

ORDINANCE NO. 2009-020

Adopted by the Sacramento City Council

April 14, 2009

AMENDING SECTIONS 2.13.050, 2.13.065, 2.13.080, 2.13.085, AND 2.13.120 OF CHAPTER 2.13, AND AMENDING SECTIONS 2.14.050, 2.14.140, AND 2.14.320 OF CHAPTER 2.14 OF THE SACRAMENTO CITY CODE RELATING TO CAMPAIGN CONTRIBUTION AND SPENDING LIMITS AND PUBLIC FUNDING OF CAMPAIGNS

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

Section 1. Section 2.13.050 of the Sacramento City Code is amended as follows:

A. Subsection A of Section 2.13.050 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 one thousand five hundred dollars (\$1,500.00) 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.
 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 five thousand dollars (\$5,000.00) 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.

B. Subsection B of Section 2.13.050 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 three thousand dollars (\$3,000.00) 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 ten thousand dollars (\$10,000.00) 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.

C. Subsection F is added to Section 2.13.050 to read as follows:

- F.** Subsection D of this section 2.13.050 relating to contributions to committees shall be of no further force and effect until further legislative action is taken by the City Council by ordinance.

D. Except as specifically amended by the amendments to subsections A and B, and the addition of subsection F, Section 2.13.050 shall remain unchanged and in full force and effect.

Section 2. 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 \$1,500 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 \$5,000 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 \$3,000 to a candidate for Mayor for a primary, general or special election, while a large political committee may not give more than \$10,000 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 3. 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 thousand dollars (\$25,000.00) in any single off-election year.
 - b. No mayor or candidate for the city office of mayor shall accept contributions totaling more than fifty thousand dollars (\$50,000.00) in any single off-election year.

Section 4. 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 dollars (\$1,000.00).

Section 5. Section 2.13.120 of the Sacramento City Code is amended to read as follows:

2.13.120 Periodic review.

- A. The contribution limits set forth in this chapter shall be adjusted in the first quarter of every odd-numbered year to reflect any increase or decrease in the cost of living over the previous two-year period, as shown by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U). Such adjustments shall be rounded off to the nearest fifty dollars (\$50.00). No later than March 31st of each odd-numbered year, the city clerk shall bring forth to the city council an ordinance amending the contribution limit amounts stated in this chapter to reflect the increase or decrease in the CPI-U pursuant to this section.
- B. In addition to, or in lieu of, the cost of living adjustments provided for in subsection A, above, the city council may adjust the contribution limits set forth in this chapter at any time and in the amounts that it determines to be appropriate by adoption of an ordinance amending this chapter.

Section 6. Section 2.14.050 of the Sacramento City Code is amended as follows:

A. Subsection A of Section 2.14.050 is amended to read as follows:

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. Eighty-eight thousand dollars (\$88,000.00) in a primary election period; and
- 2. Eighty-eight thousand dollars (\$88,000.00) in a general or special election period.

B. Subsection B of Section 2.14.050 is amended to read as follows:

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 eighty-five thousand dollars (\$585,000.00) in a primary election period; and

2. Five hundred eighty-five thousand dollars (\$585,000.00) in a general or special election period.

C. **Except as specifically amended by the amendments to subsections A and B, section 2.14.050 shall remain unchanged and in full force and effect.**

Section 7. **Subsection (B) of section 2.14.140 of the Sacramento City Code is amended to read as follows:**

B. **Maximum Match.** The total amount of public funds paid to a candidate shall not exceed: (1) thirty-five thousand two hundred dollars (\$35,200.00) per election period per candidate for the office of city council member; and (2) one hundred seventeen thousand dollars (\$117,000.00) 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.

Section 8. **Section 2.14.320 of the Sacramento City Code is amended to read as follows:**

2.14.320 Periodic review.

A. Except as provided in subsection E, below, the expenditure limitations set forth in Section 2.14.050 of Article III of this chapter shall be adjusted in the first quarter of every odd-numbered year to reflect any increase or decrease in the cost of living over the previous two-year period, as shown by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U). Such adjustments shall be rounded off to the nearest thousand dollars.

B. Except as provided in subsection E, below, the matching public fund amounts set forth in Section 2.14.140 of Article IV of this chapter shall be adjusted in the first quarter of every odd-numbered year so that the maximum funds made available in a council race is equal to forty (40) percent of the expenditure limitations, as adjusted under subsection A of this section, and the maximum funds made available in a mayoral race is equal to twenty (20) percent of the expenditure limitations, as adjusted under subsection A of this section.

C. Except as provided in subsection E, below, no later than March 31st of each odd-numbered year, the city clerk shall bring forth to the city council an ordinance amending the expenditure limitation amounts set forth in Section 2.14.050 of Article III of this chapter and the matching public fund amounts set

forth in Section 2.14.140 of Article IV of this chapter to reflect the increase or decrease in the CPI-U pursuant to this section.

- D. In addition to, or in lieu of, the cost of living adjustments provided for in subsections A and B, above, the city council may adjust the expenditure limits and matching public funds amounts set forth in this chapter at any time and in the amounts that it determines to be appropriate.
- E. The expenditure limitation amounts set forth in Section 2.14.050 of Article III of this chapter and the matching public fund amounts set forth in Section 2.14.140 of Article IV of this chapter shall not be adjusted to reflect any increase or decrease in the cost of living over the previous two-year period as provided in this section in any budget year in which funds for public funding of campaigns are not included in the Campaign Reform Budget Unit.

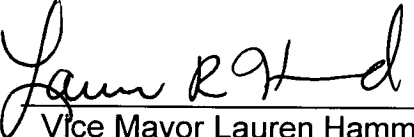
Adopted by the City of Sacramento City Council on April 14, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy,
Tretheway, Waters.

Noes: None.

Abstain: None.

Absent: Mayor Johnson.


Vice Mayor Lauren Hammond

Attest:


Shirley Concolino, City Clerk

Effective: May 14, 2009