

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2007-11

AN ORDINANCE

AMENDING ARTICLE 6-16 SFCC 1987 REGARDING THE ETHICS AND CAMPAIGN
REVIEW BOARD AND AMENDING ARTICLE 9-2 SFCC 1987 REGARDING THE
CAMPAIGN CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 6-16.1 SFCC 1987 (being Ord. No. 2005-14, §17) is amended
to read;

6-16.1 Ethics and Campaign Review Board.

A. *Creation.* There is created an "ethics and campaign review board" ("the board").

B. *Appointment.*

(1) The board shall consist of nine (9) members. Each member of the governing body shall appoint one (1) member. Every May following a regular municipal election, the board shall be reappointed for a two year term and for 2007 the board shall be reappointed by the governing body in May to fill unexpired terms until May of 2008.

(2) Members shall be qualified by training and experience and have the ability to exercise sound and practical judgment regarding those powers and duties of the committee.

(3) Due to the legal aspects of the board's work, at all times at least two (2) of the nine (9) members shall be attorneys licensed to practice in the state of New Mexico for no less than five (5) years. If the nominations of the governing body do not include at

1 least two (2) attorneys, the mayor shall ask the members to resubmit nominations until at
2 least two (2) attorneys are nominated.

3 (4) Each member of the board shall be a resident of the city.

4 (5) No member shall be an elected public official or public employee as
5 defined in Section 1-7.5 SFCC 1987.

6 (6) At all times, one of the attorney members of the board shall serve as
7 parliamentarian to promote compliance with the Open Meetings Act, due process of law,
8 and other legal requirements.

9 C. *Chair and Subcommittees.* The board shall elect a chair, vice-chair and
10 parliamentarian from among its members, and may organize subcommittees or panels to conduct
11 hearings, recommend advisory opinions or perform other delegated tasks. The board may at any
12 time act directly on any pending matter without subcommittee action or recommendations.

13 D. *Term.* Members shall serve terms of two (2) year terms as appointed by the
14 governing body.

15 E. *Removal for Just Cause.* During a member's term, he or she may be removed
16 only for just cause by a majority vote of the governing body.

17 F. *Vacancies.* Vacancies shall be filled in the same manner as the initial
18 appointments and shall continue for the remainder of the unexpired term.

19 G. *Compensation.* Members of the board shall not receive any salary or
20 compensation for services.

21 H. *Meetings and Records.* The board shall meet at least four (4) times yearly and on
22 an as-needed basis.

23 **Section 2. Section 6-16.2 SFCC 1987 (being Ord. No. 2005-14 §18) is amended**
24 **to read:**

25 **6-16.2 Powers and Duties.**

1 A. The board shall enforce the provisions of the Code of Ethics (Section 1-7 SFCC
2 1987) and the Campaign Code (Section 9-2 SFCC 1987) in accordance with the procedures
3 prescribed in this section and such rules as the board may adopt.

4 B. The board shall establish reasonable rules of practice and procedure which are
5 not in conflict with the provisions of city code or other city rules of practice and procedure,
6 timetables and explanatory materials designed to educate the public, to encourage voluntary
7 compliance and to ensure fair and prompt disposition of alleged violations.

8 C. The board may give advisory opinions regarding matters related to the Code of
9 Ethics or the Campaign Code.

10 D. The board shall periodically review and recommend changes for improving the
11 Code of Ethics or the Campaign Code, within six (6) months following a municipal election.

12 E. In the exercise of its responsibilities, the board may audit campaign or other
13 records. After each election campaign the board may contract for professional reviews or audits
14 of randomly selected finance statements and shall file their results with the city clerk's office.

15 **Section 3. Section 6-16.4 (being Ord. 2005-14) is amended to read:**

16 **6-16.4 Determination of Legal Sufficiency; Setting a Hearing.**

17 A. Upon receipt of the complaint, the board shall determine the following:

18 (1) If the face of the complaint sets forth legally sufficient facts which, if
19 true, show probable cause to believe that there was a violation;

20 (2) If the complaint was filed within one year after the complainant first
21 discovered or reasonably should have discovered the facts on which the complaint is
22 based;

23 (3) If the complaint is frivolous or intended solely to harass or intimidate;
24 and

25 (4) If the board lacks jurisdiction to adjudicate the complaint.

1 B. The city attorney, or a qualified attorney designated by the city attorney, may file
2 a complaint with the board on the basis of information referred by the board or obtained
3 otherwise, upon their independent determination that probable cause exists of a violation of the
4 code of ethics or the campaign code.

5 C. To promote public participation, and to preserve the Board's transparency,
6 credibility, and stature, all final Board Determinations, including Board decisions on complaints,
7 advisory opinions, and settlements, shall be made during public meetings in compliance with the
8 Open Meetings Act. No complaint shall be dismissed without a prior evidentiary hearing or prior
9 board discussion in a public meeting of the reasons for the determination.

10 D. If the board determines that the complaint is legally sufficient, was filed timely
11 and is not frivolous, and that the board has jurisdiction to adjudicate the complaint, the board
12 shall at the same meeting set a schedule for hearing the complaint. The board shall conduct a
13 public hearing regarding the complaint in accordance with due process of law. The chair of the
14 board has authority to order appropriate discovery and issue subpoenas for the attendance of
15 witnesses or the production of documents. Any decision of the chair with respect to discovery or
16 with respect to the issuance of subpoenas shall be reviewable by the board upon request of any
17 affected person. The board may seek enforcement of administrative subpoenas or discovery
18 requests in district court.

19 E. The city clerk may require electronic posting of all documents generated
20 pursuant to the Code of Ethics or the Campaign Code in an accessible and searchable format,
21 including the proceedings of the ethics and campaign review board.

22 **Section 4. Section 6-16.7 SFCC 1987 (being Ord. #2005-14) is amended to read:**

23 **6-16.7 Sanctions.**

24 A. To encourage compliance and deter campaign code violations, the city clerk shall
25 assess such fines as provided for in Section 9-2.10 SFCC 1987 and Section 9-2.15 SFCC 1987.

1 The fine shall be payable within ten calendar days to the city of Santa Fe. Respondents may
2 contest the validity of such fine by filing a written appeal to the board within five calendar days
3 of its assessment, which the board shall promptly affirm or reject.

4 B. Except as set forth in paragraph C. below, if the board following a hearing
5 determines that there has been a violation of the code of ethics or the campaign code, it may:

6 (1) Issue a public reprimand;

7 (2) Impose a fine not to exceed five hundred dollars (\$500.00) per violation.

8 Each day of a continuing or repetitive violation may be deemed a separate offense;

9 (3) Recommend removal or suspension from office of a public official by
10 the governing body; and

11 (4) Refer complaints against public officials, where appropriate, to the
12 district attorney's office for investigation and prosecution.

13 C. Although the sanctions set forth in paragraphs A., and B. above do not apply to
14 public employees, disciplinary actions for violations of the code of ethics or campaign code
15 regarding public employees shall be in accordance with the personnel rules and regulations of the
16 city of Santa Fe and applicable collective bargaining agreements. For the purposes of this
17 paragraph C, public employee is not intended to include any public official or exempt employee.

18 D. The sanctions set forth in paragraphs A, B, and C. do not preclude the
19 enforcement of applicable existing state and federal statutes.

20 E. A respondent may submit a written waiver of hearing.

21 **Section 5. Section 9-2.3 SFCC 1987 (being Ord. No. 1998-41 §3, as amended) is**
22 **amended to read:**

23 **9-2.3 Definitions.** As used in the Campaign Code:

24 A. *Ballot proposition* means any measure, amendment or other question submitted
25 to, or proposed for submission to, a popular vote at an election.

1 B. *Campaign depository* means a bank, mutual savings bank, savings and loan
2 association or credit union doing business in this state under which a campaign account or
3 accounts are maintained.

4 C. *Campaign finance statement* means a report of all contributions received and
5 expenditures made according to a form prescribed by the city clerk which, when completed and
6 filed, provides the information required in the sections to follow.

7 D. *Campaign materials* means any published communication, electronic or
8 otherwise, disseminated to more than one hundred (100) persons that either supports the election
9 or defeat of any identifiable candidate or candidates or supports the approval or defeat of a ballot
10 proposal, other than communications to, or editorials, reports, or commentary by news media.

11 E. *Campaign treasurer and deputy campaign treasurer* means the individual who is
12 responsible for keeping the financial records of the political committee or candidate (the
13 candidate may be their own campaign treasurer or deputy campaign treasurer).

14 F. *Campaign period* means that period beginning twelve (12) months before a
15 regular municipal or special election to fill any vacancy in any municipal elected office and
16 ending on the date when a campaign is officially closed.

17 G. *Candidate means* any individual who seeks election to municipal office. An
18 individual shall be a candidate when they:

19 (1) Announce publicly;

20 (2) File for office;

21 (3) When contributions are accepted or expenditures made; or

22 (4) Any activity is held to promote an election campaign of an individual if

23 that activity is endorsed or supported by that person or if the benefits of such activity are
24 later accepted by such person.

25 H. *Continuing committee* means a political committee which is an organization of

1 continuing existence not established in anticipation of any particular election.

2 I. *Contribution* means a loan, loan guarantee, gift, advance, pledge, contract,
3 agreement or promise of money or anything of value or other obligation, whether or not legally
4 enforceable, made directly or indirectly, to a candidate or political committee for the purpose of
5 influencing the outcome of a municipal election.

6 (1) The term "contribution" includes:

7 (a) The transfer of funds or anything of value between political
8 committees;

9 (b) The transfer of anything of value, including personal and
10 professional services, for less than full consideration;

11 (c) Interest, dividends or other income derived from the investment
12 of campaign funds;

13 (d) The payment for the services of an individual serving on behalf
14 of a candidate or political committee, which payments are made by a third party;
15 and

16 (e) The purchase of over twenty-five dollars (\$25.00) of tickets for
17 fund-raising events such as dinners, rallies, raffles, etc. and the proceeds of
18 collections at fundraising events which are not otherwise reported.

19 (2) The term contribution does not include:

20 (a) A volunteer's personal services provided without compensation
21 or the travel or personal expenses of such a campaign worker; and

22 (b) The cost of an event held in honor of or on behalf of a candidate
23 when the total cost of the event amounts to no more than two hundred dollars
24 (\$200.00).

25 J. *Contributor* means:

1 (1) Individual contributor means an individual who makes a contribution
2 from their personal assets which are not those of a business, corporation, partnership,
3 political committee.

4 (2) Business contributor means an individual who uses the assets of their
5 business, corporation, partnership, political committee or PAC as a contribution or any
6 business, corporation, partnership, political committee or PAC which makes a
7 contribution.

8 K. *Election* means any regular or special city election.

9 L. *Election period* means the fifty-six (56) days before a municipal election is held.

10 M. *Expenditure* means a payment or transfer of anything of value in exchange for
11 goods, services, property, facilities or anything of value for the purpose of assisting, benefiting or
12 honoring any public official or candidate, or assisting in furthering or opposing any election
13 campaign for a candidate or ballot proposition. This includes contributions, subscriptions,
14 distributions, loans, advances, deposits, or gifts of money or anything of value, and includes a
15 contract, a promise or agreement, whether or not legally enforceable, to make an expenditure. The
16 term "expenditure" also means the transfer of funds or anything of value between political
17 committees. In determining the dollar value of an expenditure, only that proportion of a payment
18 or transfer of anything of value that is directly related to the campaign shall be considered an
19 expenditure.

20 N. *Political committee* means any entity formed for the principal purpose of:

21 (1) Raising or collecting, and expending or contributing money or anything
22 of value for supporting the election or defeat of any identifiable candidate or candidates
23 or for supporting the approval or defeat of ballot propositions; or

24 (2) Coordinating or cooperating in efforts to support the election or defeat of
25 any identifiable candidates or of supporting the approval or defeat of any ballot

1 proposition.

2 **Section 6. Section 9-2.5 SFCC 1987 (being Ord. No. 2005-14) is amended to**
3 **read:**

4 **9-2.5 Identification of Campaign Material.** Campaign materials disseminated or
5 communicated by a candidate or by a political committee within sixty (60) days before a
6 municipal election shall conspicuously identify the name of the candidate and/or campaign
7 treasurer or deputy campaign treasurer, or the name of an officer or other responsible person of
8 the political committee sponsoring such materials. Written, printed or posted materials shall also
9 show a telephone contact number.

10 **Section 7. Section 9-2.6 SFCC 1987 (being Ord. No. 2005-14) is amended to**
11 **read:**

12 **9-2.6 Independently Sponsored Campaign Materials.** Any person or entity that
13 contracts for or initiates the dissemination of campaign materials supporting the election or defeat
14 of an identifiable candidate or of a ballot proposition, and that spends in the aggregate \$250.00 or
15 more for such purpose shall thereafter, on each of the days prescribed for the filing of campaign
16 finance statements of political committees, file with the city clerk a report of all expenditures
17 made and all contributions of twenty-five dollars \$25.00 or more received for such purpose on or
18 before the date of the report and which have not been previously reported. Each report shall be
19 submitted on a form prescribed by the city clerk. Contributions shall be specified by date,
20 amount of contribution, name, address and occupation of the person or entity from whom the
21 contribution was made. Expenditures shall be specified by date, the amount of the expenditure,
22 the name and address of the person or entity where an expenditure was made and the purpose of
23 the expenditure.

24 **Section 8. Section 9-2.7 SFCC 1987 (being Ord. #1998-41, §5, as amended) is**
25 **amended to read:**

1 **9-2.7 Statement of Political Committee Organization.**

2 A. Every political committee shall file a statement of organization with the city clerk
3 within ten (10) days of the earlier of the following, but in no event later than the date on which a
4 political committee contracts for or initiates the dissemination of any campaign materials:

5 (1) Its organization; or

6 (2) The date on which it receives or has information which causes it to
7 anticipate that it will receive contributions or will make expenditures in any election
8 campaign.

9 B. The statement of organization shall include but not be limited to:

10 (1) The name, street address, city, county, state, zip code and telephone
11 number of the political committee;

12 (2) The full name, street address, city, county, state and telephone number of
13 each firm, association, partnership, business trust, corporation, company, committee, and
14 other organization or group of individuals with which the political committee is affiliated
15 or connected or with which it coordinated or cooperated in its efforts to support the
16 election or defeat of any identifiable candidate;

17 (3) The names, addresses and titles of its officers; or if it has no officers, the
18 names, addresses and titles of its responsible leaders;

19 (4) The full names, addresses and telephone number (home and business) of
20 its campaign treasurer or deputy campaign treasurer and campaign depository;

21 (5) A statement as to whether the political committee is a continuing
22 committee;

23 (6) The full name, addresses and telephone number (home and work) of each
24 candidate whom the political committee is supporting or opposing;

25 (7) The ballot proposition concerned, if any, and whether the political

1 committee is in favor of or opposed to such proposition; and

2 (8) What distribution of surplus funds will be made upon dissolution.

3 C. Any material change in information previously submitted to the city clerk shall
4 be reported to the city clerk within ten (10) days of such change.

5 **Section 9. Section 9-2.8 SFCC 1987 (being Ord. #1998-41, §6, as amended) is**
6 **amended to read:**

7 **9-2.8 Appointment of Campaign Treasurer or Deputy Campaign Treasurer and**
8 **Designation of Depository by Candidate.**

9 A. Each candidate, within two (2) weeks after becoming a candidate, and each
10 political committee, at the time it is required to file a statement of organization, shall designate
11 and file with the city clerk the names and addresses of:

12 (1) One (1) legally competent individual, who may be the candidate, to serve
13 as campaign treasurer and in addition any appointed deputy campaign treasurer(s); and

14 (2) The campaign depository.

15 B. A candidate, political committee, campaign treasurer, or deputy campaign
16 treasurer may appoint as many deputy campaign treasurers as is considered necessary. The
17 candidate or political committee shall file the names and addresses of any deputy campaign
18 treasurers with the city clerk on the next business day after their appointment.

19 C. A candidate or political committee may at any time remove a campaign treasurer
20 or deputy campaign treasurer or change a designated campaign depository. In the event of the
21 death, resignation, removal, or change of a campaign treasurer, deputy campaign treasurer, or
22 depository, the candidate or political committee shall designate and file with the city clerk within
23 ten (10) days after such designation, the name and address of any successor.

24 D. No contribution and no expenditure shall be accepted or made by or on behalf of
25 a candidate or political committee unless there is a depository and either a campaign treasurer or

1 deputy campaign treasurer in office. A candidate is deemed to be their own campaign treasurer or
2 deputy campaign treasurer until or unless they appoint another person to that office. No
3 expenditure shall be made by or on behalf of a candidate or political committee without the
4 authorization of the treasurer or deputy campaign treasurer.

5 **Section 10. Section 9-2.9 SFCC 1987 (being Ord. #1998-41, §7, as amended) is**
6 **amended to read:**

7 **9-2.9 Campaign Treasurer; Deputy Campaign Treasurer; Duties.**

8 A. The campaign treasurer or deputy campaign treasurer shall keep a true and full
9 record of contributions and expenditures. The record of contributions and expenditures required
10 to be kept under the terms of the Campaign Code shall include, but not be limited to:

11 (1) The full name and complete mailing address of every individual
12 contributor of an amount of twenty-five dollars (\$25.00) or more or an aggregate of
13 contributions of a single contributor totaling twenty-five dollars (\$25.00) or more for the
14 period of time beginning with the acceptance of the first contribution;

15 (2) The full name and complete mailing address of every business and
16 political committee which contributes twenty-five dollars (\$25.00) or more or an
17 aggregate of contributions from a business and political committee totaling twenty-five
18 dollars (\$25.00) or more for the period of time beginning with the acceptance of the first
19 contribution;

20 (3) The amount and form of every contribution;

21 (4) The aggregate donated by each such contributor in the campaign period.
22 Contributions of less than twenty-five dollars (\$25.00) from any individual or from any
23 business or political committee in any campaign shall be reported as a lump sum without
24 identifying the contributor by name;

25 (5) An itemized record of all disbursements, including the name and address

1 of every recipient thereof, receipts reflecting the purpose of each expenditure and the day
2 and method of payment; and

3 (6) All campaign bank records, including deposit slips and canceled checks.

4 B. The campaign treasurer or deputy campaign treasurer shall not accept anonymous
5 donations of twenty-five dollars (\$25.00) or more.

6 C. Records required to be kept by the campaign treasurer or deputy campaign
7 treasurer under the terms of paragraph A items (1), (2), (3) and (4) of this subsection, shall be
8 filed with the city clerk as part of the public record, shall be provided to the ethics and campaign
9 review board set forth in Section 6-16, SFCC 1987 upon request and may be inspected by the
10 public during usual business hours, Monday through Friday, excluding legal holidays.

11 D. Records kept by the campaign treasurer or deputy campaign treasurer shall be
12 made current not more than seven (7) days after the date of a contribution or of an expenditure.
13 During the eight (8) days immediately preceding the date of any election for which the political
14 committee has received any contributions or made any expenditures, the books of the account
15 shall be kept current within one (1) business day.

16 E. The campaign treasurer or deputy campaign treasurer shall preserve books of
17 accounts, bills, receipts and all other financial records of the campaign or political committee for
18 two (2) calendar years following the year in which the transaction occurred.

19 F. The campaign treasurer or deputy campaign treasurer shall deposit within five (5)
20 business days after receipt all monetary contributions received by a candidate, political
21 committee, campaign treasurer or deputy campaign treasurer in the campaign depository
22 designated for that purpose.

23 G. All contributions received shall be under the custody of the campaign treasurer or
24 deputy campaign treasurer and shall be segregated from, and not be commingled with, the
25 personal funds of an individual, group or political committee. Commencing with the municipal

1 election of 2006, any campaign contributions remaining unspent at the conclusion of an election
2 shall be distributed for the following purposes:

- 3 (1) Expenditures of the campaign;
- 4 (2) Expenditures of the public official that are reasonably related to
5 performing the duties of the office held in order to serve constituents;
- 6 (3) Donations to the city's general fund;
- 7 (4) Donations to charities; or
- 8 (5) Disbursements to return unused funds to the contributors.

9 All unspent campaign contributions shall be distributed within six months following a municipal
10 election, for any of the purposes listed in this section.

11 H. A campaign treasurer, deputy campaign treasurer or political committee may
12 invest funds deposited in the campaign account in an account of indebtedness of a financial
13 institution up to the amount of federal deposit insurance; United States bonds or certificates of
14 indebtedness or those of a federal agency; and/or bonds or warrants of the state or any municipal
15 corporation of the state. All interest, dividends, and/or other income derived from the investment
16 and the principal when repaid shall be deposited in the campaign account.

17 **Section 11. Section 9-2.10 SFCC 1987 (being Ord. #1998-41, §8, as amended) is**
18 **amended to read:**

19 **9-2.10 Campaign Finance Statement Required.**

20 A. In addition to any statement of organization required pursuant to subsection 9-
21 2.7A SFCC 1987, each candidate or political committee and their respective campaign treasurer
22 or deputy campaign treasurer shall file a campaign finance statement of all contributions received
23 and expenditures made to date which report shall be current as of the day immediately preceding
24 the reporting date. Contributions shall be reported as of the date of receipt of cash, checks,
25 pledges, commitments for in-kind contributions, promissory notes or other money instruments

1 regardless of the date of actual cashing or deposit. The report shall be submitted on a form
2 prescribed by the city clerk, and shall be filed during the following periods:

3 (1) By 5:00 p.m. on the fortieth day preceding an election in which the
4 candidate is seeking election to an office or in connection with which the political
5 committee has received contributions or made expenditures;

6 (2) By 5:00 p.m. on the twenty-fifth day preceding such election;

7 (3) By 5:00 p.m. on the Tuesday preceding such election;

8 (4) By 12:00 noon on the Monday preceding such election;

9 (5) Within two (2) weeks following such election; and

10 (6) Every six (6) months following such election, so long as a candidate or
11 political committee:

12 (a) Has outstanding unpaid obligations, whether legally enforceable
13 or not;

14 (b) The balance of funds remaining is more than one hundred dollars
15 (\$100.00); or

16 (c) Contributions are received during this period.

17 B. The candidate or political committee and their respective campaign treasurer or
18 deputy campaign treasurer shall file a final report when campaign activities have ceased and there
19 are no outstanding debts or obligations and all remaining funds have been expended. Upon
20 submitting a final report there shall be no obligation to make any further reports.

21 C. If a reporting day falls on a weekend, the campaign finance statement shall be
22 filed with the city clerk on the first working day immediately following the weekend.

23 D. Campaign finance statements shall be filed with the city clerk during regular
24 business hours.

25 E. The city clerk is authorized to reject any incomplete campaign finance

1 statements. The city clerk shall notify the candidate or political committee that the campaign
2 finance statement is incomplete.

3 F. Any candidate who withdraws from an election shall be required to file a report
4 at the time of withdrawal.

5 G. The city clerk shall assess a fine of one hundred dollars (\$100.00) for unexcused
6 late filing of campaign finance statements.

7 **Section 12 Section 9-2.11 SFCC 1987 (being Ord. #1998-41, §10, as amended) is**
8 **amended to read:**

9 **9-2.11 Campaign Finance Statement; Contents.**

10 A. Each campaign finance statement filed in accordance with subsection 9-2.10
11 SFCC 1987 shall disclose for the period beginning at the end of the period for the last report, or in
12 the case of the initial report, at the time of the first contribution or expenditures, and shall contain
13 the following information:

14 (1) The funds on hand at the beginning of the period. This shall include the
15 cumulative total amount of all contributions and expenditures with respect to each
16 election held during the campaign period in which the statement is required to be filed.
17 This includes, but is not limited to, contributions and expenditures in aid of, or in
18 opposition to, candidates or ballot propositions before they qualify for the ballot and
19 contributions and expenditures following the election;

20 (2) The full name and complete mailing address and principal business or
21 occupation of each individual contributor from whom a contribution or contributions of
22 twenty-five dollars (\$25.00) or more in money, goods, materials, services, facilities or
23 anything of value has been received and the amount received from that individual and
24 whether the contribution was received in cash, by check or otherwise;

25 (3) The full name and complete mailing address of each business or political

1 committee from whom a contribution of twenty-five dollars (\$25.00) or more in money,
2 goods, materials, services, facilities or anything of value has been received and the
3 amount received from that business or political committee;

4 (4) The full name and complete mailing address of each individual or
5 business to whom an expenditure has been made and the purpose of each campaign
6 expenditure. This report shall be itemized with the total amount paid to each individual or
7 business for the goods, services or facilities provided;

8 (5) The full name of the candidate or political committee and the full name
9 and complete address of the campaign treasurer or deputy campaign treasurer;

10 (6) For each contributor, the cumulative total of all contributions made from
11 the beginning of the campaign period to date of the current report; and

12 (7) Where goods, materials, services, facilities or anything of value other
13 than money is contributed or expended, the monetary value thereof shall be reported at
14 the fair market value.

15 B. Loans of money, property or other things made to a candidate or political
16 committee during the period covered by the campaign finance statement shall be reported
17 separately in the statement, with the following information:

18 (1) The total value of all loans received during the period covered by the
19 campaign finance statement;

20 (2) The full name and address of each lender, the date of the loan, the
21 interest rate and the amount of the loan remaining unpaid;

22 (3) The cumulative total value of all loans received; and

23 (4) The total amount of loans remaining unpaid.

24 C. If a loan has been forgiven or paid by a third person, it shall be reported pursuant
25 to this section.

1 D. Investments made with campaign funds under subsection 9-2.9 SFCC 1987 and
2 interest, dividends and/or other income received shall be reported separately in the statement.

3 **Section 13. Section 9-2.13 SFCC 1987 (being Ord. #1998-41, §12, as amended) is**
4 **amended to read:**

5 **9-2.13 Campaign Finance Statement; Filing.**

6 A. A candidate or political committee is not required to file a campaign finance
7 statement if neither the contributions received nor the expenditures made on behalf of the
8 campaign exceeds five hundred dollars (\$500.00).

9 B. However, at each of the intervals in which a campaign finance statement is
10 required to be filed, such a candidate or political committee shall file with the city clerk a written
11 declaration under oath to the effect that neither the campaign contributions nor the expenditures
12 of the candidate or political committee have exceeded five hundred dollars (\$500.00).

13 C. If contributions received or expenditures made thereafter exceed a sum total of
14 five hundred dollars (\$500.00), including contributions received or expenditures made prior to the
15 twentieth day before the election, the candidate or political committee shall file campaign finance
16 statements as required by subsection 9-2.10 SFCC 1987 of the Campaign Code.

17 D. The city clerk shall encourage electronic filing and require posting of all
18 documents generated pursuant to the Campaign Code in an accessible and searchable format to
19 inform and educate the electorate. Such documents include:

- 20 (1) Statements of organization of candidates and political committees; and
21 (2) Campaign finance statements or other required disclosures.

22 **Section 14. Section 9-2.15 SFCC 1987 (being Ord. #2005-14) is amended to read:**

23 **9-2.15 Temporary Political Signs.** The following requirements shall apply for
24 political campaign signs:

25 A. No building permit is required.

1 B. Signs shall not be located on or overhang onto public property, including but not
2 limited to, rights-of-way.

3 C. Each candidate shall designate a liaison contact as responsible for the lawful
4 placement and location of political campaign signs. The contact's name and telephone number
5 shall be filed with the city clerk, and shall legibly appear on every political campaign sign. A
6 candidate may be a liaison contact.

7 D. Political campaign signs may be located only on private property, with the
8 consent of the property owner, who may remove any sign placed on such owner's property
9 without permission.

10 E. The city manager shall request candidate liaison contacts to remove their own
11 candidates' unlawful signs within 24 hours and upon their failure to do so shall impose a fine of
12 fifty dollars (\$50.00) per sign per day.

13 F. If not removed as directed in paragraph E. above, the city manager shall direct
14 city staff to remove those signs placed on public property or rights of way in violation of this
15 section, including the towing of vehicles displaying political campaign signs illegally parked on
16 city property.

17 G. No sign shall exceed thirty-two (32) square feet.

18 H. Political signs shall not be posted more than sixty (60) days before the election
19 day. All political signs shall be removed within five (5) days after the election.

20 PASSED, APPROVED and ADOPTED this 11th day of April, 2007.

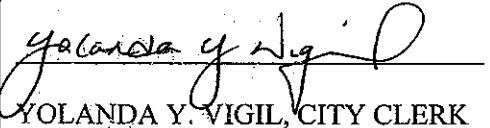
21
22 *David Coss*

23 DAVID COSS, MAYOR

1 ATTEST:

2

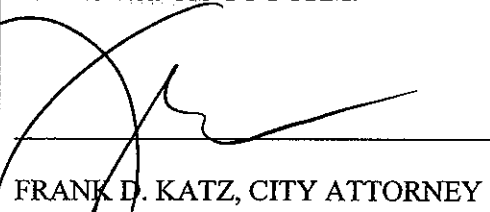
3


YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

6

7


FRANK D. KATZ, CITY ATTORNEY

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Jp/cmo/2007 ord/campaign code revisions