

**AMENDMENT 2 TO ORDER 171-22/23
FOR COUNCILOR TREVORROW AND COUNCILOR RODRÍGUEZ
RE: REVISIONS IN THE CLEAN ELECTIONS FUND**

Section 9-65. Fund Administration.

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(b) *Sources of Funding.* The following must be deposited in the fund:

1) An initial special appropriation in the sum of \$464,750 for fiscal year 2023-24, to be deposited by July 1, 2023.

2) Each fiscal year ~~after 2023-24, the a~~ sum of ~~not less than \$290,000~~ \$500,000.00, shall be budgeted for and deposited in the Fund. The City Council shall appropriate and deposit in the Fund such additional sums, if any, as may be necessary to ensure the Fund is sustained at a level that facilitates competitive campaigns for Certified Candidates who meet qualifying criteria;

~~32~~) Qualifying Contributions when submitted to the City;

~~43~~) Fund revenues that were distributed to a Certified Candidate and that remain unspent after the Election;

~~54~~) Other unspent Fund revenues distributed to any Certified Candidate who does not remain a Certified Candidate throughout the Election Cycle;

~~65~~) Voluntary donations made directly to the Fund, including any Candidate's prior campaign surplus;

~~76~~) All fines levied and collected under this Article by the Clean Elections Review Board or as decreed by a court of competent jurisdiction;

8) Such additional appropriations as may be made by the City Council under subsection 9-66(f) of this Article pursuant to City Council Rules of Procedure;

~~97~~) Such other appropriations to the Fund as may be made by the City Council as necessary to fulfill the requirements of this Article.

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Section 9-66. Distribution of Funds to Certified Candidates.

(a) *Amounts to be distributed.* Distributions from the Fund to Certified Candidates shall be made as follows:

CONTESTED RACES

1) Mayor

- i. The initial distribution of revenues is \$40,000.00;
- ii. For each increment of ~~100~~ ~~115~~ additional Qualifying Contributions a Candidate for Mayor collects and submits pursuant to subsection 9-66(b), not to exceed a total of ~~300~~ ~~345~~ additional Qualifying Contributions, the supplemental distribution of revenues to that Candidate is ~~\$20,000.00~~ ~~\$26,666.00~~;
- iii. The total amount of revenues distributed to a Candidate for Mayor shall not exceed ~~\$100,000.00~~ ~~\$120,000.00~~ per Certified Candidate.

2) City Council At-Large

- i. The initial distribution of revenues is \$10,000.00;
- ii. For each increment of ~~50~~ ~~70~~ additional Qualifying Contributions a Candidate for City Council at-large collects and submits pursuant to subsection 9-66(b), not to exceed a total of ~~150~~ ~~210~~ additional Qualifying Contributions, the supplemental distribution of revenues to that Candidate is ~~\$6,666.00~~ ~~\$10,000.00~~;
- iii. For Certified Candidates for City Council at-large, the total distribution of revenues ~~shall not exceed is~~ ~~\$30,000.00~~ ~~\$40,000.00~~ per Certified Candidate;

3) City Council District

- i. The initial distribution of revenues is \$4,000.00;
- ii. For each increment of ~~25~~ ~~40~~ additional Qualifying Contributions a Candidate for City Council for a specified district collects and submits pursuant to subsection 9-66(b), not to exceed a total of ~~75~~ ~~120~~ additional Qualifying Contributions, the supplemental distribution of revenues to that Candidate is 2,666.00;
- iii. For Certified Candidates for City Council for a specified district, the total distribution of revenues ~~shall not exceed is~~ \$12,000.00 per Certified Candidate.

4) School Board At-Large

- i. The initial distribution of revenues is \$5,000.00;
- ii. For each increment of ~~40~~ ~~55~~ additional Qualifying Contributions a Candidate for School Board at-large collects and submits pursuant to subsection 9-66(b), not to exceed a total of ~~120~~ ~~165~~ additional Qualifying Contributions, the supplemental distribution of revenues to that Candidate is ~~\$1,666.00~~ ~~\$3,333.00~~;
- iii. For Certified Candidates for the School Board at-large, the total distribution of revenues ~~shall not exceed is~~ ~~\$10,000.00~~ ~~\$15,000.00~~ per Certified Candidate.

5) School Board District

- i. The initial distribution of revenues is ~~\$3,000.00~~ ~~\$2,000.00~~;
- ii. For each increment of ~~15~~ ~~25~~ additional Qualifying Contributions a Candidate for School Board for a specified district collects and submits pursuant to subsection 9-66(b), not to exceed a total of ~~45~~ ~~75~~ additional Qualifying

Contributions, the supplemental distribution of revenues to that Candidate is \$1,000.00;

iii. For Certified Candidates for the School Board for a specified district, the total distribution of revenues shall not exceed \$6,000.00 ~~is \$5,000.00~~ per Certified Candidate.

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(c) *Timing of Initial Distribution.* The City Clerk shall ~~authorize distribution of initial Fund revenues to Certified Candidates by the most expeditious means practicable after certification by the City Clerk of the required number of initial Qualifying Contributions required in Section 9-63(d)(2). The distribution of initial Fund amounts shall begin no earlier~~ ~~distribute to Certified Candidates revenues from the Fund in amounts specified in subsection (a) of this section no later~~ than one hundred thirteen (113) days before the Election. In the event that the initial disbursement is prior to Candidates being able to qualify for the ballot, the amount of the initial distribution shall be the amounts specified for Uncontested Races in subsection (a). To receive this initial distribution, a Certified Candidate must sign the affidavit required in Section 9-64(b)(1) if the Certified Candidate has not qualified for the ballot and has no opponent. The remaining balance owed the Certified Candidate for the initial distribution shall be distributed by the City Clerk as soon as practicable once both the Certified Candidate and an opponent qualify for the ballot.

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(f) *Shortfall Provisions.* The City Clerk may not ~~authorize a distribution of~~ ~~distribute~~ revenues to Certified Candidates in excess of the total amount of money deposited in the Fund. If the City Clerk determines that the ~~amounts required to be distributed to Candidates under subsection (a) of this section exceed~~ the total amount available in the Fund, is less than \$25,000, the City Clerk shall immediately inform the City Council of the amount the City Clerk estimates to be necessary to satisfy the remaining Initial or Supplemental Distributions for all Certified Candidates for the present Election Cycle. The City Council may, by resolution, appropriate additional amounts, but no greater than the amount of excess revenues and unencumbered budget surplus remaining after the purpose of the original appropriation has been satisfied. Until such funds are appropriated, the City Clerk shall distribute the remaining funds on a first come-first served basis based on when a Candidate is certified for either initial or supplemental distributions. If the City Council appropriates additional amounts to the Fund, the Clerk shall promptly distribute any incomplete initial or supplemental distributions that are submitted prior to twenty-three (23) days before the Election. If the Fund is depleted, and the City Council does not appropriate additional amounts to the Fund, any Candidate that does not receive either an initial or supplemental distribution after being certified by the City Clerk may collect funds from private sources up to the total amount the Candidate would have otherwise received from the Fund and limited to the maximum single contribution amount allowed by law. For any initial or supplemental distributions, a Certified Candidate shall still be required to collect and submit to the City Clerk all necessary Qualifying Contributions in order to be entitled to collect funds from private sources after the Fund is depleted. Any Certified Candidate that collects funds from private sources pursuant to this subsection shall continue to be considered a Certified Candidate.

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(i) *Annual Report.* By March 15th of each year the City Clerk shall provide to the City Council and the Mayor a report on the revenues and expenditures of the Fund and candidate participation for the prior Election Cycle. The report shall also include any recommendations to improve the administration of the Fund.