



CITY OF SUNNYVALE  
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March 13, 2012

VIA EMAIL

Fair Political Practices Commission  
Zachary P. Morazzini, General Counsel  
428 J Street, Suite 620  
Sacramento, CA. 95814-2329

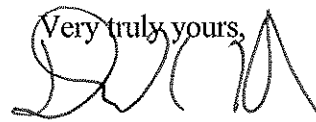
Re: *Petition to Amend Regulation 18705.5*

Dear Mr. Morazzini:

I am the City Attorney for the City of Sunnyvale. As authorized by the City Council, I write to support the above-referenced petition (as amended by the March 12, 2012 League of Cities letter from Shawn Mason) filed by Ash Pirayou of Rutan and Tucker. In a city such as Sunnyvale, with seven Council seats, the application of the current FPPC interpretation would require the recusal of three or more mayoral candidates if three candidates were interested in the position. Recusal would leave a bare quorum and require a unanimous vote for the election of any mayoral candidate, often an impossibility.

Additionally, I concur with all of the points made by Shawn Mason in his letter of support on behalf of the League of Cities FPPC Committee.

Please feel free to call if you have any questions.

Very truly yours,  
  
David Kahn  
City Attorney

cc: Ash Pirayou, Esq.  
Shawn Mason, Esq.