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**ORDINANCE NO. 1384**

**AN ORDINANCE AMENDING CHAPTER 9 IN TITLE 1 OF THE EL SEGUNDO MUNICIPAL CODE ENTITLED "CAMPAIGN CONTRIBUTIONS."**

The city council of the city of El Segundo does ordain as follows

**SECTION 1** The city council finds and declares as follows:

- A The ability to contribute time and money to local political campaigns is a legitimate and important means of participating in the political process
- B Large monetary contributions, however, may give at least the appearance that candidates for elective office may be unduly influenced through financial means
- C It is in the public interest that the City have a means by which all persons within the community have a fair and equitable opportunity to participate in local government whether by elected office or through other means
- D To assist with the goal of providing an even playing field to all candidates seeking elective office, and to engender public trust in the political process, the City Council enacted regulations for campaign contributions as set forth in Chapter 9 to Title 1 of the El Segundo Municipal Code ("ESMC") entitled *Campaign Contributions* and consisting of §§ 1-9-1 to 1-9-8
- E In 1996 and 2000, the California electorate approved two propositions that implemented regulations for campaign contributions on a statewide basis Proposition 208, enacted in 1996, was challenged and has been partially invalidated, Proposition 34, enacted in 2000, was designed, in part, to cure the deficiencies in Proposition 208 and became effective in January 2001
- F When adopting this Ordinance, the City Council considered, among other things, the California Supreme Court's decision in *Griset v Fair Political Practices Commission* (1994) 8 Cal 4<sup>th</sup> 851, cert den 15 S Ct 1794, and the cases cited therein. The regulations adopted by this Ordinance are intended to balance individual's First Amendment rights with the electorate's right to be fully informed and the public interest in preventing corruption in local elections
- G By adopting these regulations, the City intends to fully inform voters regarding candidate and campaign viewpoints, to assist voters with distinguishing between accurate and deceptive information, deter defamatory statements, prevent corruption, and assist law enforcement

H The City has a compelling interest to promote an informed electorate, deter corruption in local elections, and gather evidence to facilitate enforcement of local election regulations. Accordingly, it is in the public interest to adopt regulations imposing strict disclosure requirements upon, among other things, unsolicited campaign literature that is distributed during the course of local political campaigns.

SECTION 2 ESMC § 1-9-3 is amended to read as follows:

**"1-9-3: Anonymous Contributions Prohibited; Contribution Limit.**

- A It is unlawful for any person to make, and any candidate, controlled committee, or committee to solicit or accept, any anonymous contribution in a local election.
- B For local elections, it is unlawful for any person to make a contribution to a candidate, controlled committee, committee totaling five hundred dollars (\$500) or more in a calendar year.

SECTION 3 ESMC § 1-9-4 is amended to read as follows:

**"1-9-4: Campaign Statement Information.**

Candidates, elected officers, controlled committees, and committees must comply with Government Code § 84211 regarding all persons contributing one hundred dollars (\$100) or more to a campaign for a local election. In addition, candidates, elected officers, controlled committees, and committees must list the zone improvement plan ("ZIP") code assigned by the United States Postal Service for the business or residential postal address of persons making contributions of less than one hundred dollars (\$100) during a campaign for a local election."

SECTION 4 ESMC § 1-9-7 is amended to read as follows:

**"1-9-7: Filing Deadlines.**

A final pre-election filing of updated versions of all documents required by the Political Reform Act and this Chapter will be filed by candidates and committees and received by the City Clerk by twelve o'clock (12:00) noon on the final Friday before the election and will reflect all actual and anticipated expenditures and contributions through the date of the election."

SECTION 5 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 applications and, to this end, the provisions of this Ordinance are severable

SECTION 6 The City Clerk is directed to certify the passage and adoption of this Ordinance, cause it to be entered into the City of El Segundo's book of original ordinances, make a note of the passage and adoption in the records of this meeting, and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law

SECTION 7 This Ordinance will become effective thirty (30) days following its passage and adoption

PASSED AND ADOPTED this 5th day of April, 2005

(d)(5)

Kelly McDowell, Mayor

**ATTEST:**

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF EL SEGUNDO )

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five, that the foregoing Ordinance No 1384 was duly introduced by said City Council at a regular meeting held on the 15th day of March, 2005, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 5th day of April, 2005, and the same was so passed and adopted by the following vote

AYES                    McDowell, Gaines, Boulgarides, Busch, Jacobson  
NOES                    None  
ABSENT                None  
ABSTAIN                None

(d)(5)

Cindy Mortesen, City Clerk

APPROVED AS TO FORM:  
Mark D Hensley, City Attorney

By

(d)(5)  
Karl H Berger  
Assistant City Attorney