

California Fair Political Practices Commission  
**Form 806 – Agency Report of  
Public Official Appointments  
Frequently Asked Questions**

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This fact sheet provides additional guidance and examples on how to report public official appointments. The Form 806 is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards, or commissions of a public agency, special district, or joint powers agency or authority. (FPPC Regulation 18705.5.)

This fact sheet cannot address all the different types of situations that may occur when officials receive additional compensation for appointing themselves to positions. Persons are encouraged to use the FPPC advice service for specific guidance.

The following FAQs address some common activities.

### **Frequently Asked Questions**

1. Q. May an official recuse himself and leave the room while the other members of the council vote to appoint him to another agency position for which the official will receive a \$300 per year stipend? If so, does a Form 806 need to be posted?
  - A. Yes, an official may recuse himself and leave the room. If so, the Form 806 is not required. The Form 806 is only required if the official participates in the vote for his appointment.
2. Q. May officials vote to appoint themselves to a standing or ad hoc committee of the public agency of which the official is a member even if such appointment is not required by law?
  - A. Yes, if the appointment is to a standing or ad hoc committee of the public agency of which the official is a member. If the official receives a stipend of \$250 or more in any 12-month period for serving on the standing or ad hoc committee, the appointment must be reported on the Form 806.
3. Q. May officials vote to appoint themselves to serve on another governmental entity if the stipend is waived or results in less than \$250 in a 12-month period?
  - A. Yes. A Form 806 is not required to be posted. The Form 806 must be posted if the stipend would be at least \$250 in a 12-month period.
4. Q. At a city council meeting, city council members vote to appoint a member to the Transportation Commission. The Transportation Commission pays the member's stipend of \$500 per year. Which agency completes the Form 806?
  - A. The agency that conducts the vote must complete the Form 806. In the example above, the city posts the Form 806 even though the members are paid by the Transportation Commission.

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5. Q. A member of the County Board of Supervisors is appointed to a water district board of directors. The water district board will make an appointment to place a water district board member on the board of an irrigation district. As a board member of the irrigation district, the official will receive a stipend of at least \$250 in a 12-month period. Which agency completes the Form 806?
- A. The agency that conducts the vote must complete the Form 806. In the example above, the water district must complete the Form 806.
6. Q. Does the Form 806 require City Council or Board of Supervisor approval before it is posted, and does it have to be placed as an agenda item each time there is a change made?
- A. The posting procedure for each agency may be determined by the agency. The form must be prominently posted on the agency's website as soon as possible.
7. Q. If the initial appointment to a board routinely includes a second appointment to another board resulting in two separate stipends, would this require two separate Form 806, one by each agency?
- A. If the initial appointment to the other board routinely includes the second appointment, the agency should conservatively post the Form 806 reflecting the aggregate amount. If there are separate agencies with their own websites, then each separate agency must file the Form 806 and post it to the corresponding agency website.
8. Q. When an appointed position becomes vacant and a temporary alternate takes the position on the agency board, would this require updating the Form 806 relating to the vacancy before making an appointment?
- A. The Form 806 is not required if the official temporarily serving does not vote on his or her appointment.
9. Q. Must a councilmember also report on the Form 700 the stipend that is reported on Form 806?
- A. No. Government salary reported on the Form 806 is not required to be reported on the Form 700.
10. Q. When a new agency forms, how does the agency comply with the Form 806 provisions?
- A. A new agency must list the name of any committee or board before appointment on the Form 806. After the appointment, the agency will update the form with the names of those appointed.
11. Q. If the mayor appoints a councilmember to serve on a committee, is a Form 806 required?
- A. No. The form is only required when the appointed member votes on his/her appointment.
12. Q. Must the agency forward a copy of Form 806 to the FPPC?
- A. No. The form must be prominently displayed on the agency's website.

13. Q. What is the retention period for the Form 806? Must the form be archived?
- A. Agencies should adhere to each agency's standard retention period for governmental documents. FPPC regulations do not specify a specific retention period.
14. Q. Does the FPPC require a specific placement of the form on an agency website?
- A. Regulation 18705.5 requires the form to be prominently displayed. At a minimum, a member of the public should be able to access the form by placing the "FPPC Form 806" in the agency's search field on its website.

<b>1. Agency Name</b>		<b>California Form 806</b> For Official Use Only
County of California		
Division, Department, or Region (If Applicable)		
County Administrator's Office		
Designated Agency Contact (Name, Title)		Date Posted: XX/XX/XXXX (Month, Day, Year)
Susan Brown, Deputy Clerk of the Board		
Area Code/Phone Number	E-mail	
707-565-2241	sbrown@county.ca.gov	
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**2. Appointments**

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
Bay Area Air Quality Management District	Name <u>Zane, Shirlee</u> <small>(Last, First)</small> Alternate, if any _____ <small>(Last, First)</small>	Appt Date: <u>01 / 08 / 13</u> Length of Term: <u>4 years</u>	Per Meeting: \$ <u>100.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Bay Conservation Development Commission	Name <u>Gorin, Susan</u> <small>(Last, First)</small> Alternate, if any <u>Zane, Shirlee</u> <small>(Last, First)</small>	Appt Date: <u>1 / 8 / 13</u> Length of Term: <u>1 year</u>	Per Meeting: \$ <u>100.00</u> Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Association of Bay Area Governments	Name <u>Rabbitt, David</u> <small>(Last, First)</small> Alternate, if any <u>Gorin, Susan</u> <small>(Last, First)</small>	Appt Date: <u>1 / 8 / 13</u> Length of Term: <u>2 years</u>	Per Meeting: \$ <u>150.00</u> Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Chairman, County of California	Name <u>Rabbitt, David</u> <small>(Last, First)</small> Alternate, if any _____ <small>(Last, First)</small>	Appt Date: <u>1 / 8 / 13</u> Length of Term: <u>4 years</u>	Per Meeting: \$ <u>annually</u> Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input checked="" type="checkbox"/> <u>\$9,000</u> Other

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