

Title 2

ADMINISTRATION

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Chapter 2.05**CITY COUNCIL**

Sections:

- 2.05.010 Council meetings – Place of meeting.
- 2.05.020 Council meetings – Rules of procedure.
- 2.05.030 Salary of city council members.

2.05.010 Council meetings – Place of meeting.¹

The regular meetings of the council shall be held on the first and third Mondays of each month. In the event the first or third Monday is an official city holiday, the meeting shall be held on the Monday immediately following the holiday or as otherwise designated by the city council. The place of the meetings is the council chamber at 100 Gregory Lane, Pleasant Hill, California. The time of the meetings shall be set forth in the council meeting procedures. (Ord. 703 § 1, 1995; Ord. 688 § 1, 1993; Ord. 658 § 1, 1991; 1991 code § 2-1.1)

2.05.020 Council meetings – Rules of procedure.

The rules for the conduct of proceedings of the city council shall be established by council resolution. (1991 code § 2-1.2)

2.05.030 Salary of city council members.²

The amount of salary for members of the city council shall be established by ordinance, and may be adjusted from time to time as provided by law. (1991 code § 2-2)

1. **Editor's note:** For statutory provisions requiring city council meetings to be held at least once a month, see Government Code section 36805; for provisions regarding time and place of city council meetings, see Government Code section 36808; for further provisions see also Government Code section 54954.

2. **Editor's note:** For statutory provisions regarding compensation of city council members, see Government Code section 36514 et seq.

Chapter 2.10
CITY MANAGER¹

Sections:

- 2.10.010 Created.
- 2.10.020 Appointment.
- 2.10.030 Eligibility of council members.
- 2.10.040 Bond.
- 2.10.050 Compensation.
- 2.10.060 Acting city manager.
- 2.10.070 Powers and duties.
- 2.10.080 Removal from office.
- 2.10.090 Exclusion from personnel merit system.
- 2.10.100 Relationship to council.
- 2.10.110 Cooperation of city officers and employees.
- 2.10.120 Political activity prohibited.

2.10.010 Created.

The office of city manager is created. (1991 code § 2-6.1)

2.10.020 Appointment.

The city manager is appointed by the council solely on the basis of his or her executive and administrative qualifications and ability. He or she holds office at the pleasure of the council. (1991 code § 2-6.2)

2.10.030 Eligibility of council members.

No person elected to membership on the city council is eligible for appointment as city manager until two years after he or she ceases to be a member of the council. (1991 code § 2-6.3)

2.10.040 Bond.

The city manager shall furnish a corporate surety bond in the form and amount approved by the council. The bond shall be conditioned upon the faithful performance of the duties imposed upon the city manager. The premium for the bond is a proper charge against the city. (1991 code § 2-6.4)

2.10.050 Compensation.

The city manager is entitled to such compensation and expense allowances as the council determines. (1991 code § 2-6.5)

2.10.060 Acting city manager.

The city manager shall designate one of the other officers or department heads of the city to serve as acting city manager during the absence or disability of the city manager. In case of the absence or disability of the city manager and his or her failure to designate an acting city manager, the council may designate a qualified person to perform the duties of the city manager during the period of absence or disability of the city manager.

1. **Editor's note:** For statutory provisions regarding the city manager, see Government Code sections 34850 through 34856.

The acting city manager shall furnish a corporate surety bond as in the case of the city manager. (1991 code § 2-6.6)

2.10.070 Powers and duties.

The city manager is the administrative head of the government of the city under the direction and control of the council. He or she is responsible for the efficient administration of all affairs of the city which are under his or her control. In addition to his or her general powers as administrative head, he or she has the following specific responsibilities:

- A. To see that all laws and ordinances of the city are enforced and that all franchises, permits and privileges granted by the city are faithfully observed;
- B. To control and give directions to the heads of departments and to each subordinate officer and employee of the city through his or her department head, to transfer an employee from one department to another, and consolidate or combine offices, positions, departments, or units under his or her direction;
- C. Subject to personnel regulations, to appoint, remove and demote any appointive officer and employee except the city attorney;
- D. To represent the city in its negotiations and working relationships with the state, the county and other governmental jurisdictions, except that each contract negotiated for the exchange of services for another governmental jurisdiction is subject to approval by the council;
- E. To attend meetings of the council unless excused by the council;
- F. To recommend to the council those measures he or she considers necessary or expedient;
- G. To keep the council fully advised as to the financial condition and needs of the city;
- H. To prepare and submit the proposed annual budget and the proposed salary plan to the council for approval;
- I. To direct and supervise the purchase and acquisition of all property, equipment, services, materials and supplies for the city, provided the acquisition is approved by the council or is included in a budget which is approved by the council. No expenditure may be submitted or recommended to the council until it is approved by the city manager;
- J. To make investigations into the affairs of the city and enter into any contract for the proper performance of obligations running to the city;
- K. To investigate complaints in relation to matters concerning the administration of the city government, and in regard to services maintained by public utilities in the city government, and in regard to services maintained by public utilities in the city; and to see that every franchise, permit and privilege granted by the city is faithfully performed and observed;
- L. To exercise general supervision over public buildings, public parks and all other public property which falls under the jurisdiction of the council;
- M. To devote full time to the duties of his or her office and the interests of the city;
- N. To perform such other duties and exercise such other powers as the council delegates to him or her;

O. To attend the meeting of each commission and board created by the council upon his or her own volition or upon direction of the council. At each such meeting which he or she attends, the commission or board shall hear the city manager as to every matter upon which he or she wishes to address them;

P. To sign all written contracts and conveyances made or entered into by the city, when authorized to do so by the city council. (Ord. 725 § 1, 1998; 1991 code § 2-6.7)

2.10.080 Removal from office.

A. Methods. The city manager may be removed only at a regular meeting of the council and only in accordance with one of the following methods:

1. A resolution adopted by unanimous vote of all the members of the council, setting forth the reasons for removal. In this event, the removal is effective when specified in the resolution;
2. A resolution adopted by a vote of three or more members of the council, but less than a unanimous vote of all of the members of the council, setting forth the reason for removal. In this event the removal is effective 30 days after adoption of the resolution; provided, that at the regular meeting of the council preceding the expiration of the 30-day period, a second resolution of removal is adopted by a vote of at least three members of the council.

B. Exception. The council may not remove the city manager from office during or within a period of 90 days next succeeding a general municipal election held in the city at which election a member of the council is elected. After the expiration of this 90-day period, the provisions of subsection A of this section apply. (1991 code § 2-6.8)

2.10.090 Exclusion from personnel merit system.

The office of the city manager is specifically excluded from the personnel merit system of the city and the city manager is not entitled to the benefits, advantages, or protection of the personnel merit system. He or she is not subject to the procedures in the system. (1991 code § 2-6.9)

2.10.100 Relationship to council.

The council and its members shall deal with the administrative services of the city only through the city manager, except for the purpose of inquiry. Neither the council nor a council member shall give an order to the subordinates of the city manager. (1991 code § 2-6.10)

2.10.110 Cooperation of city officers and employees.

Every subordinate officer and employee and the city attorney shall cooperate with and assist the city manager in administering the affairs of the city most efficiently, economically and harmoniously, so far as is consistent with their duties. (1991 code § 2-6.11)

2.10.120 Political activity prohibited.

The city manager is prohibited from engaging in political activity, either by soliciting funds or actively supporting any municipal official or candidate. (1991 code § 2-6.12)

Chapter 2.15**CITY CLERK**

Sections:

- 2.15.010 Position.
- 2.15.020 Duties of city clerk.
- 2.15.030 Compensation.

2.15.010 Position.

The city clerk shall be elected as provided by law. (1991 code § 2-7.1)

2.15.020 Duties of city clerk.

In addition to the duties imposed upon the office of city clerk by law, the city clerk shall:

- A. Keep an accurate record of proceedings of the city council;
- B. Keep an ordinance book and record in it all city ordinances with a certificate attached to each ordinance stating that it is a copy and that it has been published or posted;
- C. Act as the custodian of the city's seal;
- D. Upon approval of the city manager, appoint a deputy who holds office at the pleasure of the clerk and receives compensation as fixed by the city council;
- E. Administer oaths and certify affidavits pertaining to city affairs and business;
- F. Perform such other duties as are imposed upon the office by the city council as prescribed by ordinance and such other duties as directed by the city manager. (1991 code § 2-7.2)

2.15.030 Compensation.

The city clerk is entitled to compensation fixed by resolution of the city council. (Ord. 416 § 1, 1978; 1991 code § 2-7.3)

Chapter 2.20

CITY TREASURER

Sections:

2.20.010 Position.

2.20.020 Compensation.

2.20.010 Position.

The city treasurer shall be elected as provided by law. (1991 code § 2-8.1)

2.20.020 Compensation.

The city treasurer is entitled to compensation fixed by resolution of the city council. (Ord. 416 § 2, 1978; 1991 code § 2-8.2)

Chapter 2.25**CITY ATTORNEY**

Sections:

2.25.010 Created – Director designated.

2.25.020 Duties of attorney and functions of department.

2.25.010 Created – Director designated.

There shall be a city department known as the city attorney's office which shall carry out the functions set forth herein. The administrative officer of the department shall be known as the city attorney and shall be appointed by and serve at the pleasure of the city council. (1991 code § 2-23.1)

2.25.020 Duties of attorney and functions of department.

The city attorney and city attorney's office shall have such duties, responsibilities and functions as provided by city council and by law. (1991 code § 2-23.2)

Chapter 2.30

REDEVELOPMENT AGENCY

Sections:

2.30.010 Need declared.

2.30.020 City council as agency.

2.30.010 Need declared.

Under Health and Safety Code section 33101, the city council declares that there is a need for the agency created by Health and Safety Code section 33100 to function in the city. The redevelopment agency is authorized to transact business and exercise its power under the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code sections 33000 through 33674. (1991 code § 2-40.1)

2.30.020 City council as agency.

Under Health and Safety Code section 33200, the city council declares itself to be the agency provided for in PHMC § 2.25.010. All the rights, powers, duties, privileges and immunities vested by the Community Redevelopment Law in the agency shall be vested in the city council. (1991 code § 2-40.2)

Chapter 2.35**DEPARTMENT OF HUMAN RESOURCES**

Sections:

- 2.35.010 Created – Director designated.
- 2.35.020 Duties as personnel officer and functions of department.
- 2.35.030 Additional duties.

2.35.010 Created – Director designated.

There shall be a city department known as the department of human resources, which shall carry out the functions set forth herein. The administrative officer of the department shall be known as the director of human resources and shall be appointed by and serve at the pleasure of the city manager. In the absence of an appointment, the city manager shall serve as director of human resources. (1991 code § 2-21.1)

2.35.020 Duties as personnel officer and functions of department.

The director of human resources shall serve as the personnel officer. The department of human resources shall administer the personnel system, maintain employee records and perform necessary duties for the effective administration of the system. (1991 code § 2-21.2)

2.35.030 Additional duties.

The department of human resources shall perform such additional functions as the city council or city manager require. (1991 code § 2-21.4)

Chapter 2.40

DEPARTMENT OF FINANCE

Sections:

- 2.40.010 Created – Director designated.
- 2.40.020 Duties of director and functions of department.
- 2.40.030 Director to prepare reports.
- 2.40.040 Additional duties.
- 2.40.050 Transfer of certain duties.
- 2.40.060 Appointment of deputies.
- 2.40.070 Bond.

2.40.010 Created – Director designated.

There shall be a city department known as the department of finance, which shall carry out the functions set forth herein. The administrative officer of the department shall be known as the director of finance and shall be appointed by and serve at the pleasure of the city manager. In the absence of an appointment, the city manager shall serve as the director of finance. (1991 code § 2-22.1)

2.40.020 Duties of director and functions of department.

The director and department of finance shall have the following duties, responsibilities and functions:

- A. Maintenance and operation of the general accounting of the city and of each of the respective divisions and services of the city;
- B. Performance of all city accounting functions and duties, unless otherwise provided;
- C. Maintenance of all inventory records of municipal properties;
- D. Administration and implementation of the collection of taxes, licenses and permit fees levied by the city;
- E. Administration and implementation of all preparation, auditing, presenting and disbursing of claims and demands against the city, including payroll;
- F. Purchasing of all supplies, goods, wares, merchandise, equipment and materials required by the city;
- G. Assistance in preparation and administration of the city budget;
- H. Establishment in cooperation with the city treasurer and others of sufficient and satisfactory procedures and controls over municipal revenues and expenditures in all departments, divisions and services of the city in accordance with modern accounting practices; and
- I. The carrying out of all other duties, responsibilities and functions required by law of the director or the department of finance. (1991 code § 2-22.2)

2.40.030 Director to prepare reports.

The director of finance shall prepare and present to city council, in sufficient detail to show the exact financial condition of the city, the following reports:

- A. Quarterly, or more frequently as directed, preparation of a statement of all receipts, disbursements and balances of the city;

- B. An annual statement of report of the financial condition of the city; and
- C. Such other financial reports as the city council or city manager directs. (1991 code § 2-22.3)

2.40.040 Additional duties.

The director of finance shall perform other additional duties and functions which the city council and city manager may prescribe. (1991 code § 2-22.4)

2.40.050 Transfer of certain duties.

In accordance with Government Code sections 37209 and 40805.5, the financial and accounting duties imposed upon the city clerk by Government Code sections 40802 through 40805 are transferred to the director of finance. (1991 code § 2-22.5)

2.40.060 Appointment of deputies.

With the consent of the city manager, the director of finance may appoint one or more deputy directors. Each deputy shall perform the duties prescribed by the director and the city manager. (1991 code § 2-22.6)

2.40.070 Bond.

When the director enters upon his or her duties, he or she shall execute a bond to the city as required in Government Code sections 37209 and 36518. The bonds shall conform to the provisions of the Government Code relating to bonds for public officers. The penal sum of the bond is fixed at \$50,000. (1991 code § 2-22.7)

Chapter 2.45

PUBLIC WORKS AND COMMUNITY DEVELOPMENT DEPARTMENT

Sections:

- 2.45.010 Created – Director designated.
- 2.45.020 Duties of director and functions of department.
- 2.45.030 Director – Authority to set public hearings.
- 2.45.040 Zoning administrator.

2.45.010 Created – Director designated.

There shall be a city department known as the public works and community development department which shall carry out the functions set forth herein. The administrative officer of the department shall be known as the director of public works and community development and shall be appointed by and serve at the pleasure of the city manager. In the absence of an appointment, the city manager shall serve as director of public works and community development. (1991 code § 2-24.1)

2.45.020 Duties of director and functions of department.

The director of the public works and community development department shall have the following duties, responsibilities and functions:

- A. Advising the city, city manager, planning commission and city council on public works and planning issues;
- B. Administration of the planning division, building inspection division, and code enforcement division;
- C. Providing all engineering services for the city;
- D. Administration of city engineering and street maintenance programs;
- E. Conducting investigations and making reports on matters relating to zoning, subdivisions, land divisions, grading, drainage, construction and maintenance of streets and control of pedestrian and vehicular traffic, architectural and outdoor advertising controls and review, building construction, and on other matters as directed; and
- F. Such other duties, responsibilities and functions as are required by law or established by the city manager or city council from time to time. (Amended during 2005 recodification; Ord. 764 § 1, 2002; 1991 code §§ 2-24.2, 2-25.2)

2.45.030 Director – Authority to set public hearings.¹

When a public hearing is required by law and the planning commission by resolution delegates the authority to fix hearing dates and give notice, the director of public works and community development may fix the time for holding the public hearing and give the notice required by law without further authorization from the commission. (1991 code § 2-24.3)

1. **Editor's note:** For provisions regarding the planning commission, see PHMC Chapter 3.05. For provisions regarding planning and land use generally, see PHMC Title 18.

2.45.040 Zoning administrator.

A. Established. The office of zoning administrator is established. The director of public works and community development, or a person designated by him or her, is the zoning administrator.

B. Duties. The duties of the zoning administrator shall be as set forth in PHMC § 18.75.020. (Amended during 2005 recodification; Ord. 764 § 2, 2002; 1991 code § 2-24.4. Formerly 2-25.3)

Chapter 2.50

POLICE DEPARTMENT

Sections:

- 2.50.010 Created – Director designated.
- 2.50.020 Duties of chief and functions of department.
- 2.50.030 Reserve officers.
- 2.50.040 Fingerprint and identification services.
- 2.50.050 Training of law enforcement officers.
- 2.50.060 Crossing guards.

2.50.010 Created – Director designated.

There shall be a city department known as the police department which shall carry out the functions set forth herein. The administrative officer of the department shall be known as the police chief and shall be appointed by and serve at the pleasure of the city manager. (1991 code § 2-26.1)

2.50.020 Duties of chief and functions of department.

The chief and police department shall have such duties, responsibilities and functions as provided by city council and by law. (1991 code § 2-26.2)

2.50.030 Reserve officers.

The chief shall have the right to deputize or appoint qualified persons as reserve officers who shall not be employees or entitled to compensation except as provided by city council resolution. (1991 code § 2-26.3)

2.50.040 Fingerprint and identification services.

The chief of police shall have the authority to provide fingerprint and identification services upon request in accordance with a schedule of time and fees approved by the city manager. Such fees shall not exceed the reasonable expense for providing the service. No fee shall be charged for required fingerprinting in connection with a city permit for which a fee has already been paid. (1991 code § 2-26.4)

2.50.050 Training of law enforcement officers.

A. The city council declares that it desires to qualify to receive aid from the State of California under the provisions of Chapter 1 of Title 4, Part 4 of the Penal Code.

B. Pursuant to Penal Code section 13522, the city will adhere to the standards for recruitment and training established by the California Commission on peace officers standards and training. (Ord. 226 §§ 1, 2, 1969; 1991 code § 2-26.5)

2.50.060 Crossing guards.

A. Purpose. The purpose of this section is to provide for the appointment of (nonstudent) adult crossing guards pursuant to State Vehicle Code section 21100(i).

B. The city may appoint one or more qualified persons to the position of adult crossing guard. Persons appointed as such by the city shall serve at the pleasure of the chief of police and shall be under the direct control and supervision of the police department while engaged in their duties.

C. At the direction of any supervisor of the police department, any member of the department may act as an adult crossing guard.

D. Adult crossing guards may be assigned at locations within the city warranted by police studies of the crossing hazards at various city schools.

E. Adult crossing guards shall have such hours, duties and responsibilities as directed by the chief of police; provided, that their purpose is to protect persons who are crossing a street or highway in the vicinity of a school or while returning thereafter to a place of safety.

F. Adult crossing guards are authorized to use appropriate voice, hand, audible or other signs or signals as necessary to direct vehicles, bicycles and/or pedestrians while providing for the safe crossing of the street or highway by pedestrians at the crossing guard's assigned post. (1991 code § 2-26.6)

Chapter 2.55

ELECTIONS

Sections:

- 2.55.010 General municipal election – Election date designated.
- 2.55.020 Purpose.
- 2.55.030 Definitions.
- 2.55.040 Contribution limitations.
- 2.55.050 Additional campaign statements required.
- 2.55.060 Required disclosure of contributions and expenditures.
- 2.55.070 Clerk and city attorney review.
- 2.55.080 Informational meeting.
- 2.55.090 Anonymous contributions and expenditures.
- 2.55.100 Candidates’ voluntary fair campaign pledge.
- 2.55.110 Penalties.
- 2.55.120 Amendments.

2.55.010 General municipal election – Election date designated.

The general municipal election for the city shall be held on the same day as the statewide general election, the first Tuesday after the first Monday in November of each even-numbered year. (Ord. 742 § 1, 2000; 1991 code § 2-60.1)

2.55.020 Purpose.

The purpose of this chapter is to prevent improper influence over elected officials, or the appearance of such, and to further the city’s goal of having an informed electorate, to emphasize the need for fair campaigns, to make all candidates for city offices aware of the city’s commitment to fair campaigns, to specify the characteristics of a fair campaign, to give every candidate the opportunity to commit himself or herself to fair campaign practices, and to preclude the making of anonymous contributions to or expenditures on behalf of a candidate for an elective city office. (Ord. 741 § 1, 2000; 1991 code § 2-62.1)

2.55.030 Definitions.

A. As used in this chapter, the following words shall have the following meanings:

Ballot measure relating to city law means and includes initiatives, referenda, resolutions, advisory measures, and measures which are required by law to be submitted to a vote by the electorate.

Broad-based political committee means a committee of persons which has been in existence for more than six months, receives contributions from 100 or more persons, and whose members act in concert to make contributions to five or more candidates.

Candidate means a person who seeks election to an elective city office, including an office holder and all individuals specified in Government Code section 82007.

City election means any municipal election to fill public offices in the City of Pleasant Hill, to hold recall elections, and to vote on ballot measures relating to city law.

Election cycle. For each elective city office, including the offices of the city clerk and city treasurer, the term *election cycle* means a two-year period of time commencing on January 1st and ending at midnight on December 31st following the next election for the same office.

Person means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, or labor organization.

Political committee means a committee of persons which receives contributions from two or more persons and whose members act in concert to make contributions to candidates.

Political Reform Act means the Political Reform Act of 1974 (Govt. Code § 81000 et seq.) as it has been and may be amended from time to time.

Primarily formed committee means a committee pursuant to Government Code section 82013(a) which is formed or exists primarily to support or oppose a single candidate or a single measure, or a group of specific candidates being voted upon in the same city election.

Special election cycle means that period of time which begins the day on which the elective office becomes vacant and ends the day of the special election.

B. All other words and terms shall have the meanings ascribed to them by the definitions set forth in the Political Reform Act. (Ord. 741 § 1, 2000; 1991 code § 2-62.2)

2.55.040 Contribution limitations.

A. Monetary contributions by persons. In any election cycle or special election cycle, no person shall make, and no candidate for elective city office, or campaign treasurer, shall solicit or accept, any monetary contribution, including loans, which would cause the total amount of monetary contributions made by that person to that candidate for elective city office or to any committees controlled by that candidate, including monetary contributions to all committees controlled by the candidate, to exceed \$500.00.

B. Monetary contributions by political committees and broad-based political committees. In any election cycle or special election cycle, no political committee or broad-based political committee shall make, and no candidate for elective city office, or campaign treasurer, shall solicit or accept, any monetary contribution, including loans, which would cause the total amount of monetary contributions made by a political committee or broad-based political committee to that candidate for elective city office or to any committees controlled by that candidate to exceed \$1,000.

C. In-kind contributions. In any election cycle or special election cycle, no candidate for elective city office, or campaign treasurer, shall solicit or accept any in-kind goods and services (nonmonetary) which would cause the total amount contributed (monetary and nonmonetary) to that candidate, including contributions to all committees controlled by the candidate, to exceed the following amounts:

1. By a person, \$1,000;
2. By a political committee or broad-based political committee, \$2,000.

D. Limitations applicable to ballot measure committees controlled by candidate. In the event a candidate for elective city office forms or controls a committee which supports or opposes a ballot measure relating to city law, the candidate and committee shall cumulatively be subject to the contribution limitations set forth in subsections A, B and C of this section. Ballot measure committees organized to support or oppose a matter relating to city law which are not controlled by a candidate for elective city office shall be subject to the contribution limitations set forth in this chapter.

E. Limitations applicable to specified committees. Primarily formed committees or similarly organized committees formed or existing primarily to support or oppose a single candidate or a group of specific candidates for elective city office being voted upon in the same election shall be subject to the campaign contribution limitations set forth in this chapter. Committees organized solely to support or oppose ballot measure(s) relating to city law shall not be subject to said campaign contribution limits.

F. Time limitations on accepting contributions. Contributions, including loans, may not be made, solicited or accepted from three days prior to a city election through the end of the election day.

G. Return of excess contributions. Contributions, including loans, which either in the aggregate or on their face exceed the contribution limits of this chapter shall be deemed not to have been accepted if returned by the effective date of this chapter, or returned prior to deposit or negotiation, within the earliest of the following deadlines:

1. Within 10 working days of receipt;
2. By the reporting deadline for the reporting period in which the contribution is received; or
3. In the case of a late contribution or one received within three days prior to the election, within 24 hours of receipt.
 - a. A late nonmonetary contribution shall be returned by returning to the contributor either the nonmonetary contribution or its monetary equivalent. It is permissible to return only the monetary amount by which the value of the nonmonetary contribution exceeds the contribution limits of this chapter, in an instance where the reason for the return is to avoid exceeding monetary limits.
 - b. This section shall not be construed to authorize the making or solicitation of any contribution in excess of the contribution limits of this chapter, or in violation of any of its other provisions.

H. Majority membership on certain related committees prohibited. To prevent circumvention of the contribution limitations of this chapter, no primarily formed committee which supports or opposes a candidate or candidates for elective city office shall have, as a majority of its officers, individuals who serve as the majority of officers on any other primarily formed committee which supports or opposes the same candidate(s). This subsection shall not apply to campaign treasurers of primarily formed committees if those treasurers do not participate in any way in a decision on whether the candidate or candidates supported by the primarily formed committee accept particular contributions. (Ord. 741 § 1, 2000; 1991 code § 2-62.3)

2.55.050 Additional campaign statements required.

A. Campaign statements. In addition to the campaign statements which every candidate, elected officer, and committee involved in a city election is required to file with the city clerk pursuant to Government Code section 84200 and following, every such candidate, elected officer and committee, every primarily formed committee or similarly organized committee formed or existing primarily to support or oppose a single candidate or group of candidates for elective city office, and every committee or individual filing a recall, initiative or referendum petition shall file with the city clerk the following campaign statement with the city clerk no later than 5:00 p.m. on the last Friday before a city election:

1. A campaign statement covering the period between the closing date of the last campaign statement filed under the Political Reform Act and the last Tuesday before the city election. This statement shall include the same information required by the Political Reform Act and this section.

B. Late contribution reports. A late contribution report which reports all contributions of \$100.00 or more received from any source from the end of the reporting period identified in subsection A.1 of this section through the date of the city election shall also be filed with the city clerk by every individual and group required to file the statement required by subsection A.1 of this section.

C. Filing deadline. The filing of a late contribution report required by this section shall be made within 24 hours of receipt and in the manner provided for in Government Code section 84203(b).

D. Disclosure of statements and reports. Upon filing of a campaign statement required by subsection A.1 of this section, or a report required by subsection B of this section, the city clerk shall release a copy of such statement or report to the press forthwith. (Ord. 741 § 1, 2000; 1991 code § 2-62.4)

2.55.060 Required disclosure of contributions and expenditures.

A. Each campaign statement required by the Political Reform Act or by PHMC § 2.55.050 shall contain the same information as required by Government Code section 84211, however:

1. If the cumulative amount of contributions, including loans, received from a person is \$50.00 or more, and a contribution or loan was received from that person during the period covered by the campaign statement, the campaign statement shall be itemized as required by Government Code section 84211(f).
2. For each person to whom an expenditure of \$50.00 or more has been made during the period covered by the campaign statement, the campaign statement shall be itemized as required by Government Code section 84211(j).

B. In addition to the information required in subsection A of this section, the campaign statement must contain the following information:

1. The total amount of contributions, including loans, received during the period covered by the campaign statement from persons who have given a cumulative amount of \$50.00 or more.
2. The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of less than \$50.00.
3. The total amount of expenditures made during the period covered by the campaign statement to persons who have received \$50.00 or more.
4. The total amount of expenditures made during the period covered by the campaign statement to persons who received less than \$50.00. (Ord. 741 § 1, 2000; 1991 code § 2-62.5)

2.55.070 Clerk and city attorney review.

A. In addition to other duties required by law, the city clerk shall monitor all campaign statements, except those of candidates for city clerk, filed with the city. The city clerk shall:

1. Determine whether the campaign statement required by this chapter has been timely filed with the city clerk;
2. Determine if any reported contributions on any campaign statement exceed the allowable limits established by this chapter; and
3. Notify candidate(s) or groups of any errors in their campaign statements.

B. The city attorney shall monitor all statements of candidates for the office of city clerk in the same manner as set forth in subsection A of this section.

C. The candidate or group may correct any mistake made in the preparation of any statement within five days after receipt of the notice from the city clerk or city attorney. The correction(s) must be accompanied by an explanation of how the error occurred.

D. The city clerk shall report to the city attorney any apparent violations of this chapter which have not been corrected or cannot be corrected by the candidate or group.

E. The city clerk and city attorney shall each compile and maintain, for five years, a list of statements, or portions of statements, which the city clerk or city attorney is required to review. Each list shall be indexed by the individual's or group's name. (Ord. 741 § 1, 2000; 1991 code § 2-62.6)

2.55.080 Informational meeting.

The city clerk and city attorney shall invite all qualified candidates for city office to a meeting, in the week following the close of the nomination period for city office, to inform candidates of the provisions of this chapter. (Ord. 741 § 1, 2000; 1991 code § 2-62.7)

2.55.090 Anonymous contributions and expenditures.

A. Prohibition. No person or group who wishes to make a contribution to or an expenditure on behalf of a candidate for elective city office shall do so without first obtaining the candidate's prior written approval.

B. Legal identity required. No contribution to or expenditure on behalf of a candidate for elective city office may be made by an individual or group in the name of another; every such contribution or expenditure must instead be made in the legally recognized name of such individual or group. (Ord. 741 § 1, 2000; 1991 code § 2-62.8)

2.55.100 Candidates' voluntary fair campaign pledge.

A. Pledge. With the declaration of candidacy, the city clerk shall issue to each candidate for city office a form for a voluntary campaign pledge which shall read as follows:

FAIR CAMPAIGN PLEDGE

1. I shall conduct my campaign for city office openly and fairly.
2. I shall discuss the issues and participate in fair debate with respect to my views and qualifications.
3. I shall not engage in, or permit, defamatory attacks on the character of my opponents; nor shall I engage in unwarranted invasions of personal privacy unrelated to campaign issues.
4. I shall not, at any time, use or permit the use of any campaign material or advertisement which misrepresents, distorts, or otherwise falsifies the facts regarding any candidate or the candidate's position on issues.
5. I shall clearly identify myself, or my campaign committee(s), as the sender of all of my campaign mailings.
6. I shall personally approve, in writing, all of my campaign materials, advertisements or mailings prior to their use.
7. I shall publicly repudiate support derived from any individual or group whose activities would violate this fair campaign pledge.
8. I shall file all campaign statements as required by the Political Reform Act and municipal code on time, with full disclosure of campaign contributions and expenditures.
9. I shall not duplicate or use any lists of contributors filed by any other candidates for the purpose of compiling my own mailing lists without the permission of the other candidate.
10. I, the undersigned candidate for election to a city office in the City of Pleasant Hill, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Date: _____

Signature: _____

Please print name, office sought, and date of election.

- B. Voluntary nature. Each candidate may choose to sign or not sign the fair campaign pledge.
- C. Filing. The fair campaign pledge may be filed with the declaration of candidacy.
- D. Public record. Every fair campaign pledge is a public record which shall be open to inspection at all times during city business hours.
- E. Press release. At the close of the nomination period for city office, the city clerk shall issue a general press release stating the name of each candidate for city office who has, and who has not, subscribed to the fair campaign pledge. (Ord. 741 § 1, 2000; 1991 code § 2-62.9)

2.55.110 Penalties.

- A. Criminal penalties.
 - 1. A person who violates a provision of this chapter, or causes any other person to violate a provision of this chapter, or who aids or abets any other person in the violation of any provision of this chapter is subject to criminal penalties as set forth in PHMC Chapter 1.30.
 - 2. Prosecution of a violation of any provision of this chapter shall be commenced within two years after the date of the violation.
 - 3. No person convicted of a misdemeanor under this chapter shall act as a city contractor or consultant for a period of four years following the date of conviction unless the court at the time of sentencing specifically determines that this provision shall not be applicable.
 - 4. For the purposes of this section, a plea of nolo contendere shall be deemed a conviction.
- B. Civil penalties.
 - 1. Any person who intentionally or negligently violates any provisions of this chapter may also be subject to a civil penalty of no more than \$1,000 or the amount of the unlawful contribution, if any, or the amount which was not properly disclosed, if any, whichever is greater.
 - 2. No civil penalty may be imposed more than two years after the date the violation occurred.
- C. Cumulative remedies. The foregoing remedies are nonexclusive, cumulative and in addition to any other remedy the city may have at law or in equity. (Amended during 2005 recodification; Ord. 741 § 1, 2000; 1991 code § 2-62.10)

2.55.120 Amendments.

This chapter may be amended by a majority vote of the entire city council to ensure consistency with state or federal law, including but not limited to the state Political Reform Act. (Ord. 741 § 1, 2000; 1991 code § 2-62.11)

Chapter 2.60

BONDS

Sections:

2.60.010 Bond requirements.

2.60.010 Bond requirements.

Each of the following officers and employees shall execute an official bond to the city in an amount of at least \$100,000 per occurrence: city manager, finance director, treasurer, city clerk. There shall be a blanket bond covering all other officers and employees of the city in an amount of at least \$100,000 per occurrence. The city shall pay the premium for each bond required. (1991 Code § 3-2)