



CITY OF GLENDALE, CALIFORNIA
REPORT TO THE:

Joint City Council X Housing Authority Successor Agency Oversight Board

October 4, 2016

AGENDA ITEM

Report: Ordinance for Introduction Amending Chapter 1.10 of the Glendale Municipal Code, 1995, titled *Local Election Campaign Regulations*, relating to: increase the campaign contribution limits for a single election cycle from \$1,000 per person to \$1,100 per person and to add a provision that the future CPI adjustments of said limits may be effectuated by way of a Resolution adopted by the Council.

- 1) Ordinance for Introduction

COUNCIL ACTION

Public Hearing Ordinance Consent Calendar Action Item X Report Only
Approved for _____ calendar

ADMINISTRATIVE ACTION

Submitted by:
Michael J. Garcia, City Attorney

Signature

Prepared by:
Dorine Martirosian, Sr. Assistant City Attorney

Approved by:
Scott Ochoa, City Manager

Reviewed by:
Yasmin K. Beers, Assistant City Manager

Michael J. Garcia, City Attorney

RECOMMENDATION

As directed by the City Council, staff respectfully presents the ordinance amending chapter 1.10 of the Glendale Municipal Code, 1995, relating to the campaign contribution limitation and increasing the campaign contribution limits for a single election cycle from \$1,000 per person to \$1,100 per person and to adding a provision that future CPI adjustments of said limits may be effectuated by way of a Resolution adopted by the Council.

BACKGROUND/ANALYSIS

On September 20, 2016 the City Council considered a report on Glendale Municipal Code, 1995 (GMC) Chapter 1.10, titled *Local Election Campaign Regulations*, pertaining to increasing the current contribution limits from \$1,000 per person to \$1,100 per person and adding a provision that future CPI adjustments of campaign contribution limits may be effectuated by the City Council by way of Resolution.

Although currently, there are no statutory mandated campaign contribution limitations for cities, California Elections Code, Section 10202 authorizes a city to “by ordinance or resolution, limit campaign contributions in municipal elections.”

GMC Section 1.10.030(B), currently provides: “No person shall contribute a total of more than one thousand dollars (\$1,000) to any candidate for city council, city clerk, city treasurer, and to his or her controlled committee for a single election cycle. A candidate....shall not accept any contribution or contributions totaling more than one thousand dollars (\$1,000.00) from any person in a single election cycle...”

Per GMC Section 1.10.030(F), the campaign contributions limits are reviewed on July 1st of even-numbered years and adjusted consistent with the cost of living index. The current \$1,000 campaign contribution limit has not undergone CPI adjustments since its implementation in 2008.

In considering the September 20, 2016 report, the City Council elected to increase the campaign contribution limits to \$1,100, which is less than (by \$10) what said limits would be had the CPI increase been implemented per GMC 1.10.030(F). Council also elected to add a provision where future CPI adjustments, commencing on July 1, 2018 and continuing in even numbered years, may be effectuated by way of a Resolution adopted by the Council.

Council also requested that staff prepare a report for Council's consideration, regarding a candidate's voluntary limitation of campaign expenditure, voluntary limitation of candidate's own contribution to the campaign, and the interrelationship between such voluntary limits and the campaign contribution limit for the candidate. Staff is in the process of researching and preparing the report.

FISCAL IMPACT

There is no cost associated with the amendment of Chapter 1.10.

ALTERNATIVES

Alternative 1: The City Council may choose to introduce the proposed ordinance.

Alternative 2: The City Council may choose to not introduce the proposed ordinance and maintain the existing campaign contributions limits of \$1,000 per person per election cycle.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

CAMPAIGN DISCLOSURE

Not applicable.

EXHIBITS

Exhibit 1: Ordinance for Introduction - Glendale Municipal Code, 1995 – Chapter 1.10

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE AMENDING CHAPTER 1.10 OF THE GLENDALE MUNICIPAL CODE, 1995, RELATING TO LOCAL ELECTION CAMPAIGN REGULATIONS

WHEREAS, on July 29, 2008, the City Council adopted the local election campaign regulations (Campaign Regulations), as codified in the Glendale Municipal Code, 1995 (GMC), Chapter 1.10; and

WHEREAS, since its adoption in 2008, the City Council, through subsequent ordinances has effectuated necessary modifications to the Campaign Regulations; and

WHEREAS, the City Council has considered and deems it appropriate to further modify the Campaign Regulations to raise the current campaign contribution limit from \$1,000 to \$1,100 and to also add a provision where future CPI adjustments, per GMC 1.10.030(F), may be effectuated by way of a Resolution adopted by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE:

SECTION 1. Section 1.10.030 of the Glendale Municipal Code, 1995, is hereby amended to read as follows:

1.10.030 Campaign contribution limits.

A. No intended candidate for any elected city office, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have complied with the requirements of the Political Reform Act of 1974 as amended.

B. No person shall contribute a total of more than one thousand one hundred dollars (\$1,100.00) to any candidate for city council, city clerk, city treasurer, and to his or her controlled committee for a single election cycle. A candidate for city council, city clerk or city treasurer, and his or her controlled committee shall not accept any contribution or contributions totaling more than one thousand one hundred dollars (\$1,100.00) from any person in a single election cycle. Nothing in this section is intended to limit the amount a candidate can contribute to his or her candidacy directly or by a personal loan for city council, city clerk or city treasurer from his or her own personal funds.

C. Contributions by a husband and wife shall be treated as separate contributions and shall not be aggregated. Contributions by children under eighteen (18) years of age shall be treated as contributions by their parents and attributed proportionally to each parent—one-half to each parent or the total amount to a single custodial parent.

D. Contributions made or received on the day immediately after an election to and including November 1st of the same year shall only be used for the payment of debts as set

forth under Section 1.10.090 or as surplus or excess funds pursuant to Section 1.10.080 to be used only as permitted under the State Political Reform Act (Government Code Section 89511 et seq.) as it now exists or may hereafter be amended, or to establish an officeholder's account pursuant to Section 1.10.085.

E. Contributions may be solicited and received by a holder of elected office for an officeholder's account up to a maximum annual limit of ten thousand dollars (\$10,000.00) subject to the contribution limits and the limit on fund raising to replenish the account as set forth in this chapter.

F. The contribution limits set forth herein shall be reviewed in July of each even-numbered year commencing July 1, 2010 and shall be adjusted, by resolution adopted by the City Council, consistent with the cost of living index (CPI—All Urban Consumers) Los Angeles, Long Beach, Anaheim. The adjustment shall be rounded up to the nearest ten dollars (\$10.00). (Ord. 5839 § 1, 2014; Ord. 5744 § 3, 2011; Ord. 5668 § 1, 2009; Ord. 5621 § 1, 2008)

SECTION 2. Section 1.10.070 of the Glendale Municipal Code, 1995, is hereby amended to read as follows:

1.10.070 Nonmonetary contributions—Limits, receipts, retention.

A. No committee or candidate shall accept or receive a nonmonetary contribution with a fair market value in excess of one thousand one hundred dollars (\$1,100.00). A contribution of a nonmonetary contribution of one hundred dollars (\$100.00) or more shall provide the campaign treasurer with a receipt or a voucher that itemizes and identifies the goods or services contributed and states the fair market value of such goods or services. The campaign treasurer shall maintain all receipts and vouchers for a period of four (4) years from the date of the final report. The campaign treasurer shall make available to the city attorney, the city clerk, the district attorney, the California Attorney General and the Secretary of State or their designees on demand, the details of any account requested and the records supporting it.

B. Nonmonetary contributions shall be aggregated with monetary contributions. No person shall exceed the one thousand one hundred dollar (\$1,100.00) limit on contributions to a candidate for local elective office as set forth in this chapter.

C. Nothing in this section shall apply to volunteer services, including but not limited to, manning of phone banks, walking precincts, or providing other similar volunteer services. The value of a volunteer's "time" is not to be considered a nonmonetary contribution for purposes of this chapter. The use of someone's personal residence to host a candidate either for a fund raiser, meet the candidate or candidate's forum, shall not be considered a nonmonetary contribution. Incidental food and beverage served at a personal residence under this subsection shall not be considered a contribution under this chapter. (Ord. 5621 § 1, 2008)

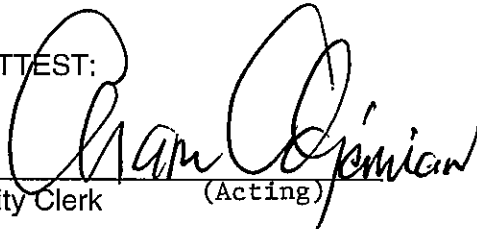
SECTION 3. Severability. This Ordinance is adopted under the authority of the Charter of the city of Glendale and State law. If any section, subsection, clause or phrase is declared invalid or otherwise void by a court of competent jurisdiction, it shall not affect any remaining provision hereof. In this regard the city council finds and declares that it would have adopted this measure notwithstanding any partial invalidity hereof.

SECTION 4. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage.

Passed by the Council of the City of Glendale on the 18th day of October, 2016.



Mayor

For Atty
ATTEST: 

City Clerk (Acting)

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF GLENDALE)

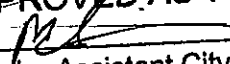
I, Ardashes Kassakhian, City Clerk of the city of Glendale, certify that the foregoing Ordinance No. 5889 was passed by a majority vote of the Council of the city of Glendale, California, at a regular meeting held on the 18th day of October, 2016, and that the same was passed by the followed vote.

Ayes: Friedman, Gharpetian, Sinanyan, Najarian
Noes: None
Absent: Devine
Abstain: None

For Atty


City Clerk (Acting)

APPROVED AS TO FORM



Senior Assistant City Attorney
Date 10/5/16