

RESOLUTION NO. 044 - 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAKERSFIELD, CALIFORNIA, ADOPTING A "NO CAMPAIGN CONTRIBUTION LIMIT" FOR CANDIDATES FOR ELECTION TO CITY OFFICES.

WHEREAS, the City of Bakersfield ("City") currently does not have established local limits for campaign contributions to candidates for elective City offices; and

WHEREAS, beginning January 1, 2021, Government Code §85301, et. seq. imposes a default campaign contribution limit (currently \$4,700 per election) upon cities and counties without campaign contribution limits; and

WHEREAS, the State contribution limit amount is adjusted in January of every odd-numbered year to reflect any increase or decrease in the Consumer Price Index by the Fair Political Practices Commission ("FPPC") pursuant to Government Code §§ 85301 and 83124; and

WHEREAS, Government Code §85702.5 further permits a city (by resolution or ordinance), to establish its own campaign contribution limits that are different from what is established by state law, whether higher or lower; and

WHEREAS, the FPPC has opined that a city can establish a "no campaign contribution limit" and that the same would be recognized by the FPPC as a local limit distinct from and not subject to the state default limits; and

WHEREAS, the limits imposed by the State do not adequately consider local factors and unique circumstances found within the City, and could have the potential to unnecessarily limit healthy political discourse and discussion within the City; and

WHEREAS, it is the purpose and intent of the City Council in enacting this Resolution to preserve an orderly political forum in which individuals and groups may express themselves effectively; and

WHEREAS, the City Council now desires and intends to establish a "no campaign contribution limit" as the local limit on campaign contributions to elections for City office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bakersfield as follows:

1. The above recitals are true and correct and are incorporated herein by reference.

2. The City Council hereby adopts a "no campaign contribution limit" as the local limit on contributions a person may make to a candidate for elective city office, and on the amount of campaign contributions a candidate for elective City office may accept from a person.
3. The campaign contribution limit established in Section 2 is intended to constitute the City's campaign contribution limit for the purposes of State law, such that the limit set in Government Code § 85301 (d) does not apply to the City.
4. The Council desires that this Resolution be maintained in its Council Policy and Procedure Manual, Chapter 2 (Section 2.13) and be effective immediately upon its adoption.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on MAR 17 2021, by the following vote:

<input checked="" type="radio"/> YES:	COUNCIL MEMBER	ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, PARLIER
NOES:	COUNCIL MEMBER	<u>None</u>
ABSTAIN:	COUNCIL MEMBER	<u>None</u>
ABSENT:	COUNCIL MEMBER	<u>None</u>

Julie Drimakis
JULIE DRIMAKIS
 CITY CLERK and Ex Officio Clerk of
 the Council of the City of Bakersfield

APPROVED MAR 17 2021
 By Karen Goh
KAREN GOH
 Mayor

APPROVED AS TO FORM:
 By Virginia Gennaro
VIRGINIA GENNARO
 City Attorney

