

ORDINANCE NO. 1177

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, ADDING SECTION 2.08.080 ESTABLISHING CAMPAIGN CONTRIBUTION LIMIT REQUIREMENTS FOR ELECTED OFFICIALS

WHEREAS, the California State Legislature in 2019 passed Assembly Bill 571 (“AB 571”) which creates campaign contribution limits, identical to those imposed on State Assembly and Senate candidates, for all levels of government; and

WHEREAS, while AB 571 sets forth default statewide limits on contributions, it also permits cities and counties to impose contribution limits that differ from the default limits; and

WHEREAS, as of January 1, 2021, the AB 571 default contribution limit of \$4,900 per individual person per calendar year is assigned to the City of Coachella; and

WHEREAS, the City Council of the City of Coachella wishes to establish a local campaign contribution limit.

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

SECTION 1. Recitals. The City Council hereby finds and determines that the recitals set forth above are true and correct and are hereby incorporated and adopted as findings and determinations by the City Council as if fully set forth herein.

SECTION 2. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 2.08 *City Officers Generally*, Section 2.08.080 is hereby added as follows:

“2.08.080 Local Campaign Contribution Limits.

A. A person shall not make to a candidate for elective city office, and a candidate for elective city office shall not accept from a person, a contribution totaling more than _____ dollars (\$) per calendar year, as that amount is increased by the city clerk in January of every year to reflect any increase in the Consumer Price Index. The increase shall be rounded to the nearest one hundred dollars (\$100).

B. In addition to the other duties required under this chapter, the city clerk shall:

1. Supply appropriate forms and manuals to all candidates and committees, and to other persons required to file reports.

2. Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this section and state law.

3. Notify promptly all persons and known committees who have failed to file a document in the form and at the time required by this section, and promptly notify a person,

candidate, campaign treasurer, political committee, or broad-based political committee of any violations of this section. The city clerk shall inform the person, candidate, campaign treasurer, political committee, or broad-based political committee that they shall have two (2) weeks to correct the violation.

4. Compile and maintain a current list of all statements or parts of statements filed with the city clerk pertaining to each candidate.

5. Monitor reports and statements filed by candidates and committees supporting or opposing candidates for city council as required by this section.

C. Any violation of this section shall be enforced by the City as a misdemeanor, infraction, or by administrative citation. The penalty for any violation of this section shall be a fine in an amount not to exceed five hundred dollars (\$500).”

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional. If for any reason any portion of this Ordinance is found to be invalid by a court of competent jurisdiction, the balance of this Ordinance shall not be affected.

SECTION 4. Certification and Publication. The City Clerk of the City of Coachella shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the City in a manner permitted under California Government Code Section 36933.

SECTION 5. CEQA. The City Council finds that adoption of this Ordinance is not a “project,” as defined in the California Environmental Quality Act because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and concerns general policy and procedure making.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Coachella on the _____ day of _____, 2021, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Steven Hernandez, Mayor

ATTEST:

Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney