

Proposed 2010 Council Study Issue

OCA 10-01 Publicly Funded Campaign Financing and Consider Moving From Odd-Year Elections to Even-Year Elections

Lead Department	Office of the City Attorney		
Element or Sub-element	7.3 Legislative Management		
New or Previous	New		
Status	Above the line	History	1 year ago None 2 years ago None

1. What are the key elements of the issue? What precipitated it?

The City of Sunnyvale does not currently provide public funding for City Council campaigns. Public funds may be constitutionally provided for candidates who agree to a specified expenditure limit. Six states nationwide provide public financing in some form for state offices and some cities provide public financing for local government office. No city in California currently provides complete public financing for local candidates, although several cities provide limited public funding to candidates who agree to campaign expenditure limits.

This Study Issue would examine the history and background of public campaign financing, analyze legal issues, and provide options for Council consideration for public campaign financing.

As part of this study, the pros and cons of moving the City of Sunnyvale's general elections from odd-numbered years (as currently required by the Charter) to even-numbered years will be looked at. Fiscal impacts to the City as well as other jurisdictions such as school districts will be analyzed, along with impacts on voter turnout and campaign costs. Moving to even-numbered election years will be looked at as a possible funding mechanism for public campaign financing.

2. How does this relate to the General Plan or existing City Policy?

Current City policy provides limited public financing assistance for cost of candidate statements if a candidate submits a petition with a minimum number of voter signatures. No City policy provides for public financing of campaigns other than for the cost of the candidate statement.

City Charter Section 1400, General Municipal Elections.
There shall be a General Municipal Election to fill elective offices in the odd-numbered years on the date established under General Law for the election of governing board members of elementary school districts.

Council Policy B. 5 Conduct elections in accordance with the Charter and state laws

Action statements
B. 5a Consolidate elections whenever possible

3. Origin of issue

Council Member(s) Hamilton, Swegles, Spitaleri
General Plan
City Staff
Public
Board or Commission none

4. **Multiple Year Project?** Yes **Planned Completion Year** 2010

5. **Expected participation involved in the study issue process?**

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? No

If so, which?

Is a Council Study Session anticipated? Yes

What is the public participation process?

In addition to Brown Act noticing of all meetings and study sessions that consider public campaign finance, the committee or working group for campaign finance may want to schedule one or more special public meetings to solicit public input on public campaign financing.

6. **Cost of Study**

Operating Budget Program covering costs

Comprehensive Legal Services- 751

Project Budget covering costs

Budget modification \$ amount needed for study

Explain below what the additional funding will be used for

7. **Potential fiscal impact to implement recommendations in the Study approved by Council**

Capital expenditure range \$500 - \$50K

Operating expenditure range \$500 - \$50K

New revenues/savings range \$101K - \$500K

Explain impact briefly

If a Charter change is required as part of the implementation for any public campaign financing, an election would need to be held. If consolidated with a general election the cost would be approximately \$65,000. If a special election is required the cost will be significantly higher. If public campaign financing is adopted, costs will vary depending on the number of candidates who utilize public financing and the scope of the program adopted. Potential costs range from \$100,000 to over \$500,000 per election. Depending on a number of variables, moving from odd-numbered to even-numbered year elections could save the City up to several hundred thousand dollars in operating costs every other year. Elections held in even-numbered years share costs with the county, ten cities and school and special districts during statewide gubernatorial and presidential elections. Elections held in odd-numbered years share costs with four other cities and several school and special districts. Cost savings from moving to even-year elections could be used to offset some or all of the cost of providing public campaign financing.

8. Staff Recommendation

Staff Recommendation None

If 'For Study' or 'Against Study', explain

In 2006, the Council selected a Study Issue including campaign contribution and expenditure limits, and public campaign financing. Staff presented a report on public campaign financing. Council voted to not place an advisory public campaign finance measure on the November 2007 ballot, and in February 2008 appointed a sub-committee to investigate public campaign finance and funding sources. On October 7, 2008, the sub-committee reported to the Council in study session and the Council voted to not adopt a public campaign finance program beyond the current program. This was the culmination of approximately two years of study, and Council and sub-committee review and consideration. A new study issue on campaign finance would repeat much of the work and debate that occurred on the 2006 study issue.

It will be useful to determine current cost numbers for moving elections from odd to even years.

9. Estimated consultant hours for completion of the study issue

80

Managers

Role	Manager	Hours			
Lead	Kahn, David	Mgr CY1:	40	Mgr CY2:	0
		Staff CY1:	0	Staff CY2:	0
Support	Berry, Kathryn	Mgr CY1:	80	Mgr CY2:	0
		Staff CY1:	0	Staff CY2:	0
Support	Franco Simmons, Kathleen	Mgr CY1:	160	Mgr CY2:	0
		Staff CY1:	0	Staff CY2:	0
Support	Luebbbers, Gary	Mgr CY1:	40	Mgr CY2:	0
		Staff CY1:	0	Staff CY2:	0

Total Hours CY1: 320

Total Hours CY2: 0

Note: If staff's recommendation is 'For Study' or 'Against Study', the Director should note the relative importance of this Study to other major projects that the Department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by



Department Director

2-12-10

Date

Approved by



City Manager

2-12-10

Date

Addendum

A. Board / Commission Recommendation

Issue Created Too Late for B/C Ranking

Board or Commission	Rank	Rank
	Rank 1 year ago	Rank 2 years ago
Arts Commission		
Bicycle and Pedestrian Advisory Committee		
Board of Building Code Appeals		
Board of Library Trustees		
Child Care Advisory Board		
Heritage Preservation Commission		
Housing and Human Services Commission		
Parks and Recreation Commission		
Personnel Board		
Planning Commission		

Board or Commission ranking comments

B. Council

Council Rank 2
Start Date 5/10/2010
Work Plan Review Date (blank)
Study Session Date 9/14/2010
RTC Date 10/12/2010
Actual Complete Date (blank)
Staff Contact