



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

**ORD-16**

CHARLES PARKIN  
City Attorney

MICHAEL J. MAIS  
Assistant City Attorney

MONTE H. MACHIT  
Assistant City Attorney

PRINCIPAL DEPUTIES

Gary J. Anderson  
Charles M. Gale  
Anne C. Lathim

DEPUTIES

C. Geoffrey Altred  
Richard F. Anthony  
William R. Baerg  
LaTasha N. Corry  
Haleh R. Jenkins  
Monica J. Kilaita  
Nicholas J. Masero  
Dawn A. McIntosh  
Barbara J. McTigue  
Lauren E. Misajon  
Katrina R. Pickett  
Howard D. Russell  
Arturo D. Sanchez  
Victoria A. Silcox  
Linda T. Vu  
Amy R. Webber  
Theodore B. Zinger

April 11, 2017

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.01.380, and by repealing Section 2.01.390, all relating to officeholder accounts, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION

Pursuant to your request on April 4, 2017, this ordinance has been prepared and is submitted for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By 

AMY R. WEBBER  
Deputy City Attorney

REDLINE

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2  
3 2.01.380 Contributions for officeholder expense fund.

4 A. Notwithstanding any other provisions of this Chapter, upon taking  
5 office each elected City officeholder may establish an officeholder expense fund and may  
6 solicit and accept contributions for said officeholder expense fund not to exceed a total  
7 amount of thirty thousand dollars (\$30,000.00) per calendar year for City Councilmembers  
8 and seventy-five thousand dollars (\$75,000.00) per calendar year for the City Attorney, City  
9 Auditor, City Prosecutor and Mayor. No person shall make and no elected City officeholder  
10 or officeholder expense fund shall solicit or accept from any person, a contribution or  
11 contributions to the officeholder expense fund totaling more than seven hundred fifty dollars  
12 (\$750.00) per calendar year for City Councilmembers and one thousand dollars  
13 (\$1,000.00) per calendar year for City Attorney, City Auditor, City Prosecutor and Mayor.  
14 The money in such fund shall be expended and used only for the purpose of officeholder  
15 expenses associated with holding office, in accordance with and authorized by the  
16 applicable provisions of Sections 8951089512 through 8952289519 of the California  
17 Government Code, ~~as amended, except for Subsection 89513(e) and that part of~~  
18 ~~Subsection 89513(g) relating to loans to candidates, political parties or committees.~~ None  
19 of such officeholder expense funds may be used or expended ~~in connection with a future~~  
20 ~~election for an elective City office or~~ for any expenditures that would violate the provisions  
21 of Government Code Sections 89506 or 89512 through 89519.

22 B. Each such officeholder expense fund shall be considered a  
23 subaccount of the officeholder's controlled committee. All solicitations made and  
24 contributions received for an officeholder expense fund shall be clearly designated as being  
25 made or received for such uses and purposes.

26 C. The officeholder or his or her treasurer shall retain all receipts,  
27 invoices, written agreements and other documents relating to expenditures from such  
28 officeholder expense fund.

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~~2.01.390 – Transfer of funds.~~

~~Officeholder funds may not be used as a transfer, loan or contribution to any other candidate for local, State or federal elective office.~~

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTION 2.01.380;  
AND BY REPEALING SECTION 2.01.390, ALL RELATING  
TO OFFICEHOLDER ACCOUNTS

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 2.01.380 of the Long Beach Municipal Code is  
amended to read as follows:

2.01.380 Contributions for officeholder expense fund.

A. Notwithstanding any other provisions of this Chapter, upon  
taking office each elected City officeholder may establish an officeholder  
expense fund and may solicit and accept contributions for said officeholder  
expense fund not to exceed a total amount of thirty thousand dollars  
(\$30,000.00) per calendar year for City Councilmembers and seventy-five  
thousand dollars (\$75,000.00) per calendar year for the City Attorney, City  
Auditor, City Prosecutor and Mayor. No person shall make and no elected  
City officeholder or officeholder expense fund shall solicit or accept from  
any person, a contribution or contributions to the officeholder expense fund  
totaling more than seven hundred fifty dollars (\$750.00) per calendar year  
for City Councilmembers and one thousand dollars (\$1,000.00) per  
calendar year for City Attorney, City Auditor, City Prosecutor and Mayor.

The money in such fund shall be expended and used only for the purpose  
of officeholder expenses associated with holding office, in accordance with  
and authorized by the applicable provisions of Sections 89510 through

1 89522 of the California Government Code, as amended. None of such  
2 officeholder expense funds may be used or expended for any expenditures  
3 that would violate the provisions of Government Code Sections 89506 or  
4 89512 through 89519.

5 B. Each such officeholder expense fund shall be considered a  
6 subaccount of the officeholder's controlled committee. All solicitations made  
7 and contributions received for an officeholder expense fund shall be clearly  
8 designated as being made or received for such uses and purposes.

9 C. The officeholder or his or her treasurer shall retain all receipts,  
10 invoices, written agreements and other documents relating to expenditures  
11 from such officeholder expense fund.

12  
13 Section 2. Section 2.01.390 of the Long Beach Municipal Code is hereby  
14 repealed.

15  
16 Section 3. The City Clerk shall certify to the passage of this ordinance by  
17 the City Council and cause it to be posted in three (3) conspicuous places in the City of  
18 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
19 Mayor.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Lona Beach, CA 90802-4664

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I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2017, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor