



CITY COUNCIL AGENDA STATEMENT



January 16, 2018

File ID: 17-0556

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REQUIRING ELECTRONIC FILING OF FAIR POLITICAL PRACTICES COMMISSION STATEMENTS OF ECONOMIC INTERESTS, FORM 700

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

Designated officials and employees are required to file Statements of Economic Interests (Form 700), based on the Political Reform Act and the City's Conflict of Interest Code. Adoption of the proposed resolution would require these filings to be submitted electronically through the City's approved software vendor, saving resources as well as increasing transparency and online access to statements.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

In accordance with the Political Reform Act and the City's Conflict of Interest Code, designated government officials and employees who make or influence governmental decisions are required to file periodic Statements of Economic Interests, also known as the Form 700. Designated filers are required to disclose certain personal financial interests on the Form 700, which provides transparency and accountability, ensuring that officials are making decisions in the best interest of the public and not for their personal benefit. Form 700 filings are due annually on April 1, as well as within 30 days of a designated filer assuming or leaving office.

Form 700 filings are public documents maintained in the Office of the City Clerk for the City's designated filers. Members of the public can inspect and receive a copy of any statement. As required by the Political

Reform Act, filed statements are available for public inspection and reproduction as soon as practicable, but not later than the second business day after they are received.

In January 2015, the Fair Political Practices Commission (FPPC) certified the City's use of the web-based software, NetFile, for electronic filing of Form 700 Statements of Economic Interests. Since implementing NetFile in 2015, filers have been able to file Form 700s electronically or on paper. The benefits of requiring all Form 700 filings electronically are:

- Filings are available to the public online immediately upon being filed.
- Filings are accessible by interested parties 24/7, without a requester needing to contact the City Clerk's office.
- The filing system, NetFile, retains applicable information for filers, thereby reducing the time required to complete and submit a filing.
- NetFile prevents errors in filings, which not only ensures accurate filing information for interested parties, but also results in a significant reduction in staff time needed to obtain amendments from filers.
- Electronic filing eliminates the need for staff to receive, scan, upload, and redact filings.

The proposed resolution would mandate electronic filing of Form 700s, effective immediately. Should the Council adopt the resolution, the City Clerk's office would inform filers of the new requirement for electronic filing and offer training to those filers who may need assistance.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. Providing for a more efficient way to accept Statements of Economic Interests and making them easily accessible to the public helps the City achieve its goal of operational excellence and meets City Initiative 1.3.1, fostering public trust through an open and ethical government.

CURRENT-YEAR FISCAL IMPACT

Has a current contract with NetFile through June 30, 2019, at a rate of \$6,000 per year for the electronic Form 700 filing software, which has been budgeted for the current fiscal year. No immediate financial impact or budget action would be necessary as a result of adoption of the proposed resolution.

ONGOING FISCAL IMPACT

Adoption of the proposed resolution would not result in an additional fiscal impact, other than the continuing cost of the electronic Form 700 filing software.

ATTACHMENTS

None

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