



May 2, 2016

Mayor Pat Showalter and Members of the City Council  
City of Mountain View  
500 Castro Street  
Mountain View, CA 94041

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Dear Mayor Showalter and Members of the City Council:

The Los Altos-Mountain View Area Chapter of the League of Women Voters applauds the City Council's vote on March 22, 2016, in which it directed the City Attorney's Office to draft language for a proposed ordinance to regulate independent expenditures in local elections. The League urges the City Council to include some type of penalty and enforcement mechanism in the ordinance.

The League of Women Voters supports measures that ensure transparency and the public's right to know who is using money to influence elections. In order to achieve that goal, any such ordinance should include a mechanism to enforce the disclosure requirements and some type of penalty if there is a violation of the ordinance.

While the City Council asked the City Attorney's Office to draft an ordinance regulating independent expenditures in local races, it did not request that the City Attorney also include options regarding enforcement mechanisms and penalties for failure to comply with the proposed ordinance. The ordinance would be rendered meaningless if these items are omitted.

As the League mentioned during public comment period, cities have taken different approaches to the types of penalties to enforce independent expenditure reporting requirements. For example, Berkeley's Election Reform Act provides that if a violation is found, penalties may include a cease and desist order; an order that the appropriate disclosures be made; or a monetary penalty of up to \$1,000 per violation or up to the amount of the unlawful or undisclosed contribution or expenditure, whichever is greater. (Berk. Ord. Code § 2.12.231.)

In Los Angeles, violations of the municipal elections ordinance may be enforced as a misdemeanor or civil violation. (Los Angeles Admin. Code § 470(o).) Civil violations may result in fines of up to \$2,000; either the City Attorney or residents of Los Angeles may bring a civil action.

*The League of Women Voters Los Altos-Mountain View Area  
97 Hillview Avenue, Los Altos CA 94022 (650) 429-8382*

Santa Monica's Ordinance Code provides that violations of its Elections provisions may be a misdemeanor with either a fine of up to \$1,000 or up to six months imprisonment. It also allows any person to enforce violations of the municipal elections code through a civil action. (Santa Monica Mun. Code, Ch. 11.04, Elections, § 11.04.200.)

The League of Women Voters hopes that the City Attorney will provide the Council with options for penalties and enforcement mechanisms in the draft ordinance. The League encourages the City Council to enact an ordinance that includes these elements and to ensure that an ordinance is enacted in time for the elections this fall.

The League appreciates that the City Council supports and takes the issue of transparency of political contributions seriously.

Do not hesitate to contact us if the League can be of any help. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Katie Zoglin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Katie Zoglin, President  
League of Women Voters, Los Altos-Mountain View Area

c: Dan Rich, City Manager  
Jannie Quinn, City Attorney  
Nicole Wright, Senior Deputy City Attorney