

**ORDINANCE 2023-###**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITY OF SAN PABLO ADDING SECTION 1.20.030 TO CHAPTER 1.20 OF THE SAN PABLO MUNICIPAL CODE RELATING TO THE ELECTRONIC FILING OF FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE DOCUMENTS**

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, except those whose contributions received and expenditures made each total less than Two Thousand Dollars (\$2,000) in a calendar year, to file such statements, reports, or other documents online or electronically with the City Clerk;

WHEREAS, the software used by the City Clerk's electronic filing system, SouthTech Systems, Granicus, has been certified by the Secretary of State and meets the requirements set by Government Code Section 84615;

WHEREAS, 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; and

WHEREAS, the City Council expressly finds and determines that the electronic filing 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 tamper 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 OF THE CITY OF SAN PABLO DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** The Recitals above are true, correct, adopted, incorporated herein and made a part hereof.

**SECTION 2.** Title 1, Chapter 1.20 of the San Pablo Municipal Code is hereby amended to add the following Section:

**SECTION 1.20.030 - ELECTRONIC FILING OF CAMPAIGN DISCLOSURE DOCUMENTS**

- A. Any elected officer, candidate, committee or other person required to file statements, reports, or other documents with the City Clerk as required by Chapter

4 of the Political Reform Act (California Government Code Section 84100 et. seq.) and that has received contributions or made expenditures of \$2,000 or more, shall electronically file such statements, reports, or other documents using the City Clerk's online system according to procedures established by the City Clerk.

- B. Once an elected officer, candidate, committee or other person has electronically filed any statement, report, or other document pursuant to subsection A, all subsequent statements, reports, or other documents on behalf of that filer shall be filed electronically to ensure reporting continuity.
- C. Any elected officer, candidate, committee or other person who has electronically filed a statement, report, or other document using the City Clerk's online system is not required to file a copy of that statement in paper format with the City Clerk.
- D. In any instance in which an original statement, report, or other document must be filed with the Secretary of State and a copy of that statement, report, or other document is required to be filed with the City Clerk, the filer may, but is not required to, file the copy electronically.
- E. If the City Clerk's online system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee or other person shall file that statement, report, or other document in paper format with the City Clerk.
- F. The City Clerk's office shall maintain, for a period of at least 10 years commencing from the date filed, a secured, official version of each online or electronic statement which shall serve as the official version of that record for purpose of audits.

**SECTION 3. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Pablo hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

**SECTION 4. EFFECTIVE DATE AND PUBLICATION.** This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

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First introduced at a regular meeting of the City Council of the City of San Pablo on December 18, 2023, and finally passed and adopted at a second meeting of the City Council held on \_\_\_\_\_, 2024, by the following votes:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

\_\_\_\_\_  
Dorothy Gantt, City Clerk

\_\_\_\_\_  
Patricia Ponce, Mayor