

August 11, 2010

Chairman Daniel Schnur
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

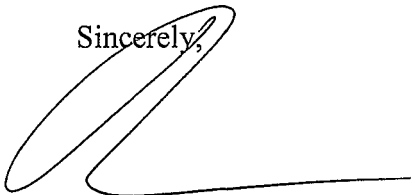
RE: Agenda Item 29: Review of Regulation 18225(b)(2)- Definition of Express Advocacy

Dear Chairman Schnur:

On behalf of the League of California Cities City Attorneys FPPC Committee, I submit this letter for comment on the above-referenced agenda item. Last month, the Committee discussed this proposal in advance of the announced IP meeting. At the IP meeting, a committee representative expressed the Committee's concerns about the impact of the proposal on cities. Since that time, conversations with your staff have clarified the FPPC's perspective that the expanded interpretation and application of 18225(b)(2) would not apply to the activities of government agencies. From the Commission's perspective, those activities are instead subject to the standards contained in section 18420.1. The Committee's concerns with the application of Section 18420.1 to the activities of cities have been previously expressed in the petitions to repeal sections 18420.1 and 18901.1 taken up by the Commission in April.

I would like to thank Staff Counsel Brian Lau for his time and efforts in clarifying this issue for me and the Committee. I hope you find these comments helpful in your deliberations on staff's proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn M. Mason", written over the word "Sincerely,".

Shawn M. Mason
City Attorney
City of San Mateo

CC: Scott Hallabrin
Brian Lau