

**1.52.060 Campaign contribution limitations.**

- A. No person other than a candidate shall make, and no person or candidate shall solicit or accept, any contributions (including loans) which will cause the aggregate amount contributed by such person with respect to a single election for member of the city council, city clerk, or city treasurer, in support of or opposition to a candidate for any such office, including contributions to all committees supporting or opposing such candidate, to exceed one thousand dollars. As used in this section, the term "contribution" includes in-kind contributions of property, services or anything else of value, whether tangible or intangible.
- B. A candidate for elective city office shall not be limited by subsection (A) of this section in the amount of personal funds he or she may contribute or expend in connection with his or her own campaign, nor shall a candidate be prohibited from obtaining a personal loan of any amount from a duly licensed financial lending institution in the regular course of business, subject to the limitations imposed in Section [1.52.062](#).
- C. Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the elective city office specified in the candidate's nomination papers. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual or in support of or opposition to any city ballot measure.
- D. No person shall make, and no candidate or committee shall solicit or accept, any cash contributions in excess of twenty-five dollars.
- E. No contribution shall be made, directly or indirectly, by any person or combination of persons acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her, or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. If it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall, within ten days after receipt, return the amount received to the contributor or pay the amount received to the city treasurer for deposit in the general fund of the city.

(Ord. 2300 § 1 (part), 11-27-12; Ord. 1895 § 2 (part), 12-2-91)

**1.52.061 Aggregation of contributions.**

For purposes of the limitations in this article, the following shall apply:

- A. All contributions made by a committee to a city candidate or to an elective city officer, or to a controlled committee shall be combined with those contributions made by the sponsor(s) of the committee and the combined amount shall not exceed the contribution limits specified in this article.
- B. Two or more entities shall be treated as one person when any of the following circumstances apply:

1. The entities share the majority of members of board of directors.
2. The entities share two or more officers.
3. The entities are owned or controlled by the same majority shareholder or shareholders.
4. The entities are in a parent subsidiary relationship.

C. An individual in a general or limited partnership in which the individual has a controlling interest (fifty percent or more), or an individual and any corporation in which the individual owns a controlling interest (fifty percent or more), shall be treated as one person. (Ord. 2300 § 1 (part), 11-27-12)

#### **1.52.062 Loans to campaigns.**

A. Except as provided in this section, a loan shall be considered a contribution from the maker and the guarantor of the loan, and shall be subject to the contribution limitations of this section.

B. Every loan to a candidate or the candidate's controlled committee shall be by written agreement and such written agreement shall be filed with the candidate's committee campaign statement on which the loan is first reported. In the case of a loan from the candidate or elected officer to his or her committee for which the candidate is personally liable, the written agreement shall identify the initial source of the loan (i.e., credit cards, a third party, or commercial lending institution).

C. A loan made to a candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public shall not be subject to the contribution limitations of this article.

D. Other than loans pursuant to subsections (B) through (D) of this section, an extension of credit for a period of more than thirty days is subject to the contribution limitations of this article.

E. Nothing in this article shall prohibit a candidate from making unlimited contributions to the candidate's own campaign from his or her personal funds.

F. Repayment of Debt. A contributor may make, and a candidate or former candidate may accept, up to December 1st of the election year, a contribution to pay off debts incurred for an 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 this article, and the contribution is properly reported on any required campaign statement filed under the Political Reform Act of 1974 as amended or any required city supplemental statement or form.

(Ord. 2300 § 1 (part), 11-27-12)

#### **1.52.063 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 dollars. A contributor of a nonmonetary contribution of one hundred dollars 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 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 dollar limit on contributions, including the total of both nonmonetary and monetary contributions, to a candidate for local elective office as set forth in this article.
- 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 article. The use of someone's personal residence, or business or commercial venue where no fee is required of the public for using such business or commercial venue, 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 article. The value of incidental food and beverage at a business or commercial venue shall be included as a nonmonetary contribution in the same amount as is generally charged to the public.

(Ord. 2300 § 1 (part), 11-27-12)