

ORDINANCE NO. 2020-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADDING CHAPTER 2.11 TO THE CITY OF SANTA CRUZ MUNICIPAL CODE, RELATING TO THE ELECTRONIC FILING OF CAMPAIGN STATEMENTS AND STATEMENTS OF ECONOMIC INTERESTS

THE CITY COUNCIL OF THE CITY OF SANTA CRUZ DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Determinations.

- A. Government Code Section 84615 currently provides that a local agency may adopt an ordinance to require an elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act (commencing with Section 84100 of the Government Code), except an elected officer, candidate, committee, or other person who receives contributions totally less than \$2,000 and who makes expenditures totaling less than \$2,000 in a calendar year, to file those statements, reports, or other documents online or electronically with the local filing officer; and
- B. The City intends to enter into an agreement with Netfile, Inc., a vendor approved by the California Secretary of State, to provide an online electronic filing system (“System”) for campaign disclosure statements; the City currently uses Netfile for electronic filings of Statements of Economic Interest forms; and
- C. The System will operate securely and effectively and will not unduly burden filers. Specifically; (1) the System will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert the data; (2) the System will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State’s system for receiving an online or electronic filing; and (3) the System will be available free of charge to filers and to the public for viewing filings.
- D. The City of Santa Cruz desires to amend Title 2 of the Municipal Code to add a new section relating to electronic filing of campaign and conflict of interest statements

Section 2. Chapter 2.11 entitled Electronic Filing is hereby added to Title 2 (Administration and Personnel) to read as follows:

Chapter 2.11: ELECTRONIC FILING

2.11. Electronic filing of Campaign Statements and Statements of Economic Interests.

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- A. Any elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act (commencing with Section 84100 of the Government Code) or the City's Conflict of Interest Code, except an elected officer, candidate, committee or other person who receives contributions totaling less than two thousand dollars (\$2,000) and who makes expenditures totaling less than two thousand dollars (\$2,000) in a calendar year, shall file those statements, reports, or other documents online or electronically with the City Clerk Administrator.
- B. Any person holding a position listed in Government Code Section 82700 or designated in the City's local Conflict of Interest Code adopted pursuant to Government Code section 87300, shall file any required Statement of Economic Interest reports (Form 700) online or electronically with the City Clerk Administrator.
- C. In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the City Clerk Administrator, the filer may, but is not required to, file the copy electronically.
- D. If the City Clerk Administrator's electronic system is not capable of accepting a particular type of statement, report or other document, the City Clerk Administrator may allow the elected officer, candidate, committee or other person to file that document with the City Clerk Administrator in an alternative method, provided that it otherwise complies with all other requirements of this Chapter.
- E. Except as otherwise provided in, or inconsistent with, this Act or other provisions of local law, the provisions of the California Political Reform Act relating to local elections including any subsequent amendments are hereby incorporated as part of this article.

Section 3. Severability. If any section, subsection, , sentence, clause, phrase or word of this chapter is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 4. This Ordinance shall be in force and take effect thirty (30) days after its final adoption.

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PASSED FOR PUBLICATION this 14<sup>th</sup> day of January, 2020, by the following vote:

AYES: Councilmembers Watkins, Mathews, Brown, Glover, Krohn; Vice Mayor Meyers; Mayor Cummings.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this 28<sup>th</sup> day of January, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-01 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator