ORDINANCE NO. 2021-355

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR ADDING CHAPTER 7.160 TO TITLE I OF THE TOWN OF WINDSOR MUNICIPAL CODE, RELATING TO THE ELECTRONIC FILING OF CAMPAIGN STATEMENTS AND STATEMENTS OF ECONOMIC INTERESTS

THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Determinations.

A. Government Code Section 84615 currently provides that a local agency may adopt an ordinance to require 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 (commencing with Section 84100 of the Government Code), except an elected officer, candidate, committee, or other person who receives contributions totaling less than $250 and who makes expenditures totaling less than $250 in a calendar year, to file those statements, reports, or other documents online or electronically with the local filing officer. This exemption is specified in the Town of Windsor's Municipal Code adopted by Ordinance No. 98-106; and

B. The Town intends to enter into an agreement with a vendor approved by the California Secretary of State, to provide an online electronic filing system ("System") for campaign disclosure statements and statement of economic interest forms; and

C. The System will operate securely and effectively and will not unduly burden filers. Specifically, in accordance with State law; (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; (3) the System will be available free of charge to filers and to the public for viewing filings.

D. The Town of Windsor desires to amend Title 1 of the Municipal Code to add a new section relating to electronic filing of campaign and conflict of interest statements

Section 2. Chapter 7.160 entitled Electronic Filing is hereby added to Title 1 (Administration and Personnel) to read as follows:

Chapter 7.160: ELECTRONIC FILING

7.160. Electronic filing of Campaign Statements and Statements of Economic Interests.

A. Any elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act (commencing with Section 84100 of the Government Code) or the Town's Conflict of

Interest Code, except an elected officer, candidate, committee or other person who receives contributions totaling less than two hundred fifty dollars ($250) and who makes expenditures totaling less than two hundred fifty dollars ($250) in a calendar year, shall file those statements, reports, or other documents online or electronically with the Town Clerk Administrator.

B. Any person holding a position listed in Government Code Section 82700 or designated in the Town's local Conflict of Interest Code adopted pursuant to Government Code section 87300, shall file any required Statement of Economic Interest reports (Form 700) online or electronically with the Town Clerk Administrator. If the Town Clerk Administrator's electronic system is not capable of accepting a particular type of statement, report or other document, the filer shall file that document with the Town Clerk Administrator in an alternative format.

C. In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the Town Clerk Administrator, the filer may, but is not required to, file the copy electronically.

D. If the Town Clerk Administrator's electronic system is not capable of accepting a particular type of statement, report or other document, the Town Clerk Administrator may allow the elected officer, candidate, committee, or other person to file that document with the Town Clerk Administrator in an alternative method, provided that it otherwise complies with all other requirements of this Chapter.

E. Except as otherwise provided in, or inconsistent with, this Act or other provisions of local law, the provisions of the California Political Reform Act relating to local elections including any subsequent amendments are hereby incorporated as part of this article.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word of this chapter is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 4. This Ordinance shall be in force and take effect thirty (30) days after its final adoption.

Section 5. Publication or Posting. The Town Clerk of the Town of Windsor shall cause this Ordinance to be published and/or posted after its adoption in accordance with California Government Code section 36933.

PASSED, APPROVED, AND ADOPTED this 17th day of November 2021, by the following vote:

AYES:	**COUNCILMEMBERS FUDGE, LEMUS, VICE MAYOR REYNOZA AND MAYOR SALMON**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

SAM SALMON, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK