

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 9.89 (ELECTRONIC FILING OF CAMPAIGN DISCLOSURE INFORMATION) TO THE PASADENA MUNICIPAL CODE, REGARDING ELECTRONIC AND PAPER METHODS OF FILING CAMPAIGN FINANCE DISCLOSURE STATEMENTS

WHEREAS, California Government Code Section 84615 provides that a legislative body of local government agency may adopt an ordinance that requires an elected offer, candidate, committee, or other person required to file statements, reports or other documents required by Chapter 4 of the Political Reform Act, except those whose contributions and expenditure each total less than one thousand dollars (\$1,000) in a calendar year, to file such statements, reports, or other documents online or electronically with the City Clerk; and

WHEREAS, the City Council expressly finds and determines that NetFile Software web-based system, as proposed by the City Clerk, contains multiple safeguards to protect the integrity and security of the data, and will operate securely and effectively and will not unduly burden filers; and

WHEREAS, the software used by NetFile's electronic filing system has been certified by the Secretary of State and meets the requirements set by Government Code Section 84615; and

WHEREAS, the City Clerk and NetFile will operate the electronic filing system in compliance with the requirements of California Government Code Section 84615 and any other applicable laws.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA
DOES ORDAIN AS FOLLOWS:**

SECTION 1. This ordinance, due to its length and corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

“Summary

“Ordinance No. _____ adds new Chapter 9.89 (Electronic Filing of Campaign Disclosure Information) to Article IX (Electoral Process) of Title 9 (Public Peace, Morals and Welfare) of the Pasadena Municipal Code to provide for electronic filing of campaign disclosure information. The purpose of this Ordinance is to make such data available on the internet in an easily understood format that provides the greatest public access.

Ordinance No. ____ shall become effective upon publication.”

SECTION 2. New Chapter 9.89 is added to Article IX (Electoral Process) of Title 9 (Public Peace, Morals and Welfare) of the Pasadena Municipal Code to read as follows:

“Chapter 9.89 ELECTRONIC FILING OF CAMPAIGN DISCLOSURE INFORMATION

Sections:

9.89.010 Required Use of Electronic Filing System.

9.89.020 Paper Filing Not Required After Electronic Filing.

9.89.030 Filing Options When a Copy Must be Filed With City Clerk.

9.89.040 Paper Filing When Cannot File Electronically.

9.89.050 Internet Posting of Data.

9.86.060 Records Retention.

9.89.010 Required Use of Electronic Filing System.

A. Except as set forth in subsection B hereto, any elected officer, candidate, committee other person required to file specified statements, reports, or other documents with the city clerk as required by Chapter 4 (commencing with Section 84100) of Title 9 of the California Government Code, also known as the Political Reform Act, and that has received contributions or made expenditures of \$1,000 or more, may electronically file such statement using the city's online system according to procedures established by the city clerk. However, to ensure reporting continuity, once a statement, report or other document is filed electronically on behalf of any elected officer, candidate, or committee, all future statements, reports, and other documents filed on behalf of that officer, candidate or committee must be filed electronically.

B. An elected officer, candidate, committee or other person may choose not to use the electronic filing system by filing all original statements, reports or other documents in paper format with the city clerk.

9.89.020 Paper Filing Not Required After Electronic Filing. Any elected officer, candidate, committee or other person who has electronically filed a statement, report, or other document using the city's online system is not also required to file a copy of that document in a paper format with the city clerk.

9.89.030 Filing Options When a Copy Must be Filed With City Clerk. In any instance in which an original statement, report, or other document must be filed with the

Secretary of State or other agency, and a copy of that document is required to be filed with the city clerk, the filer may electronically file a copy with the city clerk, or may file in a paper format.

9.89.040 Paper Filing When Cannot File Electronically. If the city's system is not capable of accepting a particular type of statement, report or other document, an elected officer, candidate, committee or other person shall file that document in paper format with the city clerk.

9.89.050 Internet Posting of Data. The city's system shall make all electronically filed data available on the internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt/deadline. The data made available on the internet shall not contain the street name of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer. The city clerk's office shall make a complete, unredacted copy of the statement available to the Fair Political Practices Commission for Government Code Section 87200 filers.

9.86.060 Records Retention. The city clerk's office shall maintain records according to the city's records retention schedule commencing from the date filed, a secured, official version of each online or electronic statement which shall serve as the official version of that record."

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 4. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2014.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

Approved as to form:

Mark Jomsky
City Clerk



Theresa E. Fuentes
Assistant City Attorney