

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 09/01/2009

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**SUBMITTED TO:** HB Charter Review Commission

**SUBMITTED BY:** Mark D. Bixby, Charter Review Commissioner *MDB*

**SUBJECT:** Amend charter section 503 (Publishing of Legal Notices) to require Internet publishing of legal notices.

**Statement of Issue:** Improve transparency by publishing all legal notices on the Internet.

**Recommended Action: Motion to:**

Amend Huntington Beach charter section 503 as follows:

The City Council shall cause to be published all legal notices and other matters required to be published by law in a daily, semiweekly or weekly newspaper published in the County or the City and circulated in the City which is selected by the City Council for that purpose. All such content shall also be published via the City's official Internet presence. No defect or irregularity in proceedings taken under this section shall invalidate any publication where it is otherwise in conformity with this Charter or law or ordinance.

**Analysis:**

This custom amendment improves transparency by publishing all legal notices on the Internet.

This amendment is part of a group of amendments that require Internet publication of any content that requires public or news media notification. I wish it were otherwise, but newspapers are dying, and radio and TV news media rarely cover Huntington Beach city hall news. Thus the broader goal here is to get the city started down the road of using the Internet as a primary means of public notification so the city will be ready when print newspapers finally die.

I prefer the phrase "City's official Internet presence" instead of "City's official Internet web site" for the following reasons:

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- “Web site” is specific Internet nomenclature and communications protocols which may or may not exist in the future. It’s much more flexible to say “Internet presence” instead which allows for future use of Internet functionality that hasn’t even been dreamed up yet and does not restrict publishing to a single technology (web sites).
- “Official Internet presence” also allows for distributed, outsourced publication that the city might wish to contract for (i.e. NetFile, Granicus, numerous code publication companies, etc) whereas “official Internet web site” could be interpreted to just mean content directly hosted by the web server [www.surfcity-hb.org](http://www.surfcity-hb.org). Even though NetFile, Granicus, and the like are not the official city web site, they are however an extension of the city’s official Internet presence.