

ORDINANCE NO. 1377

**AN ORDINANCE OF THE CITY OF WOODLAND, CALIFORNIA ADDING
CHAPTER 27, ARTICLE 1 REQUIRING DISCLOSURE OF CAMPAIGN
CONTRIBUTIONS MADE TO CANDIDATES AND BALLOT MEASURE
COMMITTEES**

The City Council of the City of Woodland does hereby ordain as follows:

Section 1. Purpose. The purpose of this ordinance is to add Chapter 27 entitled "Elections" and within Chapter 27 a new Article 1 relating to the disclosure of campaign contributions made to candidates and ballot measure committees.

Section 2. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and pursuant to California Government Code Sections 81009.5 and 81013 authorizing the adoption of local campaign contribution filing requirements.

Section 3. Addition. Chapter 27, Article 1 is hereby added to the Woodland Municipal Code to read as follows:

"CHAPTER 27. ELECTIONS.

Article I. Disclosure of Campaign Contributions

Section 27-1-1 Purpose

- (a) The proper operation of democratic government requires that monetary and non-monetary contributions to campaigns on behalf of or in opposition to a candidate or a ballot measure, while a legitimate form of public participation in the political process, should not permit particular individuals or organizations to exert a controlling or undue influence on the election of city council members or the passage or defeat of ballot measures.
- (b) This article seeks to enable each city voter to cast an informed vote by requiring that candidates and ballot measure committees receiving one thousand dollars (\$1,000.00) or more during an election cycle disclose campaign contributions prior to the election by providing such information to the city clerk to be posted on the city website.

Section 27-1-2 Statutory Authority

Sections 81009.5 and 81013 of the California Government Code authorize the city to impose campaign contribution filing requirements additional to or different from those set forth in Section 84100 et seq. of the Government Code.

Section 27-1-3 Definitions

- (a) City council means the city council for the City of Woodland, California.
- (b) City clerk means the city clerk for the City of Woodland, California.
- (c) City website means the website owned, operated, and maintained by the City of Woodland, California at the following address: <http://www.ci.woodland.ca.us/>.
- (d) Committee means any person or combination of persons who influence or attempt to influence the action of voters for or against either the nomination or election of one or more candidates for city council or the passage or defeat of any ballot measure being voted on only in the City of Woodland.
- (e) Controlled committee means any committee that is controlled directly or indirectly by a candidate or a ballot measure committee.
- (f) Candidate means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials for election to city council. For purposes of this article, a candidate also includes any controlled committee.
- (g) Ballot measure committee means committee that influences or attempts to influence the action of voters for or against the passage or defeat of any initiative, referendum, or recall being voted on only in the City of Woodland. For purposes of this article, a ballot measure committee also includes any controlled committee.
- (h) Contribution has the same meaning as defined by California Government Code § 82015 and California Code of Regulations § 18215.
- (i) Contributor means any individual or organization making a contribution within the meaning of California Government Code § 82015 and California Code of Regulations § 18215.

Section 27-1-4 Construction

The provisions of this article are to be construed liberally with a view to effectuate its purposes and to promote justice.

Section 27-1-5 Candidates and Ballot Measure Committees Subject to this Article

Any candidate or ballot measure committee that receives one thousand dollars (\$1,000.00) or more in contributions, cumulatively from one or more contributors, is subject to this article.

Section 27-1-6 Disclosure Statements

- (a) Thirty (30) days prior to an election, all candidates and ballot measure committees that have received one thousand dollars (\$1,000.00) or more in contributions, cumulatively from one or more contributors, shall file with the city clerk a disclosure statement including the following information for each contribution received:
 - (1) The date of the contribution
 - (2) The amount of the contribution
 - (3) The name of the contributor
 - (4) The contributor's address
- (b) Any candidate or ballot measure committee that is not required to file a disclosure statement pursuant to subsection (a) of this section and who subsequently receives a contribution that causes the candidate to exceed the one thousand dollar (\$1,000.00) threshold for contributions, cumulatively from one or more contributors, shall file with the city clerk a disclosure statement within three (3) business days of the receipt of the contribution.
- (c) Any candidate or ballot measure committee that is required to file a disclosure statement pursuant to either subsection (a) or subsection (b) of this section shall file with the city clerk supplementary disclosure statements for each contribution of one hundred dollars (\$100.00) or more, cumulatively from a single contributor, received after the filing of the initial disclosure statement.
- (d) For contributions of one hundred dollars (\$100.00) or more received between thirty (30) and (3) days prior to the election, candidates and ballot measure committees shall file supplementary disclosure statements within three (3) business days of receipt of the contribution. For contributions of one hundred dollars (\$100.00) or more received during the three (3) days immediately preceding the election, candidates and ballot measure committees shall file supplementary disclosure statements within one (1) business day of receipt of the contribution.
- (e) Disclosure statements and supplementary disclosure statements must be filed with the city clerk by 5:00 p.m. on the date on which the statement is due.
- (f) For purposes of this article, a candidate or ballot measure committee is deemed to have received a contribution as follows:
 - (1) A monetary contribution is received on the date that the candidate or ballot measure committee or the treasurer for or agent of the candidate or ballot

measure committee obtains possession and control of the check or other negotiable instrument by which the contribution is made.

- (2) A non-monetary contribution is received on the earlier of the following two dates: (A) the date that the candidate or ballot measure committee or the treasurer for or agent of the candidate or ballot measure committee obtains possession or control of the goods or services; or (B) the date that the candidate or ballot measure committee otherwise receives the benefit of the contribution.
 - (3) A loan or enforceable promise is received on the date that the candidate or ballot measure committee receives the benefit of the contribution, irrespective of whether the candidate or ballot measure committee has received any actual negotiable instrument from the contributor.
- (g) Upon receipt of a disclosure statement from a candidate or ballot measure committee, the city clerk shall make the disclosure statement available to the public upon request and shall post it on the City of Woodland's website as soon as is practicable.
- (h) The filing of disclosure statements pursuant to this article does not relieve candidates or ballot measure committees from their obligation to file disclosure statements as required by the Fair Political Practices Act.

Section 27-1-7 Penalty for Violations

Any person who violates any provision of this article is guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100.00) for a first violation, a fine not exceeding two hundred dollars (\$200.00) for a second violation within one year, and a fine not exceeding five hundred dollars (\$500.00) for each subsequent violation within one year.

Section 27-1-8 Severability

If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this article. The city council declares that it would have adopted this article, including every section, subsection, sentence, clause, and phrase, irrespective of whether one or more sections, subsections, sentences, clauses, or phrases is held invalid."

Section 4. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED this 2nd day of Dec., 2003 by the following vote:

AYES: Council Members Dote, Monroe, Peart, Rexroad, Flory
NOES: None
ABSENT: None
ABSTAIN: None

(d)(5)

David M. Flory
Mayor

ATTEST:

(d)(5)

Sue Vannucci, CMC
City Clerk

APPROVED AS TO FORM:

(d)(5)

Ann M. Siprelle
City Attorney