

ORDINANCE NO. 1825

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADDING CHAPTER 2.62 (“ELECTRONIC FILING OF CAMPAIGN DISCLOSURE DOCUMENTS”) TO TITLE 2 (“ADMINISTRATION AND ORGANIZATION”) OF THE LA HABRA MUNICIPAL CODE RELATING TO CAMPAIGN DISCLOSURE DOCUMENTS

WHEREAS, California Government Code section 84615 authorizes the legislative body of a city to adopt an ordinance that requires an elected officer, candidate, committee, or other person required to file statements, reports or other documents required by the Political Reform Act, except those who receive contributions or make expenditures totaling less than \$2,000 in a calendar year, to file these statements, reports or other documents online or electronically with the local filing officer; and

WHEREAS, the City will enter into an agreement with a vendor approved by the California Secretary of State to provide an online electronic filing system (“System”) for campaign disclosure documents; and

WHEREAS, the City Council finds that the System will operate securely and effectively and will not unduly burden filers because (1) the System will ensure the integrity of the data and include safeguards against efforts to tamper with, manipulate, alter or subvert the date; (2) the System will only accept a filing in the standardize record format developed by the California 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.

WHEREAS, the City of La Habra, California, pursuant to the provisions of the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res, § 21000) and State CEQA guidelines (14 CCR 15000), has determined that this ordinance is exempt pursuant to Section 15601(b)(3) of Title 14 of the California Code of Regulations.

NOW THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AS FOLLOWS:

SECTION 1. All of the above recitals are correct and are hereby incorporated by reference.

SECTION 2. Chapter 2.62 (“ELECTRONIC FILING OF CAMPAIGN DISCLOSURE DOCUMENTS”) of Title 2 (“ADMINISTRATION AND ORGANIZATION”) of the La Habra Municipal Code is hereby added as follows:

Chapter 2.62 – ELECTRONIC FILING OF CAMPAIGN DISCLOSURE DOCUMENTS

Section 2.62.010 – Electronic filing of campaign statements and statements of economic interests.

A. Any elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Title 9 of the Government Code, commencing with Section 84100, except an elected officer, candidate, committee or other person who receives contributions totaling less than \$2,000, and makes expenditures totaling less than \$2,000 in a calendar year shall file those statements, reports or other documents online or electronically with the City Clerk.

B. Any person holding a position listed in Government Code section 87200 or designated by the city's conflict of interest code shall file any required Statement of Economic Interest reports online or electronically with the City Clerk.

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's electronic filing 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.

SECTION 3. If any section, subsection, clause or phrase or portion of this code is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance. The City Council hereby declares that it would have passed the ordinance codified in this chapter, and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the same manner required by law. This ordinance shall become effective thirty (30) days from and after its passage.

[signatures on next page]

PASSED, APPROVED AND ADOPTED THIS 7th DAY OF DECEMBER 2020.

Tom Beamish,
Mayor

ATTEST:

Laurie Swindell, CMC
City Clerk

APPROVED AS TO FORM:

Richard D. Jones,
City Attorney

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Laurie Swindell, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 1825 introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 16th day of November, 2020, and was thereafter adopted at a regular meeting held on the 7th day of December, 2020, by the following vote.

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this 7th day of December, 2020.

Laurie Swindell, CMC
City Clerk