

**ORDINANCE NO. 2021-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF TEMECULA ADDING CHAPTER 2.10 TO THE  
TEMECULA MUNICIPAL CODE REGARDING  
ELECTRONIC AND PAPER METHODS OF FILING  
CAMPAIGN FINANCE DISCLOSURE STATEMENTS**

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY ORDAIN AS  
FOLLOWS:

WHEREAS, California Government Code Section 84615 provides that a legislative body of 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 and expenditures 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; and

WHEREAS, the City Council expressly finds and determines that NetFile software web-based system, as proposed by the City Clerk, contains multiple safeguards to protect the integrity and security of the data, and will operate securely and effectively and will not unduly burden filers; and

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

WHEREAS, the City Clerk and NetFile will operate the electronic filing system in compliance with the requirements of California Government Code Section 84615 and any other applicable laws.

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

Section 1. New Chapter 2.10 is added to Temecula Municipal Code to read as follows:

“CHAPTER 2.10 ELECTRONIC FILING OF CAMPAIGN DISCLOSURE INFORMATION

Sections:

- 2.10.010 Required Use of Electronic Filing System.
- 2.10.020 Paper Filing Not Required After Electronic Filing.
- 2.10.030 Filing Options When a Copy Must be Filed With City Clerk.
- 2.10.040 Paper Filing When Cannot File Electronically.
- 2.10.050 Internet Posting of Data.
- 2.10.060 Records Retention.

§ 2.10.010     Required Use of Electronic Filing System.

(A)     Except as set forth in subsection B of this Section 2.10.010, any elected officer, candidate, committee other person required to file specified statements, reports, forms, or other documents with the Temecula City Clerk as required by Chapter 4 (commencing with Section 84100) of Title 9 of the California Government Code, also known as the Political Reform Act, and that has received contributions or made expenditures of \$2,000 or more in a calendar year, may electronically file such statement using the City's online system according to procedures established by the City Clerk. However, to ensure reporting continuity, once a statement, report, form, or other document is filed electronically on behalf of any elected officer, candidate, or committee, all future statements, reports, forms, and other documents filed on behalf of that officer, candidate or committee must be filed electronically.

(B)     An elected officer, candidate, committee or other person may choose not to use the electronic filing system by filing all original statements, reports, forms, or other documents in paper format with the City Clerk, until such time as the City Council determines that electronic filing is mandatory for all filers.

§ 2.10.020     Paper Filing Not Required After Electronic Filing. Any elected officer, candidate, committee or other person who has electronically filed a statement, report, form, or other document using the City's online system is not also required to file a copy of that document in a paper format with the City Clerk.

§ 2.10.030     Filing Options When a Copy Must be Filed With City Clerk. In any instance in which an original statement, report, form, or other document must be filed with the Secretary of State or other agency, and a copy of that document is required to be filed with the City Clerk, the filer may electronically file a copy with the City Clerk, or may file in a paper format.

§ 2.10.040     Paper Filing When Cannot File Electronically. If, for technical reasons, the City's system is not capable of accepting a particular type of statement, report, form or other document, an elected officer, candidate, committee or other person shall timely file that document in paper format with the City Clerk.

§ 2.10.050     Internet Posting of Data. The City Clerk shall ensure that the City's system makes all filed statements, reports, forms, or other documents available on the City's internet website in an easily understood format that provides the greatest public access. Within 72 hours of each applicable filing deadline, the statements, reports, forms, or other documents, whether filed electronically or in paper format, shall be available and posted on the City's internet website. If the final day of the 72-hour period is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday. Before posting, the City Clerk shall redact the street name and building number of the persons or entity representatives listed on any statement, report, or document, or any bank account number required to be disclosed by the filer. Providing a link on the City's internet website to the statement, report, or other document satisfies this requirement. The data shall be made available free of charge. The City Clerk's office shall also make a complete, unredacted copy of the statement, report, form, or other document available to the Fair Political Practices Commission for Government Code Section 87200 filers.

§ 2.10.060 Records Retention. The City Clerk's office shall maintain records according to the City's records retention schedule and applicable State law commencing from the date filed, a secured, official version of each online or electronic statement, report, form, or other document, which shall serve as the official version of that record.

§ 2.10.070 Administrative Policies and Procedures. The City Clerk is authorized to adopt such administrative policies and procedures as deemed necessary to implement this Chapter.”

Section 2. If any sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Section 3. The City Clerk of the City of Temecula shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula this 26<sup>th</sup> day of January, 2021.

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Maryann Edwards, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss  
CITY OF TEMECULA         )

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Ordinance No. 2021-02 was duly introduced and placed upon its first reading at a meeting of the City Council of the City of Temecula on the 12<sup>th</sup> day of January, 2021, and that thereafter, said ordinance was duly adopted by the City Council of the City of Temecula at a meeting thereof held on the 26<sup>th</sup> day of January, 2021, by the following vote:

AYES:                   COUNCIL MEMBERS:

NOES:                   COUNCIL MEMBERS:

ABSTAIN:               COUNCIL MEMBERS:

ABSENT:                COUNCIL MEMBERS:

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Randi Johl, City Clerk