

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA AMENDING SECTION 2.20.125 "DISCLOSURE OF CAMPAIGN CONTRIBUTIONS" OF THE DESERT HOT SPRINGS MUNICIPAL CODE TO PROVIDE THAT ALL PERSONS ACCEPTING AND/OR PROVIDING CAMPAIGN CONTRIBUTIONS MUST COMPLY WITH ALL APPLICABLE STATE LAW AND FAIR POLITICAL PRACTICES COMMISSION'S REGULATIONS

WHEREAS, the City of Desert Hot Springs ("City") is a charter city organized pursuant to Article XI of the California Constitution; and

WHEREAS, currently Section 2.20.125 of the Desert Hot Springs Municipal Code ("DHSMC") is more restrictive than requirements of applicable state law and regulations; and

WHEREAS, the City would like its campaign contribution regulations to comport with those of State law and the Fair Political Practices Commission's Regulations; and

WHEREAS, the City Council finds that the amendment to Section 2.20.125 of the DHSMC is in the best interest of the public health, safety and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Desert Hot Springs as follows:

Section 1. RECITALS

That the foregoing recitals are true and correct and are herein adopted by this reference.

Section 2. AMENDMENT OF SECTION 2.20.125 OF THE DHSMC

Section 2.20.125 of the DHSMC shall be amended to read as follows:

2.20.125 Disclosure of campaign contributions.

All persons accepting and/or providing campaign contributions must comply with all applicable State law and Fair Political Practices Commission's Regulations.

2.20.125 — Disclosure of campaign contributions.

~~Each City official and/or employee, whether paid or unpaid, who has willfully, voluntarily, or knowingly received, within the term of their office or employment, a cumulative total of \$500 directly, or \$1,000 indirectly via a contribution to a political action committee (or similar organization formed for the purpose of raising and spending money to elect or defeat political candidates), shall publicly disclose said contribution(s) at each public meeting in which he or she is participating as part of the presiding body and during which the contributor appears before the presiding body. If such a contribution has been voluntarily received, the official or employee shall: (1) make the required disclosure; and then (2) recuse him or herself from participating in the subject proceedings, vacating the room of the proceedings until said proceedings have been concluded. This subsection does not apply when the official or~~

~~employee claims in writing to the City that such contribution was done in a manner as an attempt to manipulate the vote of a non-supportive donor. (Ord. 633 10 17 17; Ord. 580 6 21 16; Ord. 551 9 16 14)~~

Section 3. SEVERABILITY

That, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 4. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this ordinance are hereby repealed.

Section 5. AMENDING OF BAIL SCHEDULE

That the City Attorney's Office is hereby directed to determine whether this ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

Section 6. EFFECTIVE DATE

That this ordinance shall be effective thirty days after the second reading of the ordinance.

Section 7. CERTIFICATION

That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the ____ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

DRAFT

ATTEST:

Jerryl Soriano, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney

DRAFT