

ORDINANCE NO. 17-0005

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE MANHATTAN BEACH MUNICIPAL CODE TO REQUIRE ELECTRONIC FILING OF CAMPAIGN STATEMENTS

RECITALS

The City Council hereby finds and declares:

A. California Government Code Section 84615 provides that a local agency may require an elected officer, candidate, committee, or other person required to file statements, reports, or other documents, except an elected officer, candidate, committee, or other person who receives contributions totaling less than \$1,000 and makes expenditures totaling less than \$1,000, in a calendar year, to file those statements, reports, or other documents online or electronically with the local filing officer.

B. The system will operate securely and effectively and will not unduly burden filers. Specifically: (1) the system will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert the data; (2) the system will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State's system for receiving an online or electronic filing; and (3) the system will be available free of charge to filers and to the public for viewing filings.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. Municipal Code Section 4.120.045 is hereby amended to read as follows:

"Section 4.120.045 Electronic Filing of Campaign Statements

- (a) Any elected officer, candidate, committee, or other person required to file statements, reports or other documents described by Chapter 4 (Campaign Disclosure) of Title 9 (Political Reform) of the California Government Code, and that has received contributions of \$1,000 or more or made expenditures of \$1,000 or more within a calendar year, shall electronically file such statements using procedures established by the City Clerk.
- (b) Once an elected officer, candidate, committee, or other person files a statement, report, or other document electronically pursuant to subsection (a), all future statements, reports, or other documents on behalf of that filer shall be filed electronically.
- (c) In any instance in which an original statement, report, or other document must be filed with the California Secretary of State and a copy of that statement, report, or other document is required to be filed with the City Clerk, the filer may, but is not required to file the copy electronically.

- (d) If the City Clerk's electronic system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee, or other person shall file that document with the City Clerk in an alternative format.
- (e) A candidate shall be responsible for notifying all contributors that their identity shall be reported."

SECTION 2. The title of Chapter 4.120 is hereby amended to read:

"Chapter 4.120

CAMPAIGN CONTRIBUTION LIMITS AND CAMPAIGN STATEMENT FILING
REQUIREMENTS"

SECTION 3. Municipal Code Section 4.120.010 is hereby amended to read as follows:

"4.120.010 Purpose of Campaign Contribution Limits

It is the intent of the City Council in enacting campaign contribution limits to place realistic and enforceable limits on the amount persons may contribute to political campaigns in municipal elections. The purpose of these limits is to prevent the exercise by campaign contributors of potential undue or improper influence over elected officials and to inform the public of the sources and objects of campaign contributions and expenditures. Further, the City Council finds that the provisions of this chapter are necessary to prevent the actuality or appearance of corruption in the election process."

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines"). It can be seen with certainty that there is no possibility that the adoption of this Ordinance, and the regulations established hereby, may have a significant effect on the environment. In addition, the action taken herein is not a "project" within the meaning of CEQA.

SECTION 5. SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or their application and, to this end, the provisions of this Ordinance are severable.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

PASSED, APPROVED AND ADOPTED _____, 2017.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor

ATTEST:

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:

QUINN M. BARROW
City Attorney