

**ORDINANCE NO. 2073**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA, AMENDING CHAPTER 1.84 OF TITLE 1 OF THE CORONADO MUNICIPAL CODE REGARDING ELECTRONIC FILING OF CAMPAIGN DISCLOSURE STATEMENTS**

WHEREAS, the City Council has not updated its local campaign regulations regarding campaign disclosure statements since 1977; and

WHEREAS, state laws during the intervening years have modified how cities may accept the filing of campaign disclosure statements; and

WHEREAS, the City Council desires to update its campaign regulations to reflect current laws; and

WHEREAS, the City Council desires to allow for the electronic filing of campaign disclosure statements as is allowed by the Political Reform Act and state law.

NOW, THEREFORE, the City Council of the City of Coronado, California, does ordain as follows:

**SECTION ONE:**

All of the above statements are true.

**SECTION TWO:**

Section 1.84.010(B) of Chapter 84 of Title 1 of the Coronado Municipal Code is hereby amended to read as follows:

**1.84.010 Scope of chapter.**

B. Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

“Campaign statement” means an itemized report which is prepared on a form provided by the City Clerk and which provides the information required by this chapter.

“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 nomination for or election to the position of Mayor or on the City Council, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with the intention of

bringing about his or her nomination or election to the position of Mayor or City Council, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time.

“Candidate” also includes any Mayor or Councilmember who is the subject of a recall election.

“Closing date” means the date which any report or statement filed under this chapter is required to be complete.

“Committee,” including controlled and independent committees, means any person who directly or indirectly receives contributions or makes expenditures or contributions for the purpose of influencing or attempting to influence the action of voters:

For or against the nomination or election of one or more candidates for City elective office; or

For or against the qualification or passage of a City measure.

“Contribution” shall have the meaning set forth in Government Code Section 82015, as amended from time to time.

“Controlled committee” means a committee which is controlled directly or indirectly by a candidate or which acts jointly with or in coordination with a candidate or another controlled committee in connection with the making of expenditures. A candidate controls a committee if such candidate, his or her agent or any other committee such candidate controls has significant influence on the actions or decisions of the committee or if such committee coordinates its expenditures with the expenditures of a candidate or committee controlled by a candidate, whether or not such candidate is personally aware of such coordination.

“Election” means any City general, special, initiative, referendum or recall election.

“Electronic Filing” means use of a system that provides for the online or electronic transfer of data using telecommunications technology that ensures the integrity of the data transmitted and that creates safeguards against efforts to tamper with or subvert the data.

“Entity” means any corporation, company, association, or other organization other than an individual or a political party.

“Expenditure” shall have the meaning set forth in Government Code Section 82025, as amended from time to time.

“Fundraiser event” means any political event organized for the purpose of raising funds to be used in the support of or opposition to any candidate or measure.

“Independent committee” means any committee which receives contributions or makes expenditures for the purpose of influencing or attempting to influence a City election which is neither controlled by a candidate nor coordinates its expenditures with the expenditures of a candidate or a committee controlled by a candidate.

“Individual” means a sole human being.

“Measure” means any proposition submitted to a popular vote, only at a City election.

“Person” means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company corporation, association or committee (including both controlled and independent committees), labor union, and any other organization or group of persons acting in concert.

“Political party” means any organization qualified to participate in any primary election in the State of California as set forth in California Elections Code Section 5100, or such law as may replace Section 5100.

### **SECTION THREE:**

Section 1.84.020 of Chapter 84 of Title 1 of the Coronado Municipal Code is hereby amended to add Section D as follows:

- D. 1. Any elected officer, candidate, committee, or other person required to file statements, reports or other documents (“statements”) as required by Chapter 4 of the Political Reform Act (California Government Code Section 84100 et seq.) (“filers”) may file such statements using the City Clerk’s online system according to procedures established by the City Clerk (the “procedures”). This online filing requirement shall become mandatory beginning April 1, 2018.
2. The City Clerk shall have the authority to establish and amend the procedures, as necessary, to accomplish the following:
  - a. Ensure that the online system complies with the requirements set forth in Section 84615 of the Government Code, as may be amended from time to time;
  - b. Meet the purpose and intent of this section and comply with other applicable law; and
  - c. Ensure the integrity of the data transmitted and include safeguards against efforts to tamper with, manipulate, alter, or subvert the data.
3. Online filings made under this chapter will only be accepted if made in the standardized format that is developed by the California Secretary of State pursuant to Section 84602(a)(2) of the California Government Code, as may be amended from time to time, and that is compatible with the Secretary of State’s system for receiving an online or

electronic filing.

**SECTION FOUR:**

This Ordinance was introduced on December 19, 2017.

**SECTION FIVE:**


If any section, subsection, sentence, clause, phrase, or portion of this Ordinance 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 the remaining portions of this Ordinance. The City Council of the City of Coronado hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase, or portion may be declared invalid or unconstitutional.

**SECTION SIX:**

This ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk is directed to publish this ordinance to the provisions of Government Code Section 36933.

**PASSED AND ADOPTED** this 16th day of January 2018, by the following votes, to wit:

**AYES: BENZIAN, DONOVAN, DOWNEY, SANDKE, BAILEY**  
**NAYS: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

  
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Richard Bailey, Mayor  
City of Coronado, California

**ATTEST AND CERTIFICATION**

I hereby certify that this is a true and correct copy of Ordinance No. 2073 which has been published pursuant to law.

  
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Mary L. Clifford, CMC  
City Clerk