

# State of California



# Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance	••	Administration	••	Executive/Legal	••	Enforcement	••	Statements of Economic Interest
(916) 322-5662		322-5660		322-5901		322-6441		322-6444

October 16, 1981

Richard Staley  
 City Attorney  
 401 W. Hillcrest Drive  
 Thousand Oaks, CA 91360

A-81-10-066

Dear Mr. Staley:

This is to provide an answer to the question you posed during our telephone conversation regarding whether the City of Thousand Oaks has any lobbying disclosure obligations under the Political Reform Act.

The facts as I understand them are that the mayor and city manager of Thousands Oaks have been instructed by the city council to travel to Sacramento to attend hearings and communicate with legislators concerning proposed legislation which may affect the city. In addition, the city manager has been instructed to contact other city employees to solicit their assistance in the city's lobbying efforts. You asked whether the salary and/or reimbursements paid to the mayor and city manager are reportable payments to influence legislative action, or whether these payments are exempted from reporting pursuant to Government Code Section 86300(a).

Section 86300(a) provides that the lobbying disclosure provisions of the Political Reform Act are not applicable to "Any elected public official acting in his official capacity,..." Therefore, the salary and reimbursements paid to the mayor, as an elected public official, are clearly exempted by this provision.

The Commission has determined that the exclusion contained in Section 86300(a) applies only to elected public officials, and not to aides, assistants or employees acting at the direction of elected public officials. Therefore, the city is required to report the salary and reimbursements paid to the city manager if the city manager spends at least 10 percent of his or her compensated time performing lobbying activities, and the city has incurred expenses of \$2500 or more during a calendar quarter in connection with lobbying activities. (See California Administrative Code Section 18620(d), copy enclosed.)

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In addition, the city may become an employer of a lobbyist if the city manager or any other employee meets the definition of a "lobbyist" as set out in Government Code Section 82039. (See page 1 of the Lobbying Information Manual, enclosed.)

If you have any questions, please call me at the above telephone number for the Technical Assistance Division.

Sincerely,



Jeanne Pritchard  
Political Reform Consultant

Enclosure