Title 10 PUBLIC PEACE, MORALS AND WELFARE

Chapter 10-33 PUBLIC FINANCING OF COUNCIL ELECTION CAMPAIGNS

Note

* Prior ordinance history: Ords. 3624 and 3686.

10-33.010 Intent and purpose.

The purpose of this chapter is to provide all candidates for election to the City Council, regardless of financial resources, with a means, subject to conditions, to disseminate candidate information to the public. (Ord. 4027 § 2, 2014; Ord. 3860 § 1, 2008; Ord. 3807 § 1, 2007)

10-33.012 Definitions.

As used in this chapter the following definitions shall apply:

A) “Eligibility requirement” means that a candidate for election to the City Council has deposited in the candidate’s campaign bank account campaign contributions, from persons other than the candidate, totaling $1,000.00 or more and has provided verification of this to the City Clerk or has filed with the City Clerk a statement or statements, on a form supplied by the City Clerk, endorsing the candidate for election to the City Council signed by 100 registered voters of the City. The verification of contributions or the endorsing statement(s) of the candidate shall be filed with the City Clerk within a period of 14 days from the last day that Council candidate nomination papers may be filed with the City Clerk for the particular election. The City Clerk shall examine the verification or statement(s) and shall certify its/their sufficiency or reject the same.

B) “Qualifying candidate” means a candidate for election to the City Council who has met, as certified by the City Clerk, one of the eligibility requirements set forth in this chapter as is and who has executed a voluntary election campaign spending limit agreement for the election and filed the executed agreement with the City Clerk. The City Clerk shall not accept an agreement for filing unless the City Clerk has certified that the candidate has met one of the eligibility requirements.

C) “Voluntary election campaign spending limit” means a total campaign expenditures limit of $45,000.00 for a City Council election. “Campaign expenditures” has the same meaning as “campaign expenditures” set forth in subdivision (b) of Government Code Section 85400 and includes all such expenditures made by a candidate and controlled committee(s) of the candidate. The limit shall be automatically adjusted annually as of January 1st of each year, beginning January 1, 2011, based on the percentage change, if any, occurring over the prior 12-month period (January through December) in the U.S. Bureau of Labor Statistics CPI-U (Consumer Price Index – All Urban Consumers) for the San Francisco-Oakland-San Jose, California area.

D) “Voluntary Election Campaign Spending Limit Agreement” means a form of agreement, approved by the City Attorney, under which, among other things, a candidate agrees to the voluntary election campaign spending limit and acknowledges and agrees to the consequences of any violation of the campaign expenditure limit, as provided in this chapter. The Voluntary Election Campaign Spending Limit Agreement shall be filed with the City Clerk within a period of 14 days from the last day that City Council candidate nomination papers may be filed with the City Clerk for the particular election. (Ord. 4027 § 2, 2014; Ord. 3860 § 2, 2008; Ord. 3807 § 1, 2007)
10-33.020 Posting of candidate information on City’s public website.

The City will provide each qualifying candidate space on its public website for the candidate’s name, address, phone number, fax number, photograph and approved ballot designation, and a statement of no more than 500 words, of the candidate’s education and qualifications expressed by the candidate him or herself. The content of the statement shall be the sole responsibility of the candidate. The statement will be posted exactly as submitted by the candidate with no editing by City staff. The City shall not be responsible for any errors in statements submitted by candidates and shall have no obligation to correct statements once the statement has been posted. Any statement submitted in excess of the 500 word limit will not be provided space on the City’s website. No qualifying candidate may include within his or her statement any reference to another candidate, or the name of another committee, or other person or entity unless that candidate shall have previously obtained the written authorization of the candidate, committee, other person or entity, to use such reference within the statement. Proposed candidates’ statements and an accompanying photograph (if any) of the candidate (including no more than the head and shoulders), shall be filed with the City Clerk by the nomination filing deadline for the City Council election to which it applies. The order of the candidates’ statements, photographs and other information shall be the same as the ballot order as determined by the Secretary of State’s drawing of a randomized alphabet for the applicable election. Qualifying candidates’ information for inclusion on the City’s website must be filed with the City Clerk within a period of 14 days from the nomination filing deadline for the City Council election to which it applies. The City website shall contain a link to the League of Women Voters website so long as that website does not endorse or oppose candidates, covers Santa Rosa City Council elections, and provides equal access on the website to all City Council candidates.

City Council candidates who do not agree to the voluntary campaign expenditure limit or who otherwise do not qualify for inclusion on the City’s public website will be listed on the City’s public website by name only with a notation that the candidate did not qualify for public financing. (Ord. 4027 § 2, 2014; Ord. 3860 § 1, 2008; Ord. 3807 § 1, 2007)

10-33.030 Inclusion of candidate and election information in City’s “Update.”

The City will provide space in a City mailer publication “Voter Update” that will provide one-half page for each qualifying candidate for candidate information. The edition of “Voter Update” will be printed using black ink on white 8-1/2” x 11” pages. The first page(s) will be for qualifying candidates’ photographs, names, addresses, ballot designations, phone numbers, fax numbers, and a cross-reference to the page number that the qualifying candidate’s statement appears in that edition of the “Voter Update.” The statement of each candidate shall be printed in type of uniform size and darkness, and with uniform spacing, in block paragraphs.

The City will provide each qualifying candidate one-half page for the candidate’s name, address, phone number, fax number, photograph, ballot designation, email address, and website address and a statement of no more than 200 words regarding the candidate’s education and qualifications expressed by the candidate him or herself. The content of the statement shall be the sole responsibility of the candidate. The statement will be printed exactly as submitted by the candidate with no editing by City staff. The City shall not be responsible for any errors in statements submitted by candidates and shall have no obligation to correct statements once the Voter Update has been printed. Any submittal in excess of the 200 word limit will not be printed in the “Voter Update.” No candidate may include within his or her statement any reference to another candidate, committee, or other person or entity unless that candidate shall have previously obtained the written authorization of the candidate, committee, other person or entity, to use such reference within the statement. The order of the candidates’ statements, photographs, and other information shall be the same as
the ballot order as determined by the Secretary of State’s drawing of a randomized alphabet for the applicable
election. Qualifying candidates’ information for inclusion in the “Voter Update” must be filed with the City
Clerk within a period of 14 days from the nomination filing deadline for the City Council election to
which it applies. The “Voter Update” shall be mailed to postal patrons within the City limits of the City of
Santa Rosa no later than 30 days prior to the date of the next Council election.

City Council candidates who do not agree to the voluntary campaign expenditure limit or who otherwise do
not qualify for inclusion in the City’s “Voter Update” will be listed in the “Voter Update” by name only with
a notation that the candidate did not qualify for public financing. (Ord. 4027 § 2, 2014; Ord. 3860 § 1, 2008;
Ord. 3807 § 1, 2007)

10-33.040 Violations of voluntary election campaign spending limit.

Any candidate who has met one of the eligibility requirements and has executed and filed a Voluntary
Election Campaign Spending Limit Agreement with the City Clerk and who makes one or more election
campaign expenditures in excess of the spending limit set forth in the agreement shall be liable to the City for
such violation(s) in an amount equal to twice the total amount of all such expenditures which are in excess of
the agreed to spending limit. The candidate, upon discovering said failure to abide by the Voluntary Election
Campaign Spending Limit Agreement shall immediately notify the City Clerk who shall then, to the extent
feasible, cease conferring the benefits and incentives afforded by this chapter.

Any payment to the City for election campaign expenditures made in excess of the spending limit set forth
in the agreement shall be used to offset the costs to the City of disseminating candidate information to the
public as set forth in this chapter. (Ord. 4027 § 2, 2014; Ord. 3860 § 3, 2008)