

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

**AN ORDINANCE ADDING CHAPTER 2.02
(ELECTRONIC FILING OF CAMPAIGN
DISCLOSURE STATEMENTS AND
STATEMENTS OF ECONOMIC INTEREST)
TO TITLE 2 (ADMINISTRATION AND
PERSONNEL) OF THE FORT BRAGG
MUNICIPAL CODE TO MANDATE
ELECTRONIC AND PAPERLESS FILING OF
FAIR POLITICAL PRACTICES
COMMISSION CAMPAIGN DISCLOSURE
STATEMENTS AND STATEMENTS OF
ECONOMIC INTEREST**

ORDINANCE NO. 977-2022

WHEREAS, California Government Code Section 84615 provides that a legislative body of a local government agency may adopt an ordinance that requires an elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act to file such statements, reports, or other documents online or electronically with the City Clerk; and

WHEREAS, the City of Fort Bragg ("City") has entered into an agreement with a vendor approved by the California Secretary of State that meets the requirements set by Government Code Section 84615, to provide an online electronic filing system ("System") for the California Fair Political Practices Commission campaign statements; and

WHEREAS, the System will operate securely and effectively and will not unduly burden filers. Specifically: (1) the System will ensure the integrity of the data and includes safeguards against efforts to temper with, manipulate, alter, or subvert the data; (2) the System will only accept a filing in the standardized record format developed by the 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.

NOW, THEREFORE, the City Council ordains as follows:

Section 1. Findings.

The City Council of the City of Fort Bragg finds and determines as follows:

- A. California Government Code Section 84615 provides that a legislative body of a local government agency may adopt an ordinance that requires an elected officer, candidate, or committee required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act to file such statements, reports, or other documents online or electronically with the City Clerk.

- B. The web-based system operated by the City Clerk contains multiple safeguards to protect the integrity and security of the data, it will operate securely and effectively, and it will not unduly burden filers.
- C. The City Clerk will operate the electronic filing system in compliance with the requirements of California Government Code Section 84615 and any other applicable laws.

Section 2. Chapter 2.02 is hereby added to the Fort Bragg Municipal Code as follows:

CHAPTER 2.02 ELECTRONIC FILING OF CAMPAIGN DISCLOSURE STATEMENTS AND STATEMENTS OF ECONOMIC INTEREST

Sections:

- 2.02.010 Purpose and Authority.
- 2.02.020 Basic Requirement.

2.02.010 Purpose and Authority.

- A. The purpose of this ordinance is to require the filing of Campaign Disclosure Statements and Statements of Economic Interest by elected officials, candidates, staff, consultants or committees to be completed electronically. The City Council enacts this ordinance in accordance with the authority granted to cities by state law. This ordinance is intended to supplement, and not conflict with, the Political Reform Act.
- B. While electronic filing of statements will be mandated under this ordinance, the City Clerk, as the City's filing officer, will have the right to accept a paper filing in lieu of an electronic filing at the City Clerk's discretion, under certain circumstances, and to accommodate an Americans with Disabilities Act (ADA) request.

2.02.020 Basic Requirement.

- A. An elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act or designated in the City's local conflict of interest code adopted pursuant to Government Code Section 87300 shall file any required Statement of Economic Interests (Form 700) online or electronically with the City Clerk. Electronic filing is mandatory unless the officer, candidate, or committee is exempt as described in Government Code 84615.
- B. The City Clerk shall issue an electronic confirmation that notifies the filer that the Statement was received, and the notification shall include the date and the time that the Statement was received and the method by which the filer may view and print the data received by the City Clerk. The date of filing for a Statement filed online shall be the day that it is received by the City Clerk.

- C. If the City Clerk's system is not capable of accepting a Statement due to technical difficulties, a Statement in paper format shall be filed with the City Clerk.
- D. The City Clerk will operate the electronic filing system in compliance with the requirements of California Government Code Section 84615.

Section 3. CEQA Exemption. This proposed ordinance has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). The ordinance is not a project under CEQA Guidelines Section 15378 because it involves administrative activities that will not result in direct or indirect physical changes in the environment.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 5. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held on February 28, 2022 and adopted at a regular meeting of the City of Fort Bragg held on March 14, 2022 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSED:**

**Bernie Norvell,
Mayor**

ATTEST:

**June Lemos, MMC
City Clerk**

PUBLISH: March 3, 2022 and March 24, 2022 (by summary).
EFFECTIVE DATE: April 13, 2022.