

March 8, 2012

Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, California 95812

SUBJECT: MARCH 15, 2012 COMMISSION MEETING  
AGENDA ITEM NO. 43 – REGULATION 18705.5

Honorable Chair and Members of the Commission:

The City Clerks Association of the California ("CCAC"), representing over 900 members in cities across the State of California, respectfully submits this letter in support of the petition submitted by Rutan and Tucker to amend Regulation 18705.5.

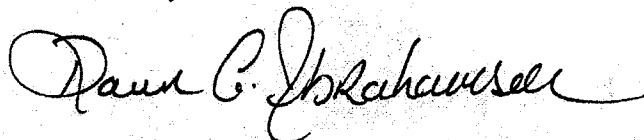
From a procedural perspective, most cities in California bring forth their list of appointments to various local governing boards once a year and in some cases once every two years. These local governing boards may include special districts, joint powers authorities, local agency formation commissions, councils of government, etc. The total number of appointments to be made at this annual meeting varies greatly and it is not unusual for the agenda to have 20 or more appointments listed.

The practical effect of Regulation 18705.5 is that the primary appointee, followed by the alternate, must abstain and leave the room each time he/she is appointed to a board regardless if they are receiving a salary or per diem of \$250 or more because there is no way to determine for sure if they may be reimbursed throughout the year in an amount that equals \$250 or more. For example, even if they do not receive a salary or per diem, they may receive mileage reimbursement for attending meetings which could exceed \$250 in a year. A nominal \$25 monthly stipend will also put them over the \$250 annual allotment. We do not believe this was the Commission's intent in creating this regulation. In addition, this regulation limits other officials, who may have voted on the appointment, from attending a reimbursable conference when the primary and alternate appointees are not available. Procedurally it is challenging to determine what officials should be leaving the room and when, as well as when the public can comment and engage certain officials on their appointments. A single,

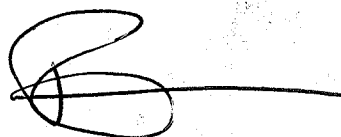
clearly-understood public comment period, followed by meaningful discussion on all appointments, concluding with a single motion to make the appointments is the most effective and efficient way to conduct the public's business.

For the reasons stated above, we respectfully request that the Commission amend Regulation 18705.5 as suggested in the petition and thank the Commission for its consideration of the above.

Sincerely,



Dawn Abrahamson, MMC  
City Clerk, City of Vallejo  
CCAC Legislative Director



Randi Johl, JD, MMC  
City Clerk, City of Lodi  
CCAC Liaison to FPPC

C: Natasha Karl, League of California Cities  
Legislative Committee, City Clerks Association of California