

ORDINANCE NO. 1136

RECEIVED  
FAIR POLITICAL  
PRACTICES COMMISSION

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO  
ADDING CHAPTER 4.04 TO THE SAUSALITO MUNICIPAL CODE  
TO ENACT LOCAL ELECTION PROCEDURES INCLUDING CAMPAIGN  
CONTRIBUTION LIMITATION AND DISCLOSURE REQUIREMENTS

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WHEREAS, the City wishes to prevent improper influence over elected officials, or the appearance of such, by establishing limitations on campaign contributions relating to City elections within the City of Sausalito; and

WHEREAS, the City seeks to accomplish this goal by enacting an ordinance governing campaign contributions for City elections.

NOW, THEREFORE, the City Council of the City of Sausalito does ordain as follows:

Section 1. Chapter 4.04, entitled "Campaign Finance Reform", is hereby added to Title 4, entitled "Municipal Elections," of the Sausalito Municipal Code, to read as provided in Exhibit A to this Ordinance.

Section 2. Publication and Effective Date. This Ordinance shall go into effect 30 days after the date of its adoption and within 15 days after its adoption shall be published in a newspaper of general circulation, published and circulated within the City of Sausalito.

The foregoing ordinance was duly and regularly introduced at a meeting of the City of Sausalito held on the 2nd day of March, 1999, and thereafter was adopted at a meeting of the City Council held on the 16th day of March, 1999, by the following vote:

AYES: Councilmembers: Albritton, Roberts, Stratigos, Mayor Belser

NOES: Councilmembers: Bushmaker

ABSENT: Councilmembers: None

\_\_\_\_\_/s/ Amy Belser, Mayor of the City of  
Sausalito

ATTEST:

\_\_\_\_\_/s/ Dale Vaughn, Deputy City Clerk

**TITLE 4  
MUNICIPAL ELECTIONS**

**CHAPTER 4.04  
CAMPAIGN FINANCE REFORM**

Section 4.04.010     Purpose. The purpose of this Chapter is to prevent improper influence over elected officials, or the appearance of such, by establishing limitations on campaign contributions relating to municipal elections within the City of Sausalito.

Section 4.04.020     Application. The contributions limits contained herein shall apply to all election cycles, and special election cycles if any, which began but have not ended prior to the effective date of this Chapter.

Section 4.04.030     Definitions.

As used in this Chapter, the following words shall have the following meanings:

*Ballot measure relating to City law.* A ballot measure relating to City law includes initiatives, referenda, resolutions, advisory measures, and measures which are required by law to be submitted to a vote by the electorate.

*Candidate.* A candidate is a person who seeks election to an elective City office, including an office holder and all individuals specified in section 82007 of the Government Code.

*City election.* A City election means any municipal election to fill public offices in the City of Sausalito, to hold recall elections, and to vote on ballot measures relating to City law.

*Election cycle.* For each elective City office, the term "election cycle" means a two - year period of time commencing on January 1 and ending at midnight on December 31 following the next election for the same office.

*Person.* a person means individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, or labor organization.

*Political committee.* A political committee means a committee of persons which receives contributions from two or more persons and whose members act in concert to make contributions to candidates.

*Primarily formed committee.* A primarily formed committee means a committee pursuant to section 82013(a) of the Government Code which is formed or exists primarily to support or oppose a single candidate or a single measure, or a group of specific candidates being voted upon in the same City election.

*Special election cycle.* A "special election cycle" means that period of time which begins the day on which the elective office becomes vacant and ends the day of the special election

All other words and terms shall have the meanings ascribed to them by the definitions set forth in the Political Reform Act. (Gov. Code §81000 *et seq.*)

Section 4.04.040      Limitations on Campaign Contributions.

A.    Monetary contributions by persons. In any election cycle or special election cycle, no person shall make, and no candidate for elective City office, or campaign treasurer, shall solicit or accept, any monetary contribution, including loans, which would cause the total amount of monetary contributions made by that person to that candidate for elective City office or to any committees controlled by that candidate, including monetary contributions to all committees controlled by the candidate, to exceed \$250.00.

B.    Monetary contributions by political committees. In any election cycle or special election cycle, no political committee shall make, and no candidate for elective City office, or campaign treasurer, shall solicit or accept, any monetary contribution, including loans, which would cause the total amount of monetary contributions made by a political committee to that candidate for elective City office or to any committees controlled by that candidate, to exceed \$500.00.

C.    In-kind contributions. In any election cycle or special election cycle, no candidate for elective City office, or campaign treasurer, shall solicit or accept any in-kind goods and services (non-monetary) which would cause the total amount contributed (monetary and non-monetary) to that candidate, including contributions to all committees controlled by the candidate, to exceed the following amounts: (a) by a person, \$250.00; (b) by a political committee, \$500.00.

D.    Limitations applicable to ballot measure committees controlled by candidate. In the event a candidate for elective City office forms or controls a committee which supports or opposes a ballot measure relating to

City law, the candidate and committee shall cumulatively be subject to the contribution limitations set forth in subsections 1, 2 and 5, above. Ballot measure committees organized to support or oppose a matter relating to City law which are not controlled by a candidate for elective City office shall not be subject to the contribution limitations set forth in this Chapter.

E. Limitations applicable to specified committees. Primarily formed committees or similarly organized committees formed or existing primarily to support or oppose a single candidate or a group of specific candidates for elective City office being voted upon in the same election shall be subject to the campaign contribution limitations set forth in this Chapter.

Section 4.04.050 Informational meeting. The City Clerk and City Attorney shall invite all qualified candidates for City office to a meeting, in the week following the close of the nomination period for City office, to inform candidates of the provisions of this Chapter.

Section 4.04.060 Enforcement.

A. Civil action.

1. Any person who violates any provisions of this Chapter may be subject to a civil action brought by the City Attorney. If found culpable, that person may be required to pay a fine in an amount not to exceed three times the amount unlawfully contributed; but in no event shall the person be liable for more than \$5,000.00 per violation.

2. If two or more persons are responsible for any violation, they shall be jointly and severally liable.

3. In determining the amount of liability, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. Any fines levied pursuant to this Chapter shall be paid to the City's general fund.

4. No civil action alleging a violation of this Chapter may be filed more than two years from the date the violation occurred.

B. Injunctive relief. The City Attorney may seek injunctive relief to enjoin violations of, or to compel compliance with, the provisions of this Chapter.