

ORDINANCE NO. 13-2018

AN ORDINANCE OF THE CITY OF FREMONT AMENDING FREMONT MUNICIPAL CODE SECTIONS 2.30.020, 2.30.030 AND 2.30.040 OF THE CAMPAIGN FINANCE ORDINANCE REGARDING INDEPENDENT EXPENDITURE COMMITTEE CONTRIBUTIONS AND EXPENDITURES

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FREMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. FMC §2.30.020, AMENDED

Fremont Municipal Code Section 2.30.020 is amended to read as follows:

Sec. 2.30.020. Definitions.

Unless the term is specifically defined in this chapter or the contrary is stated or clearly appears from the context, the definitions set forth in the Political Reform Act of 1974 (Cal. Gov't Code §§ 81000 *et seq.*) shall govern the interpretation of this chapter.

(a) Election Period.

- (1) For each general municipal election held in November every two years to elect a mayor and three councilmembers, the election period means the period beginning on January 1st after the previous general municipal election for the affected office and ending on December 31st after the next following (and current) general municipal election for the affected office.
- (2) For each special municipal election held to fill a vacancy in the office of mayor or councilmember, the election period means the period beginning on the day the vacancy began and ending on the sixtieth day following the special municipal election. However, for any candidate in the special election who has established, prior to the vacancy, a committee for the election to the affected office of mayor or councilmember, the election period begins on January 1st after the previous general municipal election for the affected office.

SECTION 2. FMC § 2.30.030, AMENDED

Fremont Municipal Code Section 2.30.030 is amended to read as follows:

Sec. 2.30.030 Campaign contributions – Limitations.

- (a) No person shall make a contribution to any candidate and the controlled committee of such a candidate, and no candidate and the candidate's controlled committee shall accept from each such person a contribution or contributions totaling more than \$640.00 for any election period.

- (b) Beginning January 1, 2019, the city clerk shall once biennially, on a calendar-year basis, increase the contribution limitation amount upon a finding that the cost of living in the immediate San Francisco Bay Area, as shown on the Consumer Price Index (CPI) for all items in the San Francisco Bay Area as published by the U.S. Department of Labor, Bureau of Statistics, has increased. The increase of the contribution limitation amount shall not exceed the CPI increase, using the index published in June 2017 as the index year. The adjustment shall be rounded up to the nearest \$10.00. The city clerk shall publish the contribution limitation amounts no later than February 1st of each year in which an increase occurs.
- (c) The candidate's own money or property used in the furtherance of the candidate's campaign shall not be subject to the contribution limits of this chapter.

SECTION 3. FMC § 2.30.040, AMENDED

Fremont Municipal Code Section 2.30.040 is amended to read as follows:

Sec. 2.30.040 Additional preelection campaign statement.

In addition to the two preelection campaign statements required to be filed pursuant to Cal. Gov't Code §§ 84200.5 and 84200.8, a third statement is required to be filed in and received by the office of the city clerk by 2:00 p.m. of the Friday preceding the election. Said statement shall cover the period from the close of the second preelection statement through the Wednesday preceding the election and shall contain such information as is required in the previous two statements.

SECTION 4. CEQA

The City Council finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that a Notice of Exemption be filed with the Alameda County Clerk in accordance with the CEQA guidelines.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Fremont hereby declares that it would have passed this Ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect and will be enforced thirty (30) days after its adoption.

SECTION 7. PUBLICATION AND POSTING

This ordinance must be published once in *The Tri-City Voice*, a newspaper of general circulation, printed and published in Alameda County and circulated in the City of Fremont, within fifteen (15) days after its adoption.

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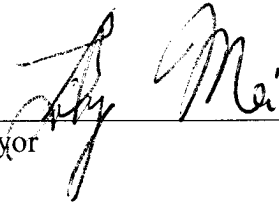
The foregoing ordinance was introduced before the City Council of the City of Fremont at the regular meeting of the City Council, held on the 17th day of April, 2018 and finally adopted at a regular meeting of the City Council held on the 1st day of May, 2018 by the following vote:

AYES: Mayor Mei; Vice Mayor Bacon; Councilmembers Jones,
Salwan and Bonaccorsi


NOES: None

ABSENT: None

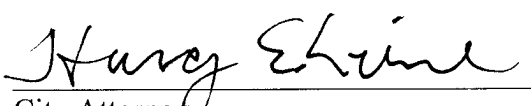
ABSTAIN: None



Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney