

ORDINANCE NO. 16-20 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AMENDING RICHMOND MUNICIPAL CODE CHAPTER 2.43**

The Council of the City of Richmond do ordain as follows:

SECTION I. Amendment of Chapter 2.43

Chapter 2.43 of the Municipal Code of the City of Richmond is hereby amended to read as follows:

2.43.010 Purpose.

2.43.020 Qualified candidate.

2.43.030 Matching fund formula.

2.43.040 Use of matching funds.

2.43.010 Purpose.

The increasing costs of conducting election campaigns increasingly places pressure on candidates for Richmond City office to seek more and larger campaign contributions. Large campaign contributions have the possibility of causing corruption, or the appearance of corruption. In order to protect candidates and the integrity of our local election process from the adverse effects of huge, unlimited independent expenditure campaigns, and in order to encourage candidates to seek City office without relying on large campaign contributions, this chapter establishes matching public funding of Richmond mayoral and council campaigns, for the years in which the City Council has appropriated such funds in the City's annual budget allocation process.

2.43.020 Qualified candidate.

A candidate for Mayor and City Council of the City of Richmond shall be considered a "qualified candidate" and shall be approved to receive public matching funds if the candidate meets all of the following requirements: and, if and only if, the City Council of the City of Richmond has appropriated and allocated campaign matching funds when it adopts the City's annual budget

(1) The candidate files the following "public funding request" with the City Clerk:

"I request public matching funds for my campaign and agree to the City of Richmond's conditions and requirements on the use of such funds."

all matching fund(2) The candidate is certified to appear on the ballot for the election for which matching funds are sought and the candidate is opposed by at least one other certified candidate for the same office.

(3) The total amount of contributions accepted by the candidate in connection with the election for which matching funds are sought shall not exceed \$75,000. Any candidate who accepts contributions in excess of \$75,000 shall no longer be considered a "qualified candidate" and shall return all matching funds previously received, pursuant to Section 2.43.050

2.43.030 Matching fund formula

(a) Matchable contributions are those contributions disclosed on the candidate's regular pre-election campaign disclosure statements required by the State of California and the City of Richmond disclosure statement which is due

on the last Friday before the election. Disclosures required by the State of California for late, large contributions do not increase or decrease the match i.e., the match is based solely on the disclosures in the regular pre-election campaign statements.

(b) Loans and in-kind contributions do not qualify as matchable contributions, nor do contributions received prior to July 1 of the year in which the election is held.

(c) Once the City Council has appropriated and allocated campaign matching funds as part of the City's annual budget and a candidate becomes a "qualified candidate," the City Clerk shall disburse funds to qualified candidates as follows:

- (1) When \$10,000 in total matchable contributions are disclosed - disburse \$2,500.00
- (2) When \$15,000 in total matchable contributions are disclosed - disburse \$2,500.00.
- (3) When \$20,000 in total matchable contributions are disclosed - disburse \$2,500.00.
- (4) When \$25,000 in total matchable contributions are disclosed - disburse \$2,500.00.
- (5) When \$30,000 in total matchable contributions are disclosed - disburse \$2,500.00

(c) Accordingly, the limit per candidate is \$12,500.00 in matching funds per election. The City Clerk shall make every reasonable effort to have the check available for the candidate to pick up at the City Clerk's office at noon three (3) business days after the filing deadline. If campaign disclosure statements are filed late, the candidate has to wait for the next filing statement to receive matching funds. If the final statement is filed late, the candidate does not get matching funds for that statement.

2.43.040 Use of matching funds.

Public matching funds may only be used for lawful qualified campaign expenditures incurred by a candidate during the election for which the funds were allocated.

SECTION II. Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION III. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

SECTION IV. Effective Date. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held on June 30, 2020, and finally passed and adopted at a regular meeting held July 7, 2020, by the following vote:

AYES: Councilmembers Choi, Johnson III, Martinez, Myrick, Vice Mayor Bates, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Willis.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
RACHEL SOMMOVILLA
City Attorney(Interim)

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 16-20 N.S., passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 7, 2020.



Pamela Christian, City Clerk of the City of Richmond