



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

Dominic Holzhaus  
Anne C. Lattime

DEPUTIES

C. Geoffrey Allred  
Gary J. Anderson  
Richard F. Anthony  
William R. Baerg  
Kendra L. Carney  
LaTasha N. Corry  
Charles M. Gale  
Haleh R. Jenkins  
Michele L. Levinson  
Barbara J. McTigue  
Howard D. Russell  
Arturo D. Sanchez  
Tiffany L. Shin  
Linda T. Vu  
Amy R. Webber  
Theodore B. Zinger

January 20, 2015

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Declare ordinance amending Long Beach Municipal Code Sections 2.01.380 and 2.01.1020, relating to officeholder expense funds, read the first time and laid over to the next regular meeting of the City Council for final reading.

DISCUSSION:


Pursuant to your request of January 6, 2015, this office has prepared and submits the above-described ordinance for your consideration.

SUGGESTED ACTION:

Approve recommendation.

CHARLES PARKIN, City Attorney

By

  
MICHAEL J. MAIS  
Assistant City Attorney

MJM:kjm  
A15-00047  
l:\apps\ctylaw32\wpdocs\d009\p024\00508450.doc  
Attachment

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTIONS 2.01.380  
AND 2.01.1020 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 expenses 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 ten thousand dollars ~~(\$30,000.00)~~ ~~(\$40,000.00)~~ per calendar year for City Councilmembers and seventy-five ~~twenty-five~~ thousand dollars ~~(\$75,000.00)~~ ~~(\$25,000.00)~~ 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. ~~five hundred dollars~~ ~~(\$500.00)~~ during any calendar year. The money in such fund shall be expended and used

1 only for the purpose of officeholder expenses associated with holding  
2 office, in accordance with and authorized by the applicable provisions of  
3 Sections 89512 through 89519 of the California Government Code,  
4 except for Subsection 89513(e) and that part of Subsection 89513(g)  
5 relating to loans to candidates, political parties or committees. None of  
6 such officeholder expense funds may be used or expended in  
7 connection with a future election for an elective City office or for any  
8 expenditures that would violate the provisions of Government Code  
9 Sections 89506 or 89512 through 89519.

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

14 C. ~~In addition to the disclosure and recordkeeping requirements of~~  
15 ~~the Political Reform Act of 1974, as amended, every elected City~~  
16 ~~officeholder who establishes and maintains an officeholder expense fund~~  
17 ~~pursuant to this Section shall be required to file a supplemental report~~  
18 ~~indicating all contributions to and disbursements from the officeholder~~  
19 ~~expense fund with the City Clerk at the same time that each campaign~~  
20 ~~statement is required to be filed by the elected officer. The supplemental~~  
21 ~~officeholder expense fund report shall itemize each expenditure of more~~  
22 ~~than one hundred dollars (\$100.00) from the officeholder expense fund by~~  
23 ~~stating the date, amount and purpose of each such expenditure, and the~~  
24 ~~name of each payee or other person upon whose behalf the expenditure~~  
25 ~~was made.~~ The officeholder or his or her treasurer shall retain all receipts,  
26 invoices, written agreements and other documents relating to  
27 expenditures from such officeholder expense fund. Pursuant to Section  
28 ~~2.01.810 of this Chapter, the City Clerk shall prescribe and furnish the~~

1 ~~necessary and appropriate forms for filing such supplemental information.~~

2  
3 Section 2. Section 2.01.1020 of the Long Beach Municipal Code is  
4 amended to read as follows:

5 2.01.1020 Retention of ~~twenty-five ten~~ thousand dollars by office-holders.

6 Any person holding office as a result of a successful campaign  
7 resulting in surplus funds may retain ~~and transfer~~ up to ~~twenty-five ten~~  
8 thousand dollars ~~(\$25,000.00) (\$10,000.00)~~ of such surplus funds ~~into his~~  
9 ~~or her officeholder expense fund~~ for expenditures associated with holding  
10 such office in accordance with the provisions of Sections 89512 and  
11 89513 of the California Government Code. ~~Any such transfer in~~  
12 ~~accordance with this Section shall be counted toward the calendar year~~  
13 ~~fund limit established by Section 2.01.380.A of this Code.~~

14  
15 Section 3. The City Clerk shall certify to the passage of this ordinance by  
16 the City Council and cause it to be posted in three (3) conspicuous places in the City of  
17 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
18 Mayor.

19 I hereby certify that the foregoing ordinance was adopted by the City  
20 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_\_\_, by the  
21 following vote:

22 Ayes: Councilmembers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

26 Noes: Councilmembers:

\_\_\_\_\_  
\_\_\_\_\_

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

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Absent: Councilmembers:

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\_\_\_\_\_

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

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

\_\_\_\_\_  
Mayor

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1           accordance with and authorized by the applicable provisions of  
2           Sections 89512 through 89519 of the California Government Code,  
3           except for Subsection 89513(e) and that part of Subsection 89513(g)  
4           relating to loans to candidates, political parties or committees. None of  
5           such officeholder expense funds may be used or expended in  
6           connection with a future election for an elective City office or for any  
7           expenditures that would violate the provisions of Government Code  
8           Sections 89506 or 89512 through 89519.

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

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

16  
17                   Section 2.    Section 2.01.1020 of the Long Beach Municipal Code is  
18           amended to read as follows:

19                   2.01.1020    Retention of twenty-five thousand dollars by officeholders.

20                   Any person holding office as a result of a successful campaign  
21           resulting in surplus funds may retain and transfer up to twenty-five  
22           thousand dollars (\$25,000.00) of such surplus funds into his or her  
23           officeholder expense fund for expenditures associated with holding such  
24           office in accordance with the provisions of Sections 89512 and 89513 of  
25           the California Government Code. Any such transfer in accordance with  
26           this Section shall be counted toward the calendar year fund limit  
27           established by Section 2.01.380.A of this Code.

28    //

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

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

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_  
Mayor