ADMINISTRATIVE REGULATION
Office of the City Manager

Number	607
Sections	1 – 4
Effective Date	March 29, 2012
Responsible Dept.	City Clerk
Review Date	March 29, 2012

SUBJECT: E-Packet (iPad) Policy

1. **Purpose:** Use of electronic media is necessary and useful for City Council, Board, Commission, or Committee members to improve communication and efficiently perform their City duties. The E-packet (iPad) policy is designed to insure the proper use of electronic media during public meetings to comply with all applicable laws concerning hearings and deliberating procedures involving due process, and the provisions of the Brown Act and the Public Records Act.

2. **Authority**: Charter of the City of Huntington Beach, Section 401.

3. **Definitions:**

   3.1 E-Communication: Electronic text or visual communication and attachments distributed via E-mail, websites, instant messaging, text messaging, Twitter, or comparable services.

   3.2 **E**lectronic **C**ommunication **S**ystem **D**evices (ECSDs): Products designed to electronically process, transmit, or store information such as computers, phones, cell and smart phones, printers, modems, data files, iPads, and readers.

   3.3 E-Packet: City Council, Board, Commission, or Committee agenda material published in a digital, versus hard copy (paper) format.

4. **Policy:**

   4.1 Distribution of E-Packet Devices: City Council members will be personally assigned an Apple iPad or other ECSD that will include a protective device case and device charger. The device will be configured to run City-approved E-Packet applications with annotation capabilities, and allow access to the Internet and email. Other applications such as iTunes, Apps Store, etc. that require a fee must be managed by each individual City Council member using a personal form of payment. The City of Huntington Beach will not provide technical support for applications that are not directly associated with delivery of E-Packet agenda material or the use of email or the Internet.

   E-Packet devices (including protective device case and charger) are to be returned to the City at the time a City Council member retires from City service. Other City Boards, Commissions, Committees will be solely responsible to purchase and maintain E-Packet

devices for their members, but are otherwise expected to comply with all E-Packet policy-related provisions.

4.2 Distribution of E-Packet agenda material: The City Clerk's Office will process and publish E-Packet agenda material for distribution to the City Council on Wednesday afternoons, five days prior to a regularly scheduled meeting (exceptions may apply for holidays). City Council members will receive an E-Communication alerting them when E-Packet materials are available for downloading onto E-Packet devices. City Council members are solely responsible for electronically charging E-Packet devices, and downloading E-Packet materials.

4.3 E-Packet Support: The City Clerk's Office will be the contact point for all agenda-related services and inquiries. The Information Services Department will be the contact point for all E-Packet technical service and support.

4.4 Use of E-Communications during meetings: Use of ECSDs to send E-Communications by City Council, Board, Commission, or Committee members during public meetings or hearings subject to Brown Act provisions is prohibited, with the exception of E-Communications received under emergency circumstances from a family member or other personal contact.

4.5 Public Records Act/ Due Process: City records, whether paper or electronic, are governed by the public disclosure requirements of the Public Records Act. Due process during deliberations on matters such as land use applications and grants, denial or revocation of permits and licenses, and the like require that all evidence be introduced during the deliberations. In the event that an E-Communication is received by a City Council, Board, Commission, or Committee member during a meeting regarding an agendized matter, the content of the E-Communication must be disclosed and considered part of the public record.

4.6 Confidentiality: California law requires that certain information be treated as confidential and not be distributed to others inside or outside the City who do not have authorization to view such information. City Council, Board, Commission, or Committee members may occasionally receive confidential electronic information. Some examples of confidential information are: personnel records, internal investigations, information relating to litigation or potential litigation, attorney-client communication, information relating to labor negotiations, or information relating to confidential real estate negotiations. When City Council, Board, Commission, or Committee members receive confidential information, it should be marked "Confidential Information" to alert recipients to the nature of the information. Additionally, City Council, Board, Commission, or Committee members shall exercise caution in sending confidential information by E-Communication as compared to written memoranda, letters or phone calls, because of the ease with which such information can lose confidentiality by inadvertent or intentional diversion or re-transmission by others.

Fred Wilson, City Manager