



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, CMC
David Sykes

SUBJECT: SEE BELOW

DATE: March 27, 2019

**SUBJECT: ACCEPTANCE OF COUNCILMEMBER RAUL PERALEZ'S SURPLUS
CAMPAIGN FUNDS AND RELATED APPROPRIATION ORDINANCE
AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE
GENERAL FUND**

RECOMMENDATION

Adopt the following 2018-2019 Appropriation Ordinance and Funding Source Resolution Amendments in the General:

- (a) Increase the estimate for Other Revenue by \$16,381;
- (b) Increase the appropriation to Council District #3 in the amount of \$14,086;
- (c) Increase the appropriation to Council District #4 in the amount of \$1,084; and
- (d) Increase the appropriation to Council District #8 in the amount of \$1,211.

OUTCOME

City Council approval of the recommended actions will recognize revenue to the City that came in the form of surplus campaign funds from Councilmember Raul Peralez's campaign and appropriate the funds to Council District 3 to be issued out to community organizations, and appropriated to Council Districts 4 and 8 for the reimbursement of Sister Cities Travel in April 2018.

BACKGROUND

Surplus campaign funds are those funds remaining in a campaign's bank account after all campaign-related debt is retired. Under San José Municipal Code Section 12.06.720, a candidate's campaign has three choices for disposing of surplus campaign funds: 1) return the funds to contributors on a pro rata basis; 2) turn over the funds to the City's General Fund; or 3) use the funds for attorney's fees and other costs in connection with an election contest or recount.

March 27, 2019

Subject: Acceptance of Councilmember Raul Perez's Surplus Campaign Funds to the General Fund

Page 2

Councilmember Perez's campaign has chosen to turn over the funds to the City's General Fund and has issued a check to the City for the balance of the campaign account, \$16,381, which has been deposited by the Office of the City Clerk in a general revenue account.

ANALYSIS

The Office of the City Clerk, in consultation with Councilmember Perez's campaign, is requesting to recognize the receipt of these surplus campaign funds and appropriate \$14,086 of the funds to the Council District 3 budget for distribution through the standard City Council grant process to the following organizations: **\$3,348** to San José-Okayama Sister City Program, **\$3,348** to San José-Dublin Sister City Program, **\$1,500** to Roosevelt Community Center's Winter Wonderland a holiday community event, **\$1,500** to Children's Discovery Museum to host the annual Picnic with Perez Annual Event for District 3 residents, and **\$4,390** to People Assisting the Homeless (PATH) to continue assisting homeless residents within District 3 to find shelter and services. The remaining funding is recommended to be allocated to Council District #4 (**\$1,084**) and Council District #8 (**\$1,211**) to reimburse the cost of the Councilmembers' travel for Sister Cities 60th Anniversary to Okayama, Japan.

EVALUATION AND FOLLOW UP

No additional follow-up is anticipated.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the April 16, 2019 City Council meeting.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

This memorandum does not require input from a board or commission.

March 27, 2019

Subject: Acceptance of Councilmember Raul Perez's Surplus Campaign Funds to the General Fund

Page 3

BUDGET REFERENCE

Fund #	Appn #	Appn Name	Current Appn	Recommended Budget Action	2018-2019 Operating Budget (Page)	Last Budget Action (Date, Ord./Reso No.)
001	R130	Other Revenue	\$186,092,775	\$16,381	III-1	02/12/19, 78984
001	1030	Council District #3	\$934,2947	\$14,086	VIII-245	02/12/19, 30223
001	1040	Council District #4	\$1,499,014	\$1,084	VIII-245	02/12/19, 30223
001	1080	Council District #8	\$1,071,525	\$1,211	VIII-245	02/12/19, 30223

CEQA

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.



TONI J. TABER, CMC
City Clerk



DAVID SYKES
City Manager

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2018-2019 moneys in excess of those heretofore appropriated there from, said excess being at least \$16,381.



MARGARET MCCAHAN
Budget Director

For questions, please contact Toni Taber, City Clerk, at (408) 535-1260.