AGENDA REPORT

Meeting Date: October 21, 2014

Item Number: D-5

To: Honorable Mayor & City Council

From: Byron Pope, City Clerk

Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO INCREASE THE CAMPAIGN CONTRIBUTION LIMIT FOR CANDIDATES WHO ACCCEPT THE VOLUNTARY EXPENDITURE LIMIT FOR CITY ELECTIONS

Attachments: 1. Ordinance

RECOMMENDATION

It is recommended that the City Council move to introduce and read the attached ordinance by title only, waive further reading and advance it to the City Council meeting of November 4, 2014 for adoption.

INTRODUCTION

This ordinance will increase the individual contribution limit for candidates who accept the City's voluntary expenditure limit. The ordinance will increase the contribution limit from $400 to $450 per contributor.

DISCUSSION

At today's Study Session, the recommendation of the Election Ad Hoc Committee, composed of Councilmembers Brien and Mirisch, was presented to City Council to increase the individual contribution limit from $400 to $450 per contributor or entity if a candidate accepts the voluntary spending limit. The voluntary spending limit will remain at $80,000. The contribution limit for candidates who do not accept the voluntary expenditure limit will remain at $125 per contributor or entity.

Staff is recommending that the City Council introduce and read the attached ordinance by title only, waive further reading and advance it to the City Council meeting of November 4, 2014 for adoption. The ordinance will become effective on December 5, 2014.

FISCAL IMPACT

None.

Byron Pope
Approved By

Attachment 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO INCREASE THE CAMPAIGN CONTRIBUTION LIMIT FOR CANDIDATES WHO ACCEPT THE VOLUNTARY EXPENDITURE LIMIT FOR CITY ELECTIONS

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. In order to increase the contribution limits, for candidates who accept voluntary spending limits, from four hundred dollars $400 to $450, the City Council hereby amends and restates paragraph A of Section 1-8-3 ("CONTRIUBITON LIMITATIONS") of Chapter 8 ("CITY ELECTION CAMPAIGNS; CONTRIBUTION LIMITS, VOLUNTARY EXPENDITURE LIMIT AND DISCLOSURE REQUIREMENTS") of Title 1 ("GENERAL PROVISIONS") of the Beverly Hills Municipal Code to read as follows:

"1-8-3: CONTRIBUTION LIMITATIONS:

A. Limits On Contributions By Persons And Committees:

1. Except as provided in this section and section 1-8-4 of this chapter, no person or committee shall make to any candidate, including the controlled committee of such candidate, a contribution in excess of one hundred twenty five dollars ($125.00) for any single election at which the candidate is attempting to be, or is, on the ballot. Additionally, no candidate or candidate's controlled committee shall solicit or accept any contribution that will cause the amount contributed by the contributor to the candidate or the candidate's controlled committee to exceed one hundred twenty five dollars ($125.00) for any single election at which the candidate is attempting to be, or is, on the ballot.

2. Notwithstanding subsection A1 of this section, if a candidate accepts the voluntary expenditure ceiling established by section 1-8-4 of this chapter, no person or committee shall make to any such candidate, including the controlled committee of such candidate, a contribution in excess of four hundred fifty dollars ($450.00) for any single election at which the candidate is attempting to be, or is, on the ballot. Additionally, no candidate or candidate's controlled committee shall solicit or accept any contribution that will cause the amount contributed by the contributor to the candidate or the candidate's controlled committee to exceed four hundred fifty dollars ($450.00) for any single election at which the candidate is attempting to be, or is, on the ballot.

3. The city council may, by resolution, adjust the contribution limit established in this subsection A in October of every even numbered year to reflect any increase or decrease in the California consumer price index since the last such adjustment of the contribution limit. Such adjustments shall be rounded to the nearest ten dollar ($10.00) amount.

4. The limitations of this subsection A shall not apply to contributions of a candidate's personal funds to his or her controlled campaign committee on behalf of his or her own candidacy, and shall apply to contributions from the candidate's spouse."

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 3. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:
Effective:

_____
LILI BOSSE
Mayor

ATTEST:

_____ (SEAL)

BYRON POPE
City Clerk

APPROVED AS TO FORM:

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

JEFFREY KOLIN
City Manager