

Chapter 2.55 LOCAL CAMPAIGN FINANCE REGULATIONS

Sections:

- 2.55.010 Pay-to-Play Restrictions**
- 2.55.020 Enforcement**
- 2.55.030 Campaign Contribution Limits to City Elective Office Candidates**

2.55.010 Pay-to-Play Restrictions

- A. Definitions. The definitions set forth in this subdivision shall govern the interpretation of this Section 2.55.010:
- (1) “Party” means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.
 - (2) “Participant” means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7 of Title 9 of the Government Code. A person actively supports or opposes a particular decision in a proceeding if he or she lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.
 - (3) “Elected Official” means any elected official of the City including the Mayor and all City Council Members.
 - (4) “License, permit, contract, or other entitlement for use” means all business, professional, trade and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.
 - (5) “Contribution” includes contributions to candidates and committees in federal, state, or local elections.
- B. Prohibition on Soliciting and Accepting Certain Contributions. No Elected Official shall accept, solicit, or direct a contribution of more than two hundred and fifty dollars (\$250.00) from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, contract, or other entitlement for use is pending before the City and for three (3) months following the date a final decision is rendered in the proceeding if the Elected Official knows or has reason to know that the participant has a financial interest, as that term is
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used in Article 1 (commencing with Section 87100) of Chapter 7 of Title 9 of the Government Code. This prohibition shall apply regardless of whether the Elected Official accepts, solicits, or directs the contribution for himself or herself, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

- C. Elected Official Disclosure Requirements. Prior to rendering any decision in a proceeding involving a license, permit, contract, or other entitlement for use pending before the City, each Elected Official who received a contribution since their last California Fair Political Practices Commission (“FPPC”) Form 460 Filing (Recipient Committee Campaign Statement) in an amount of more than two hundred and fifty dollars (\$250.00) from a party or from any participant shall disclose that fact on the record of the proceeding.
- D. Application to Candidates. Contributions made to candidates for elective office shall subject the candidate to the disclosure provision of subdivision C should the candidate be subsequently elected. Candidates who have become the Council Member-Elect or Mayor-Elect, but who have not yet been sworn in, shall be subject to the prohibition of subdivision B.
- E. Applicant Restrictions. A party to a proceeding before the City involving a license, permit, contract, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred and fifty dollars (\$250.00) made since their last FPPC Form 460 Filing (Recipient Committee Campaign Statement) by the party, or his or her agent, to any Elected Official. No party, or his or her agent, to a proceeding involving a license, permit, or other entitlement for use pending before the City and no participant, or his or her agent, in the proceeding shall make a contribution of more than two hundred and fifty dollars (\$250.00) to any Elected Official during the proceeding and for three (3) months following the date a final decision is rendered by the City in the proceeding. When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before the City, the majority shareholder is subject to the disclosure and prohibition requirements herein.

(Ord. MC-1558, 6-02-21)

2.55.020 Enforcement

The City hereby designates the California Fair Political Practices Commission (“FPPC”) as the enforcement agency for this Chapter. The City shall provide to the FPPC twice, annually, data for all licenses, permits, or other entitlements for use, as defined in Section 2.55.010 above. The FPPC will cross-reference the data received from the City against the most recent FPPC Form 460 Filing (Recipient Committee Campaign Statement) of each Elected Official who has received Contributions equal to or exceeding

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two thousand dollars (\$2,000) as shown on the most recent FPPC Form 460 Filing. As set forth in Government Code section 83116, the FPPC shall have prosecutorial discretion to enforce this Chapter and may discipline an Elected Official for violating this Chapter, including, but not limited to, requiring the Elected Official to pay a monetary fine.”

(Ord. MC-1558, 6-02-21)

2.55.030 Campaign Contribution Limits to City Elective Office Candidates

- A. A person shall not make to a candidate for elective city office, and a candidate for elective city office shall not accept from a person, a contribution totaling more than \$4,900.
- B. On January 1, 2023, and every odd-numbered year thereafter, the limit set forth in subsection A shall be adjusted to reflect any increase or decrease in the Consumer Price Index in the same manner as the Fair Political Practices Commission adjusts the limits under Government Code section 85301(d) or any successor provision.
- C. Nothing in this section shall be deemed to exempt any person from complying with applicable provisions of any other laws of this state.

(Ord. MC-1573U, 2-16-22)

Chapter 2.56 ELECTIONS⁹

Sections:

- 2.56.001 Law Governing Municipal Elections**
- 2.56.010 Dates of Election**
- 2.56.020 Filing Fee**
- 2.56.030 Elections Official**
- 2.56.040 Results of Primary Election.**
- 2.56.050 Seating of Officials Elected**
- 2.56.060 Filling a Vacancy in the Office of the Mayor**
- 2.56.070 Filling a Vacancy of a Council Seat**
- 2.56.080 Fiscal Analysis of Measure**
- 2.56.090 (Repealed by Ord. MC-1453, 1-17-18;
Ord. MC-1318, 10-20-09)**
- 2.56.100 (Repealed by Ord. MC-1453, 1-17-18)**

⁹For charter provisions on elections, see Charter Arts. II and VII; for statutory provisions on notice of elections, see Election Code §10100 et seq.

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