



City Clerk Department

March 20, 2025

To: Fair Campaign Practices Commission

From: Mark Numainville, City Clerk

Subject: **REVISED** – Mandated Cost of Living Adjustments Pursuant to the Berkeley Election Reform Act and the Fair Elections Act

This revised memo corrects the census population number in the table in Attachment 1. The US Census Bureau’s website shows the 2020 decennial census number however, the Berkeley Charter requires that the most recent census estimate be used for annual appropriations (section 6.2). Therefore, the revised attachment now reflects the most recent census population estimate of 118,962 as of July 2023.

Under the Fair Elections Act of 2016 (Public Financing), certain data points and dollar amounts are required to be adjusted by the Commission in January of each odd-numbered year (BMC 2.12.545). The non-public financing contribution limit is adjusted biennially as well. Due to the timing of CPI data release by the State, these adjustments were not able to be presented to the Commission in January.

The adjustment for the dollar amounts is based on the Consumer Price Index for the San Francisco Area. The formula established by the State Fair Political Practices Commission for adjusting contribution limits for state candidates is also used for adjusting the limits for Berkeley’s Public Financing Program. The factors labeled “2016 Dollar Amounts” and “2016 Annual CPI” will remain constant when the formula is applied in all subsequent odd-numbered years because those reflect the original amounts in the ballot measure. The numerator will change to reflect the year in which the adjustment is calculated.

$$\begin{array}{r}
 2024 \text{ Annual CPI} \\
 2016 \text{ Dollar Amounts} \quad X \quad \frac{\text{-----}}{2016 \text{ Annual CPI}} \quad = \quad 2024 \text{ Dollar Amounts}
 \end{array}$$

The CPI numbers used are the December 2016 number (269.5) and the December 2024 number (348.0). The December number is used because the State Department of Finance does not calculate the standard CPI-U in January.

The chart in Attachment 1 shows all of the amounts that are subject to the inflator, the original amount, the new amount (raw and rounded), and the code reference.

At its inception in 2016, the Public Financing Program has had a contribution cap of \$50.00, with a matching contribution from the City of \$300.00, for a total of \$350.00 from a single donor. For the 2022 election cycle the amounts were raised to \$60 and \$360.

For the 2024 election cycle there was no change to these amounts. For the 2026 election cycle, these dollar amounts will again remain the same. Some of the other dollar amounts have also changed as presented in Attachment 1.

The non-public financing contribution limit is adjusted from \$270 to \$290.

Upon approval by the Commission, all manuals and materials related to Public Financing will be updated to reflect the new dollar amounts.

Revised Attachment 1: Mandated Cost of Living Adjustments

Revised Attachment 1 - Mandated Cost of Living Adjustments

| Item Subject to Inflator | Starting Amount | Inflator | Previous Amount | Adjusted Amount 2024 | Rounding | Rounded Amount 2024 | Amount Reference | Inflator Reference |
|----------------------------|-----------------|----------|-----------------|----------------------|--------------|---------------------|------------------|--------------------|
| Contribution Limit | \$250 | CPI - U | \$270 | \$287.18 | Nearest \$10 | \$290.00 | 2.12.415 | 2.12.415 |
| Quarterly Filing Threshold | \$250 | CPI - U | \$270 | \$287.18 | Nearest \$10 | \$290.00 | 2.12.271 | 2.12.545 |
| Top Four Threshold | \$250 | CPI - U | \$270 | \$287.18 | Nearest \$10 | \$290.00 | 2.12.335 | 2.12.545 |

| Item Subject to Inflator | Starting Amount (Dec 2016) | Inflator | Previous Amount (2021) | Adjusted Amount 2024 | Rounding | Rounded Amount 2024 | Amount Reference | Inflator Reference |
|---|----------------------------|---------------|------------------------|----------------------|----------------------------|-----------------------|--------------------------|-----------------------|
| Population | 120,972 | Census Update | 121,353 | 118,962 | Up to nearest whole number | 118,962 | Art. III, Sec.6.2 (2)(a) | Art. III, Sec.6.2 (3) |
| Admin Costs (four year cycle) | \$250,000 | CPI - U | \$290,914.33 | \$322,820.96 | None | \$322,820.96 | Art. III, Sec.6.2 (1)(b) | Art. III, Sec.6.2 (3) |
| Per Resident Allocation | \$4.00 | CPI - U | \$4.65 | \$5.17 | None | \$5.17 | Art. III, Sec.6.2 (1)(b) | Art. III, Sec.6.2 (3) |
| Cap in Fund Balance | \$2,000,000 | CPI - U | \$2,327,314.64 | \$2,582,567.72 | None | \$2,582,567.72 | Art. III, Sec.6.2 (1)(b) | Art. III, Sec.6.2 (3) |
| Qualified Contribution | \$50.00 | CPI - U | \$60.00 | \$64.56 | Nearest \$10 | \$60.00 | 2.12.167 | 2.12.545 |
| Capital Asset Cap | \$500.00 | CPI - U | \$580.00 | \$645.64 | Nearest \$10 | \$650.00 | 2.12.530.B.2.c | 2.12.545 |
| Initial Qualified Contributions | \$10.00 | CPI - U | \$10.00 | \$12.91 | Nearest \$10 | \$10.00 | 2.12.500.A.3. | 2.12.545 |
| Initial Qualified Contributions - Total | \$500.00 | CPI - U | \$580.00 | \$645.64 | Nearest \$10 | \$650.00 | 2.12.500.A.3. | 2.12.545 |
| Matching funds limit - Mayor | \$120,000 | CPI - U | \$140,000.00 | \$154,954.06 | Nearest \$1,000 | \$155,000.00 | 2.12.505.B. | 2.12.545 |
| Matching funds limit - Council | \$40,000 | CPI - U | \$47,000.00 | \$51,651.35 | Nearest \$1,000 | \$52,000.00 | 2.12.505.B. | 2.12.545 |
| Matching funds limit - Auditor* | \$20,000 | CPI - U | n/a | \$25,825.68 | Nearest \$1,000 | \$26,000.00 | 2.12.505.B. | 2.12.545 |
| Matching funds limit - Rent Board* | \$8,000 | CPI - U | n/a | \$10,330.27 | Nearest \$1,000 | \$10,000.00 | 2.12.505.B. | 2.12.545 |
| Matching funds limit - School Board* | \$20,000 | CPI - U | n/a | \$25,825.68 | Nearest \$1,000 | \$26,000.00 | 2.12.505.B. | 2.12.545 |

* In 2022, the program was expanded to include Auditor, School Board Director, and Rent Stabilization Board Commissioner candidates.