



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE:** MARCH 8, 2023

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** MARICELA HERNANDEZ, MMC, CPMC, CITY CLERK

**SUBJECT:** INTRODUCTION OF ORDINANCE NO. 2023-401, ADDING CHAPTER 2.06 TO THE CALABASAS MUNICIPAL CODE REGARDING CAMPAIGN DISCLOSURE STATEMENTS AND STATEMENTS ECONOMIC INTERESTS

**MEETING**  
**DATE:** MARCH 22, 2023

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**SUMMARY RECOMMENDATION:**

That the City Council introduce Ordinance No. 2023-401, adding Chapter 2.06 to the Calabasas Municipal Code regarding Campaign Statements and Statements Economic Interests

**BACKGROUND:**

Effective January 1, 2021, the State Legislature adopted Assembly Bill (AB) 2151, which added Government Code (GC) §84616 expanding on electronic filing and disclosure opportunities and requirements for public transparency filings. AB 2151 requires campaign disclosure statements to be uploaded to an agency's website within 72 hours of the applicable filing deadline with specific information on each filing redacted for privacy. The documents are to be made available online for four years from the date of the election associated with the filing, and retained for a total of ten years for non-incumbents or permanently for elected officials.

GC §84615 provides for local government agencies to allow an elected and appointed official, candidate, or committee to file Fair Political Practices Commission (FPPC) campaign disclosure statements, reports, or other documents electronically with a local filing officer through the adoption of an ordinance. This

section also stipulates that any system used to manage electronic filings must operate securely and effectively, be at no cost to filers, be available to the public to view filings, not place an undue burden on filers, and include procedures for filers to comply with the requirement that they sign statements and reports under penalty of perjury.

An online or electronic filing system shall only accept a filing in the standardized record format that is developed pursuant to GC §84602(2)(a) and compatible with the Secretary of State's system for receiving an online or electronic filing.

There are many advantages to allowing electronic filing of disclosure documents. One of which is shifting to an electronic system allows the public direct online access to Campaign Disclosure documents and Statements of Economic Interests. The system is also beneficial to the filer by providing multiple prompts to ensure timely filing, by storing previous statements for user ease when completing subsequent filings, and by permitting a single filing for multiple offices.

In 2021, the City Clerk's office acquired NetFile, an electronic/paperless filing system for online filing of FPPC forms 700. Staff has received very good feedback from users regarding the ease to file forms 700. Hence, staff would like to utilize NetFile for the filing of campaign disclosure statements by Controlled Committees and/or Candidates. However, in order for the City to accept electronically filed campaign disclosures statements, the City Council must adopt an ordinance approving the use of an online or electronic filing system, which shall include the legislative finding that the online or electronic system will operate securely and effectively and will not unduly burden filers.

In order for the City to meet the mandate and accept electronically filed statements, Ordinance No. 2023-401 has been drafted for City Council consideration. Ordinance No. 2023-401 would permit the use of an electronic filing system for filing and designating the filings received electronically by the City Clerk's Department as the Filing Officer for the City. While all filers will be encouraged to file campaign disclosure documents electronically, it will be an Opt-In/Out program. In short, to ensure reporting continuity and accurate accounting of contributions/expenditures, once a committee chooses to file a report electronically, the committee is deemed "opted in" and shall be required to file all future statements electronically using the electronic system. On the other hand, any committee that wishes to continue to paper-file may "opt-out" of the electronic filing system by filing all original statements with the City Clerk. Should a committee choose to only paper-file, the City Clerk will continue to accept such reports until the committee "opts-in."

Members of the City Council were polled, and they are receptive to the Opt-in/Opt-out program.

Ordinance No. 2023-401 amends the Calabasas Municipal Code adding Chapter 2.06 to authorize electronic filings, but does not require filers to file Campaign disclosure documents using an online system. Statements that are electronically filed will be available within 24 hours to the public, excluding the redacted information. Forms filed in paper copy will have to be manually reviewed/redacted by staff and then uploaded into the system, but will be completed within the 72-hour requirement.

**FISCAL IMPACT:**

The cost to provide an electronic filing system for both Campaign Disclosure Statements and Statements of Economic Interests is \$3,700 annually and the cost is included in this year and future years' budgets.

**RECOMMENDED ACTION:**

Staff recommends the City Council introduce Ordinance No. 2023-401, adding Chapter 2.06 to the Calabasas Municipal Code regarding Campaign Disclosure Statements and Statements Economic Interests

**ATTACHMENTS:**

Ordinance No. 2023-401