



DATE: April 26, 2022

CATEGORY: Consent

DEPT.: City Attorney's Office, City Clerk's Office

TITLE: **Adopt an Ordinance to Enact Campaign Contribution Limits, Amend Campaign Finance Reporting and Disclosure Requirements, and Repeal Political Sign Regulations (Second Reading)**

RECOMMENDATION

Adopt an Ordinance of the City of Mountain View Amending Chapter 2, Article XII, of the Mountain View City Code Relating to Campaign Finance and Repealing Article III of Chapter 3 of the Mountain View City Code Relating to Political Signs, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 5-2; Matichak and Showalter no)

BACKGROUND AND ANALYSIS

On April 12, 2022, the City Council introduced an ordinance to enact campaign contribution limits; amend the Disclosure in Advertisements Ordinance; enact enhanced reporting and disclosure reporting requirements for independent expenditures in local elections; require the City Clerk to establish administrative guidelines for receipt, review, and reporting alleged violations of the Political Reform Act to the Fair Political Practices Commission; and repeal the Political Sign Ordinance. The Council introduced the ordinance by a 5-2 vote (Councilmembers Matichak and Showalter voting no). If adopted tonight, it will become effective May 26, 2022.

In addition, the Council directed staff to review and return with the following at a future date:

1. Evaluate whether the top contributor disclosure requirements under the City's Disclosure in Advertisements Ordinance and State law can both apply to a committee's advertisement when a committee has fewer than the maximum number of top contributors required to be disclosed under State law and additional top contributors that qualify under the City's Ordinance. Staff will review the feasibility of this hybrid disclosure approach, or "gap," in disclosure requirements.
2. Amend the Campaign Contribution Limits Penalty section to include that violators of the limit must pay a penalty, the amount of which would be equal to the amount received that was in excess of the campaign contribution limit.

Staff will review and evaluate these two issues and return to Council at a future date for further Council consideration.

FISCAL IMPACT

The proposed ordinance does not have a direct fiscal impact. However, staff resources for implementation and enforcement of the ordinance are required.

ALTERNATIVES

1. Do not adopt the ordinance.

PUBLIC NOTICING

Agenda posting. The ordinance was published at least two days prior to adoption in accordance with City Charter Section 522.

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Attachment: 1. Ordinance