

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

September 8, 2009

CALL TO PODIUM:

Fred Felton
Assistant City Manager

RESPONSIBLE STAFF:

Fred Felton

Lynn Board

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 checked="" type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other:

PUBLIC HEARING HISTORY:

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

Introduced	07/20/09
Advertised	07/22/09
Hearing Date	08/03/09
Record Held Open	08/13/09
Policy Discussion	09/08/09

TITLE:
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"

SUPPORTING BACKGROUND:
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.
During the July 6, 2009 meeting, the Mayor and City Council also indicated that they would like the proposed amendment to clarify that electronic campaign donations are permissible.
If adopted, the attached draft ordinance would accomplish the two items outlined above.
A public hearing was held on August 3, 2009. The record closed at 5:00 PM on August 13, 2009.
<u>Attachment</u>
Draft amendment to Chapter 6C

DESIRED OUTCOME:
Ordinance is ready for final action.

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 or electronic instruments. 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.

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ADOPTED this 8th day of September, 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 8th day of September, 2009. APPROVED by the Mayor of the City of Gaithersburg, this 8th day of September, 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 8th day of September, 2009, and that the same was approved/vetoed by the Mayor of the City of Gaithersburg on the 8th day of September, 2009. This Ordinance will become effective on the 28th day of September.

Angel L. Jones, City Manager

Boldface

Underlining

~~Single strikethrough~~

Double underlining

~~**Double boldface strikethrough**~~

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by Amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.