

(R-90-872)

RESOLUTION NUMBER R- 274812

ADOPTED ON DEC 4 1989

WHEREAS, Proposition 73, approved by the voters in the June 1988 election, contained provisions prohibiting state and local elected officials from spending public funds on newsletters and mass mailings; and

WHEREAS, the Fair Political Practices Commission (FPPC) interpreted the measure to restrict printing and mailing of certain types of materials by public agencies as well; and

WHEREAS, the FPPC believes that its regulation clarifies that the intention of Proposition 73 was "to prohibit mass mailings being sent at public expense by incumbents;" however, the regulation has also had an impact on all local agencies; and

WHEREAS, the FPPC established a working group to examine the regulation, and has now prepared proposed modifications to the rule based on their input and a public hearing on the proposed regulations will be held on December 13 in Sacramento; and

WHEREAS, at the same public hearing, the FPPC will hear testimony on a proposal to amend section 18703 of the regulations defining economic interest for the purposes of the conflict of interest provisions of the Political Reform Act which would amend the regulation relating to principal residence for elected officials in small jurisdictions; and

WHEREAS, SB 1722 provides that a public official shall not have a financial interest in a decision having a material

financial effect on real property in which that official has a direct or indirect interest worth \$1,000 or more, if that real property is his or her principal residence; and

WHEREAS, because SB 1722 would apply to officials in The City of San Diego, the City Attorney recommends that it be supported; and

WHEREAS, the entire matter is discussed in depth and with specificity in IRD Report No. 89-38, dated November 20, 1989 which recommends that the City Attorney testify before the FPPC on behalf of the Mayor and City Council in respect to mass mailing and economic interest regulations; and

WHEREAS, said IRD report also recommends support of SB 1722 (Beverly); NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the recommendations contained in IRD Report No. 89-38, dated November 20, 1989 be and the same are hereby approved.

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized to testify before the Fair Political Practices Commission on December 13, 1989 on behalf of the Mayor and Council in regard to Proposition 73 regulations related to mass mailings.

BE IT FURTHER RESOLVED, that the Department of Intergovernmental Relations be and it is hereby directed to

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express The City of San Diego's support for SB 1722 (Beverly) to the appropriate state legislators and to the Governor.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz
Jack Katz
Senior Chief Deputy

JK:smm
11/28/89
Or.Dept:IRD
R-90-872
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Passed and adopted by the Council of The City of San Diego on..... **DEC 4 1989**,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

..... **MAUREEN O'CONNOR**,
Mayor of The City of San Diego, California.

(Seal)

..... **CHARLES G. ABDELNOUR**,
City Clerk of The City of San Diego, California.

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California	
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