

ORDINANCE NO: 2003-130

**ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF LAGUNA NIGUEL, CALIFORNIA,
AMENDING THE LAGUNA NIGUEL CAMPAIGN CONTRIBUTION
LIMITATION ORDINANCE AND REPEALING THE
LAGUNA NIGUEL GIFT RESTRICTION ORDINANCE**

The City Council of the City of Laguna Niguel does ordain as follows:

SECTION 1.

1. Section 2-8-15 (Contribution limitations) of Article 2 (Campaign Contribution Limitations) of Division 8 (Political Reform) of Title 2 (Administration and Personnel) of the Laguna Niguel Municipal Code is hereby amended to read as follows:

Sec. 2-8-15. Contribution limitations.

- (a) No person or committee shall make to any city candidate or his controlled committee, and no such candidate or his controlled committee shall accept from any such person or committee, a contribution or contributions totaling more than \$1,000.00 for any city council election at which the candidate is on the ballot or a write-in candidate.
- (b) No person shall make to any city council member who is subject to a recall election or to a controlled committee of such a council member, and no such council member or committee shall accept from any such person, a contribution or contributions totaling more than \$1,000.00 for the recall election.
- (c) The provisions of this section shall not apply to a candidate's contribution of his personal funds to his own campaign committee, but shall apply to contributions from a spouse's separate property.

2. Section 2-8-16 (Aggregation of contributions) of Article 2 (Campaign Contribution Limitations) of Division 8 (Political Reform) of Title 2 (Administration and Personnel) of the Laguna Niguel Municipal Code is hereby amended to read as follows:

Sec. 2-8-16. Aggregation of contributions.

- (a) All contributions made by a sponsored committee to a city candidate or to a city council member (or to a committee controlled by such a candidate or council member) shall be combined with those

contributions made by the sponsor or sponsors of the committee, and the combined amount shall not exceed \$1,000.00 for any city election.

- (b) Two or more entities shall be treated as one person when any of the following circumstances apply:
 - (1) The entities share the majority of members of their boards of directors.
 - (2) The entities share two or more officers.
 - (3) The entities are owned or controlled by the same majority shareholder or shareholders.
 - (4) The entities are in a parent-subsidary relationship.
- (c) An individual and any general or limited partnership in which the individual has a ten percent or more share, or an individual and any corporation in which the individual owns a controlling interest (50 percent or more), shall be treated as one person.
- (d) No committee which supports or opposes a candidate for city office shall have as a majority of its officers individuals who serve as the majority of officers on any other committee which supports or opposes the same candidate. No such committee shall act in concert with, or solicit or make contributions on behalf of, any other committee. This subdivision shall not apply to treasurers of committees if these treasurers do not participate in or control in any way a decision on whether the candidate or candidates receive contributions.
- (e) Contributions by a husband and wife shall be treated as separate contributions and shall not be aggregated.
- (f) Contributions by children under eighteen years of age shall be treated as contributions by their parents and attributed proportionally to each parent (one-half to each parent or the total to a single custodial parent).

SECTION 2.

Article 1 (Receipt and Reporting of Gifts), consisting of Sections 2-8-1 through 2-8-5, inclusive, of Division 8 (Political Reform) of Title 2 (Administration and Personnel) of the Laguna Niguel Municipal Code is hereby repealed.

SECTION 3. Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrases, or portion thereof irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. Effective Date.

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. City Clerk's Certification.

The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and post a certified copy of the text of this Ordinance in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and, within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED AND ADOPTED this 3rd day of June, 2003.

(d)(5)

Mike Whipple, Mayor

ATTEST:

(d)(5)

Juanita Zarilla, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)SS
CITY OF LAGUNA NIGUEL)

I, Juanita L. Zarilla, City Clerk of the City of Laguna Niguel, California, do hereby certify that the foregoing is Ordinance No. 2003-130 which was adopted at a regular meeting of the City Council of the City of Laguna Niguel, California, held June 3, 2003 by the following vote:

AYES: Councilmembers Brown, DeYoung, Walters, Mayor Pro
 Tem Lindholm and Mayor Whipple

NOES: None

ABSTENTIONS: None

ABSENT: None

(d)(5)

Juanita L. Zarilla, City Clerk