



DATE: December 16, 2025

TO: Mayor and City Council

FROM: City Attorney
City Clerk

SUBJECT: Hayward Municipal Code Update: Introduction of an Ordinance Amending Sections 2-13.02, 2-13.04 and 2-13.06 of Article 13 of Chapter 2 of the Hayward Municipal Code Relating to Revised Voluntary Campaign Expenditure and Contribution Limits

RECOMMENDATION

That the City Council introduces the attached ordinance (Attachment II) amending Sections 2-13.02, 2-13.04 and 2-13.06 of Article 13 of Chapter 2 of the Hayward Municipal Code to revise the voluntary campaign expenditure and contribution limits for candidates for City Council, not including the Mayor.

SUMMARY

In 2024, the City initiated a detailed and lengthy process to convert its at-large elections for the six members of the City Council to district elections. The office of Mayor remains at large. Conversion to City Council districts is staggered, with Districts 1 and 6 up in November 2026, and Districts 2, 3, 4 and 5 up in November 2028. Hayward's population is 162,500, as presented during the district conversion process and based on the 2020 census. There are approximately 27,000 residents in each of the six districts.¹

The proposed ordinance will revise the voluntary campaign expenditure and contribution limits for Council Member candidates in light of the conversion to district-based elections. The voluntary expenditure limit is proposed to be set at \$50,000 with the voluntary contribution limit set at \$1,500. The office of Mayor will not be affected by the proposed revisions. The revisions will apply to candidates running during the 2026 election cycle.

BACKGROUND

In 2002, the City enacted Municipal Code sec. 2-13.00, et seq., (Ordinance 02-19²) establishing, among other things, campaign finance regulations for City elective offices which

¹ [HaywardCity Adopted All.pdf](#)

² Ordinance 02-19

<https://portal.laserfiche.com/Portal/DocView.aspx?id=128601&repo=r-b6d2994c>

are defined as six members of the City Council and the office of Mayor. These regulations allow candidates to agree to voluntary expenditure and contribution limits, and regulations for candidates who choose not to accept voluntary limits. When first enacted, the limits were set as provided in Table I below. When candidates accept voluntary limits on how much they will spend on campaign activities, the ordinance allows the candidate to accept higher amounts of contributions per person.

Per the regulations, the City Clerk is authorized to adjust the limits annually by a percentage equal to the San Francisco Bay Area All Urban Consumer Price Index (CPI). On January 24, 2025, the City Clerk published the 2025 Notice of Campaign Contribution/Expenditure Limit.³

Table I: Existing Hayward Contribution and Expenditure Limits

YEAR	Candidates that Accept Voluntary Limits		Candidates that Do Not Accept Voluntary Limits	
	EXPENDITURE LIMIT	CONTRIBUTION LIMIT	EXPENDITURE LIMIT	CONTRIBUTION LIMIT
2002	\$50,000	\$1,000	No limit	\$250
2025	\$91,096	\$1,784	No limit	\$410

For further reference, pursuant to Assembly Bill 571 (Chapter 556, AB 571 Mullin), beginning January 1, 2021, state law applies a default contribution limit to city and county candidates when the jurisdiction has not enacted a contribution limit. The 2025-2026 state contribution limit is set at \$5,900 for jurisdictions that have not enacted limits. Hayward was not affected by provisions enacted in 2021 because there is an ordinance in place. The Fair Political Practices Commission has created a repository of all cities, counties, and districts within California that have established their own contribution limit ordinances.⁴

On October 7, 2025 the City Council held a work session to consider potential adjustments to the existing campaign finance limits in light of Hayward’s transition to district elections. A consensus of the Council supported the following adjustments:

- Voluntary expenditure limit - \$50,000.
- Voluntary contribution limit - \$1,500.

The Council agreed that the office of the Mayor should retain the existing voluntary expenditure and contribution limits. There was also agreement that the new limits would apply to candidates running in the 2026 election cycle.

³ 2025 Notice of CPI Adjustment/Voluntary Limit Form
[Statement of Acceptance or Rejection of Voluntary expenditure limit for candidates for mayor or city council | City of Hayward - Official website](#)

⁴ Local Campaign Ordinance
<https://www.fppc.ca.gov/the-law/local-ordinances.html>

DISCUSSION

Consistent with the Council's feedback from the October 7, 2025 work session, staff recommends the voluntary expenditure and contribution limits for the office of Mayor shall remain in effect and adjusted by a percentage equal to the San Francisco Bay Area All Urban Consumer Price Index (CPI), consistent with prior-year practice. The voluntary expenditure limit for the office of Council Member shall be set at \$50,000, and the contribution limit set at \$1,500, with both limits adjusted annually thereafter in accordance with the CPI. Staff believes these limits balance the goal of creating equitable and competitive campaigns with a realistic assessment of the cost to run a modern campaign in a district of approximately 27,000 residents.

The City's campaign finance regulations do not, as a practical matter, affect independent expenditures for or against candidates. Since 2015, the City's regulations⁵ have required reporting of such expenditures, including the three largest contributors in certain kinds of advertising. It is acknowledged, however, that independent expenditures have an increasing impact on elections at all levels of government.

The existing regulations related to contribution limitations for candidates who do not accept the voluntary expenditure limits were not a point of discussion during the prior work session. Consequently, the existing regulations and contribution limits for Mayor and Council Member candidates will remain unchanged for the upcoming election cycle. Staff will monitor the data related to this category of candidates during the November 2026 election and determine if amendments to those regulations are necessary.

NEXT STEPS

If the Council introduces the attached ordinance, staff will return to the City Council for adoption during the January 20, 2026 City Council meeting. The ordinance will take effect 30 days after adoption.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC INITIATIVES

The agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

⁵ Ordinance 15-29

[Ordinance No. 15-29](#) | [Municipal Code](#) | [Hayward, CA](#) | [Municode Library](#)

Prepared and recommended by:

Michael Lawson, City Attorney
Miriam Lens, City Clerk

Approved by:

A handwritten signature in blue ink, appearing to read "Jennifer Ott", is written above a horizontal line.

Jennifer Ott, City Manager