

CITY OF HERMOSA BEACH
ORDINANCE NO. ORD-25-1488

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING SECTION 2.08.020 OF THE HERMOSA BEACH MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITATIONS; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, California’s Political Reform Act of 1974 “pay to play” campaign contribution law commonly known as the Levine Act (codified in California Government Code section 84308) aims to ensure that elected officials are not biased by significant campaign contributions from contributors who might appear before them in a proceeding involving a license, permit, or entitlement for use (“Proceeding”); and,

WHEREAS, Section 84308(b) of the Levine Act prohibits an elected official from soliciting, directing, or accepting designated campaign contributions (“Contribution Threshold”) from a party, participant, or their agent while a Proceeding is pending before the elected official’s agency and for twelve (12) months thereafter; and,

WHEREAS, Section 84308(c) of the Levine Act requires the an elected official who has exceeded the Contribution Threshold in the preceding twelve (12) months to disclose this fact on the record and recuse themselves from the Proceeding, and Section 84308(d) provides a mechanism for an elected official who receives an otherwise disqualifying contribution to cure the violation or still participate in the Proceeding depending on the circumstances; and

WHEREAS, California Senate Bills 1243 and 1181 amended the Levine Act (effective January 1, 2025) by (among other things) increasing the Contribution Threshold from two hundred fifty dollars (\$250) to five hundred dollars (\$500), and extending the period during which an elected official can return and cure a contribution exceeding the Contribution Threshold from fourteen (14) to thirty (30) days; and,

WHEREAS, the City of Hermosa Beach (“City”) City Council adopted Ordinance No. 11-1320 dated January 25, 2011, which set the Contribution Threshold at two hundred fifty dollars (\$250), and such Contribution Threshold is reflected in the City’s Municipal Code (Section 2.08.020 to Chapter 2.08 of Title 2) (“Municipal Code”); and,

WHEREAS, the City Council desires to amend the Municipal Code to be consistent with the requirements under the Levine Act.

THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, California DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The recitals above are true and correct, and are hereby incorporated herein by this reference.

SECTION 2. Amendment. Section 2.08.020 of Municipal Code is hereby amended to replace the phrase “two hundred fifty dollars (\$250.00)” with the phrase “five hundred dollars (\$500.00),” so that the section read in its entirety as follows:

2.08.020 Campaign Contribution Limitations.

A. No person shall make a contribution to any candidate for city elective office, nor shall any candidate for city elective office accept, any contribution in aid of the election of a candidate to a city elective office which will cause the total given by such person with respect to a single election to exceed the sum of five hundred (\$500.00). This section shall not apply to amounts given by a candidate to his or her own campaign.

B. Contributions by a husband and wife shall be treated as separate contributions and shall not be aggregated. Contributions by children under eighteen (18) years of age shall be treated as contributions attributed equally to each parent or guardian.

SECTION 3. Severability. If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 4. California Environmental Quality Act (“CEQA”). The City Council finds that this Ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Chapter 3 to Title 14 of the California Code of Regulations) because

it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 5. Effective Date. This Ordinance shall become effective and be in full force and effect from and after thirty (30) days of its final passage and adoption.

SECTION 6. Certification. The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

PASSED, APPROVED, and ADOPTED on this 9th day of September 2025.

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor Rob Saemann

PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA.

ATTEST:

APPROVED AS TO FORM:

Myra Maravilla
City Clerk

Todd Leishman
Interim City Attorney