

RESOLUTION NO. 2013-162

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA IN SUPPORT OF A CONSTITUTIONAL  
AMENDMENT IN RESPONSE TO THE *CITIZENS UNITED*  
CASE RULING TO GIVE THE GOVERNMENT BROAD  
RIGHTS TO REGULATE CORPORATE CAMPAIGN  
ACTIVITIES

WHEREAS, free and fair elections are essential to American democracy and effective self-governance; and

WHEREAS, in *Citizens United v. Federal Election Commission*, the United States Supreme Court held that independent spending on elections by corporations and other groups could not be limited by government regulation, a decision that allows for unlimited corporate spending in elections; and

WHEREAS, in reaching its decision in *Citizens United*, the Supreme Court interpreted the First Amendment of the Constitution to afford corporations the same political free speech protections as natural persons in the context of campaign expenditures; and

WHEREAS, the *Citizens United* decision has proven to be a controversial decision that could severely limit state and local efforts to regulate corporate activity in their campaign finance laws; and

WHEREAS, in his dissent, Justice John Paul Stevens stated that, "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and

WHEREAS, members of Congress are seeking to amend the U.S. Constitution in response to the *Citizens United* decision to establish that corporations are not entitled to the entirety of political free speech protections afforded natural persons; and

WHEREAS, several hundred municipalities, including San Diego, New York City, San Francisco, Chicago, Los Angeles, and Oakland, have successfully passed resolutions supporting Constitutional amendments to achieve this objective; and

WHEREAS, the City of Chula Vista has a long history of demonstrating support for an orderly political forum in which individuals may express themselves effectively; to place realistic and enforceable limits on the amounts of money that may be contributed to political campaigns in municipal elections; and to prohibit or limit contributions by organizations in order to develop a broader base of political efficacy within the community.

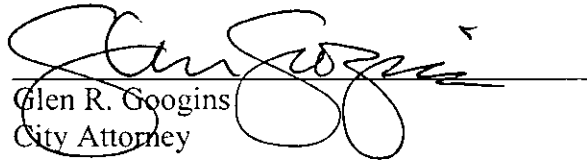
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista join other cities in calling on Congress to begin the process of amending the Constitution to provide that the ability to make contributions and expenditures to influence the outcome of public elections belongs only to natural persons and is no longer a form of constitutionally protected political speech for corporations.

Presented by

Approved as to form by



Patricia Aguilar  
City Councilmember



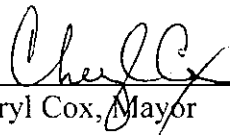
Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 6th day of August 2013 by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox

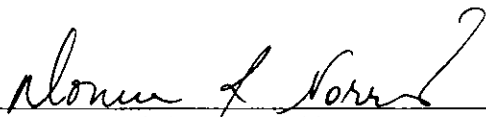
NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:

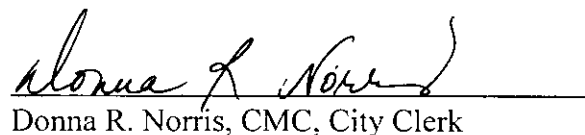


Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2013-162 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 6th day of August 2013.

Executed this 6th day of August 2013.



Donna R. Norris, CMC, City Clerk