

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

July 6, 2009

CALL TO PODIUM:

Fred Felton
Assistant City Manager

RESPONSIBLE STAFF:

Fred Felton
Assistant City Manager

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input checked="" type="checkbox"/>	Other: From Staff

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:
Staff guidance on a Memorandum Dated June 19, 2009 Concerning Proposed Amendments to the Elections Ordinance

SUPPORTING BACKGROUND:
Staff will be seeking guidance on the attached memorandum.

DESIRED OUTCOME:
Provide guidance to staff.

MEMORANDUM TO: Mayor and City Council

VIA: Angel L. Jones, City Manager

FROM: Frederick J. Felton, Assistant City Manager

DATE: June 19, 2009

SUBJECT: Proposed Amendment to Section 6C-12

During the June 1, 2009 public hearing on Ordinance No. 07-09 (revisions to the Elections Ordinance), the Mayor and City Council indicated they would also like to consider an amendment to the Elections Ordinance that would require that all campaign contributions be deposited in a separate account with a financial institution, and not be commingled with any other funds.

The attached draft ordinance would accomplish this objective, and staff intends to recommend that the Mayor and City Council introduce this ordinance on July 20, 2009; however, we want to make sure the Mayor and City Council do not have any other proposed amendments to the Elections Ordinance prior to introducing and advertising this ordinance. Accordingly, we are requesting that you review Chapter 6C of the City Code and let us know if you would like to consider any other changes.

I will be seeking guidance on this matter during the July 6, 2009 Mayor and City Council meeting. In the meantime, please contact me if you have any questions or want to discuss.

FJF/ms
Attachment

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 6C
ENTITLED "ELECTIONS" OF THE CITY CODE, ARTICLE 2 ENTITLED
"FINANCIAL CONTRIBUTIONS AND EXPENDITURES", SECTION 6C-12
ENTITLED "LIMITATIONS ON CAMPAIGN CONTRIBUTIONS"

BE IT ORDAINED, by the Mayor and Council of the City of Gaithersburg,
in public meeting assembled, that Chapter 6C entitled "Elections" is amended
and shall read as follows:

**Chapter 6C
Elections**

* * * * *

Sec. 6C-12. Limitations Restrictions on campaign contributions.

(a) No candidate may accept, in connection with any election for the position of mayor or a position on the city council, a contribution in cash in excess of five hundred dollars (\$500.00) or an in-kind contribution, or combination thereof, the value of which is in excess of five hundred dollars (\$500.00) from any one person. No person may contribute or promise to contribute in the aggregate, more than five hundred dollars (\$500.00) in cash, or in-kind contributions, valued at more than five hundred dollars (\$500.00), to any one candidate in connection with any one election. No person may contribute or promise to contribute in the aggregate, more than five hundred dollars (\$500.00) in cash, or in-kind contributions, or combination thereof, valued at more than five hundred dollars (\$500.00) per candidate, to any one political committee. No person may contribute more than a total of \$1,500 in connection with any one election. No candidate shall accept any contribution in excess of twenty-five dollars (\$25.00) in cash unless it be by check, money order or other written instrument. No candidate or political committee shall accept any anonymous contributions. Any anonymous contribution received by a candidate or a political committee shall be promptly paid over to the city to be used for any lawful purpose.

(b) Any campaign contributions received by a candidate or political committee must be deposited in a separate account with a financial institution. Campaign contributions must not be commingled with any other funds.

* * * * *

ADOPTED this ____ day of ____, 2009, by the City Council of
Gaithersburg Maryland.

SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this ____ day of ____, 2009. APPROVED by the Mayor of the City of Gaithersburg, this ____ day of ____, 2009.

Sidney A. Katz, Mayor

THIS IS TO CERTIFY that the foregoing ordinance as adopted by the City Council of Gaithersburg, in public meeting assembled, on the ____ day of ____, 2009, and that the same was approved/vetoed by the Mayor of the City of Gaithersburg on the ____ day of ____, 2009. This Ordinance will become effective ____ day of _____.

Angel L. Jones, City Manager

Boldface

Heading or defined term.

Underlining

Added to existing law by original bill.

~~Single strikethrough~~

Deleted from existing law by original bill.

Double underlining

Added by Amendment.

~~Double boldface strikethrough~~

Deleted from existing law or the bill by

amendment.

Existing law unaffected by bill.
