city elective office, and no such committee shall accept from any person a contribution or contributions totaling more than ~~eight hundred dollars ($800.00)~~ nine hundred dollars ($900.00) in a calendar year; and no large political committee shall make to any committee which contributes to

any candidate for city elective office or makes expenditures for or against any candidate for city elective office, and no such committee shall accept from any large political committee a contribution or contributions totaling more than ~~three thousand three hundred dollars ($3,300.00)~~ three thousand five hundred dollars ($3,500.00) in a calendar year. The provisions of this subsection shall not apply to contributions to candidates and candidate-controlled committees, which shall be subject to the limits set forth in subsections A and B of this section.

SECTION 4. Subsections (A) and (B) of Section 2.13.065 of the Sacramento City Code is amended to read as follows:

2.13.065 Written solicitations by candidates.

Any candidate or controlled committee of a candidate making a written solicitation for a contribution to the candidate's campaign for city elective office shall include one of the following written notices in no less than ten-point type on each solicitation.

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 ~~$800~~ $900 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 ~~$3,300~~ $3,500 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 ~~$1,100~~ $1,150 to a candidate for Mayor for a primary, general or special election, while a large political committee may not give more than ~~$5,500~~ $5,850 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 5. 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 ~~sixteen thousand four hundred and fifty dollars ($16,450.00)~~ seventeen thousand five hundred fifty dollars ($17,550.00) in any single off-election year.

b. No mayor or candidate for the city office of mayor shall accept contributions totaling more than ~~thirty two thousand nine hundred dollars ($32,900.00)~~ thirty five thousand one hundred fifty dollars ($35,150.00) in any single off-election year.

2. Exception: Contributions to Pay Off Campaign Debt.

Notwithstanding the limits set forth in subsection (A)(1) of this section, a contributor may make, and a candidate or former candidate may accept, a contribution to pay off debts incurred for a primary or other election occurring prior to the date of the contribution, provided that the aggregate of contributions made to the candidate for one or more city offices does not exceed the contribution limits set forth in Section 2.13.050 of this chapter, and the contribution is properly reported on any required campaign statement filed under the Political Reform Act or the Regulations or any required city supplemental statement or form.

SECTION 6. 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 ~~eight hundred dollars ($800.00)~~ nine hundred dollars ($900.00).

SECTION 7. Subsections (A) and (B) of Section 2.14.050 of the Sacramento City Code is amended to read as follows:

2.14.050 Spending limitations.

A. No candidate for the office of city council member who files a statement of

acceptance of financing from the Campaign Reform Fund pursuant to Section 2.14.100(A), and whose statement is not rescinded pursuant to Section 2.14.100(C), shall make campaign expenditures in an election for the office of city council member in excess of the following amounts:

1. ~~Seventy-seven thousand dollars ($77,000.00)~~ Eighty-two thousand dollars ($82,000.00) in a primary election period; and

2. ~~Seventy-seven thousand dollars ($77,000.00)~~ Eighty-two thousand dollars ($82,000.00) in a general or special election period.

B. No candidate for the office of mayor who files a statement of acceptance of financing from the Campaign Reform Fund pursuant to Section 2.14.100 and whose statement is not rescinded pursuant to Section 2.14.100, shall make campaign expenditures in excess of the following amounts:

1. ~~Five hundred and fourteen thousand dollars ($514,000.00)~~ Five hundred and forty eight thousand dollars ($548,000.00) in a primary election period; and

2. ~~Five hundred and fourteen thousand dollars ($514,000.00)~~ Five hundred and forty eight thousand dollars ($548,000.00) in a general or special election period.

C. Although only candidates for city office who have filed a statement of acceptance of financing are subject to the expenditure limitations set forth in subsections A and B of this section, it is the intent of this section that such expenditure limitations apply to all candidates for the following purposes:

1. For purposes of determining when otherwise applicable expenditure limitations no longer apply to candidates who have filed a statement of acceptance; and

2. For purposes of determining when a candidate must provide the notification required by Section 2.14.100.

SECTION 8. Section 2.14.140 of the Sacramento City Code is amended to read as follows:

2.14.140 Formula for payment of city funds.

A candidate who is eligible to receive payments from the Campaign Reform Fund shall receive payments on the basis of the following formula: For a contribution or contributions totaling two hundred fifty dollars ($250.00) or less from a single source that is received within that period of time beginning on the 1st of January preceding the date of the primary election and running through to the end of that primary election period, or that period of time beginning on the first day of the general election period and running through to the end of that general election period, or that period of time beginning eighty-eight (88) days prior to the date of a special election and running through to the end of that special

election period, a matching ratio of one dollar from the Campaign Reform Fund for each dollar received up to a maximum city match of: (1) ~~thirty thousand eight hundred dollars ($30,800.00)~~ thirty two thousand eight hundred dollars ($32,800.00) per election period per candidate for the office of city council member; and (2) ~~one hundred and two thousand eight hundred dollars ($102,800.00)~~ one hundred nine thousand six hundred dollars ($109,600.00) per election period per candidate for the office of mayor. It is the intent of this section to provide a city match of two hundred fifty dollars ($250.00) even though the total contribution or contributions from a single source exceeds two hundred fifty dollars ($250.00). It is the further intent of this section that matching funds shall not be paid during the primary election period for contributions made earlier than the 1st of January preceding the date of the primary election; that matching funds shall not be paid during the general election period for contributions made prior to the first day of the general election period; and that matching funds shall not be paid during a special election period for contributions made earlier than eighty-eight (88) days prior to the date of the special election.