

REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 11/03/2009

SUBMITTED TO: HB Charter Review Commission

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

SUBJECT: Add new charter section to require electronic filing & Internet publication of Statements of Economic Interests and campaign finance disclosures from elected city officials

Statement of Issue: Require key disclosure documents to be filed electronically to improve legibility, usability, and timeliness. Require Internet publication of these documents for easy public access.

Recommended Action: Motion to:

Add new Huntington Beach charter section as follows:

Statements of Economic Interests and campaign finance disclosures for elected city officials, candidates, and committees shall be filed electronically with the City Clerk and published via the Internet.

Analysis:

Statements of Economic Interest are currently filed in paper form with the City Clerk and are *not* published via the Internet. The City Clerk's department will promptly e-mail scanned copies to members of the public who know to ask for such things.

Campaign finance disclosures may currently be filed with the City Clerk in either paper form or electronic form. The City Clerk's department manually scans paper filings into the electronic filing system (NetFile). This manual scanning process is labor-intensive and many filings for the final weeks of the 2008 election were not entered into the electronic filing system until long after the election was over. Once disclosures are entered into the electronic filing system, they become publicly available via the Internet. The City Clerk's department will also promptly e-mail scanned copies to members of the public who know to ask for such things.

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As part of 2009/2010 budget cuts, funding for the campaign finance disclosure electronic filing system was eliminated. But the system vendor is currently allowing the city to continue to use the system for free.

My recommended action above requires the use of electronic filing for both sets of documents. There are still candidates for elected office who file their disclosures in handwritten paper form, with varying degrees of illegibility. Other candidates file typewritten paper forms. But these paper filings, regardless of being handwritten or typewritten, cannot easily be converted into machine-readable formats suitable for bulk analysis. Thus the exhaustive campaign finance analysis that I perform for every election requires me to undertake the herculean, time-consuming and physically exhausting effort of manually typing the data from dozens of pages of paper filings into machine-readable form.

Requiring electronic filing of this information eliminates the most awful part (manual data entry) of the analysis process by members of the public and press. It also reduces the workload of the City Clerk and improves timely access to the information by the public. Candidates also benefit from automated error checking of the electronic data at the time of entry into the filing system, thus reducing the need to submit subsequent error-correction amendments. In short, everybody wins.

But filing the information electronically is just half of what needs to be done. The information also needs to be published via the Internet for easy access by members of the public so the public can gain critical insights into their elected officials. There is no better way to distribute information city-wide than the Internet. Publishing these documents via the Internet will also save City Clerk staff time from having to respond to information request queries from the public.

There was some reluctance on the part of the charter commission about using the word "Internet" in some of my previous proposals. Based on my 33 years of professional information technology work experience, plus my being on the Internet for nearly 20 years, I feel that such reluctance is unwarranted. The Internet has achieved virtually-metastatic critical mass and is here to stay. The underlying technologies will continue to evolve over time, but the entire global network as a whole will still be called the "Internet" for decades to come.

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Other city charters are not shy about using “Internet” and other technological words, particularly cities located in the greater Silicon Valley region. The following city charters all mention “electronic”, “Internet”, “online”, and “web” in an information publishing context:

- Folsom
- Los Angeles
- Merced
- Oakland
- Pasadena
- Pomona
- Redondo Beach
- San Francisco
- San Mateo
- Santa Cruz
- Sunnyvale

Good transparency should be considered on a par with holding elections in terms of priority and funding, i.e. mandatory, not discretionary. Only by incorporating strong transparency requirements into the charter can the public be assured that the transparency required for healthy democracy will be a priority for the city.