



OFFICIAL WORD

VOLUME 12, ISSUE 4

APRIL 2011

SPECIAL LINKS OF INTEREST:

- [Gladwell Government Services, Inc.](http://www.gladwellgov.org/) <http://www.gladwellgov.org/>
- [GG-One Software](http://www.ggonsoftware.com/) <http://www.ggonsoftware.com/>
- [Moreland Personnel Services](http://www.morelandservices.com) <http://www.morelandservices.com>
- [Lapkoff & Gobalet Demographic Research Inc.](http://www.demographers.com) <http://www.demographers.com>

INSIDE THIS ISSUE:

President's Message	1
Legislative Update	2
2011 Annual Conference	3
Membership Dues	4
Fundraising	4
CCAC Green Project	5
Newly Designated	6
Classifieds	13
CCAC Board	17

President's Message

Did you know that April is National Humor Month and Stress Awareness Month? Since we all know that laughter is often the best remedy to any stressful situation, it is most appropriate that April is the time for both so that one can counteract the other.

That being said, last week I had the opportunity to represent "TEAM Clerk" at the Washington Municipal Clerks Association (WMCA) Conference in beautiful Vancouver, Washington. Washington was the last Region IX state visit this year and there was tons of laughter accompanying the visit. Having now visited Oregon, Alaska and Washington I can say without a shadow of a doubt that there are many more similarities in our states than there are differences. We all are experiencing challenging times with the economy, market conditions, diminished travel and training budgets, and doing more with less. However, we all are trying to address those challenges with a positive outlook knowing these times will eventually turn around. Whether it is seeking replacement funding for scholarships in Alaska, holding multiple silent auctions for education in Oregon, finding affordable and accessible conference venues in Washington, or ascertaining the current needs of the membership through a survey in California, everyone is trying to do the best they can to help each other. It is truly humbling to see the passion clerks have for their profession and one another.



Randi Johl, JD, MMC
CCAC President

penings, our Legislative Director Dawn Abrahamson has done a wonderful job of providing our membership with status information on several key pieces of legislation in her article this month so please take the time to read the article and follow-up with her or I if you have any additional comments or questions about the legislation.

TEAM Clerk will have another wonderful opportunity to train and network at our upcoming conference in South Lake Tahoe from April 26-29, 2011. The Academy Session with Scott 'Q' Marcus will be held on Tuesday, April 26th and the actual conference will occur Wednesday-Friday, April 27th-April 29th. The annual banquet is on Thursday, April 28th at which time we will recognize our "City Clerk of the Year" and our "Award of Distinction" recipients. We received several nominations from Mayors, Council Members, City Managers and our clerk colleagues. By the sheer number of nominations received, it is obvious that others are noticing your good works throughout your cities and communities. While we have a slate of excellent motivational and technical speakers lined up, I personally am very excited about our closing keynote speaker, Mike Robbins as I am currently reading his book, "Be Yourself, Everyone Else is Already Taken". The book illustrates the importance of having the courage to be you in any situation and as we all know that is a challenge sometimes in our personal and professional lives.

With respect to the League of California Cities, the Governance Committee and the Administrative Services Policy Committee hap-

I look forward to seeing you in South Lake Tahoe and until that time I hope you laugh much and stress little!

Legislative Update



Dawn Abrahamson, MMC
Legislative Director

Over the past month, the Legislative Committee has been busy reviewing, analyzing and actively following a comprehensive list of bills that will impact local government and the duties of the City Clerk.

At its meeting on March 7, the Legislative Committee took the following positions on a list of bills that we feel the membership should be aware of:

AB 71 (Huber-D) Political Reform Act of 1974; lobbyists.

CCAC Position: Watch

Summary: Existing law, the Political Reform Act of 1974, requires the Secretary of State to establish and maintain on the Internet an updated Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers. The act further requires lobbyist employers and persons making certain payments to influence legislative or administrative actions to file periodic reports disclosing, among other information, their lobbying interests. This bill would require that the online directory maintained by the Secretary of State also contain information regarding lobbying interests. The bill would require that the periodic reports filed by lobbyist employers and other persons contain, in addition to their lobbying interests, the bill numbers of any legislation lobbied for or against during the reporting period. The bill would also require the Secretary of State to display on his or her Internet Web site, within 90 days of the end of each calendar quarter, a list of the lobbying interests containing a specific reference to a bill number, accompanied by a list of all lobbyist employers who reported each of those lobbying interests, reported for the prior calendar quarter. This bill contains other related provisions and other existing laws.

AB 80 (Fong-D) Presidential Primary: election date

CCAC Position: Support

Summary: Existing law provides that the presidential primary election is to be held on the first Tuesday in February of those years in which a national presidential election is to be held. This bill would change

the date of the presidential primary election to the first Tuesday after the first Monday in June of presidential election years and would consolidate the presidential primary election with the statewide direct primary election.

AB 182 (Davis-D) Political Reform Act of 1974: statements of economic interests

CCAC Position: Support

Summary: The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. Under the act, specified local government agencies are permitted to participate in a pilot program whereby certain officials of those agencies may file their statements of economic interests electronically. Existing law provides that the pilot program shall be completed by January 1, 2012, and the provisions of law authorizing the electronic filing of statements of economic interests will be repealed on March 1, 2012. This bill would permit the pilot program to continue until December 31, 2012, and would make technical changes to incorporate references to participation in the program by the City of Long Beach. This bill contains other related provisions and other existing laws.

AB 293 (Knight-R) Polling place designation.

CCAC Position: Watch

Summary: Existing law provides requirements for local elections officials to designate public and private properties and facilities for use as polling places. This bill would prohibit a polling place from being designated at a property or facility where a registered sex offender resides, and would require elections officials to consult the sex offenders' database maintained by the Department of Justice prior to designating a polling place. This bill contains other related provisions and other existing laws.

(Continued on page 7)

2011 Annual CCAC Conference

It's not too late...have you registered for the
2011 Annual CCAC Conference?



Lake Tahoe is a unique and beautiful national treasure that also boasts a rich and colorful historical past.

Don't miss out...**JOIN US** in South Lake Tahoe April 27-29, 2011!

Academy Session - Tuesday, April 26, 2011 (2 points)

General Session begins Wednesday, April 27, 2011

Conference ends Friday, April 29, 2011 (4 points)

* REGISTER NOW FOR **EXTENDED EARLY BIRD RATES AND HOTEL ROOMS** *

Registration and Session Topics are online at: <http://www.californiacityclerks.org/>

CCAC Member Conference Registration - \$375 (*Early Bird rate extended to 4/18/11; then \$425*)

Non-Member Conference Registration - \$400 (*Early Bird rate extended to 4/18/11; then \$450*)

Academy Session Registration - \$175

Accommodations at the luxurious Embassy Suites Hotel & Spa! www.embassytahoe.com

Reduced room rates *based on availability*; contact Tiffany, hotel representative, at (530) 543-2119.

About Lake Tahoe...*Did you know?*

Source: <http://www.tahoessouth.com>

- American Explorers Kit Carson and John C. Fremont discovered the lake in 1844?
- The Washoe Indians had named the area "Da-ow-a-ga" or "edge of the Lake", but the explorers, unaccustomed to the native tongue, interpreted the phrase as "Tahoe"?
- Lake Tahoe is the highest lake in the United States and the largest alpine lake in North America?
- Lake Tahoe is as long as the English Channel is wide?
- One dispersion from the lake would completely cover California in water to a depth of 14.5 inches?
- Each 24 hours, evaporation from the lake could supply the daily requirements of 3,500,000 people?
- Lake Tahoe's water is 99.9% pure; so clear that a 10" white dinner plate is visible 78' below surface?



Will You Support CCAC fundraising efforts? Contribute towards the Silent Auction (donations welcome), purchase or sell your MCEF fundraiser tickets (return unused tickets to Patrice Olds), or participate at the annual conference in the Silent and/or **LIVE** Auctions!!

Remember: *Your contribution helps fund the CCAC and MCEF educational scholarships!*



Would you like to volunteer for this event?

Please contact your Division Trustee:

Patrice Olds, Northern (olds@walnut-creek.org),

Nanci Lima, Central (nlima@lemoore.com), or

Kimberly Rodrigues, Southern

(krodrigues@ci.agoura-hills.ca.us)



Shirley Concolino, MMC
CCAC 1st Vice-President

Membership Dues

The Board discussed at its March meeting amending the membership form to provide a drop down button for the member to indicate whether the dues are paid by the member or the agency. It is being proposed that for those members who pay their own dues the membership would go with them to their new agency. Currently CCAC dues reside with the city and IIMC dues reside with the person. But given that so many are paying their own CCAC dues, this policy is being revisited. We will research whether this is part of the CCAC bylaws and will be discussed again at our April Board meeting.

MCEF Raffle

It's time to make those travel plans! Get a helping hand on those plans by purchasing MCEF Raffle Tickets for a:



\$2,500 travel voucher!

\$5 per ticket or six for \$25



- Need not be present to win (but please write legibly on stub)
- The drawing will be held April 28, 2011 at the CCAC annual banquet
- Please make checks payable to CCAC
- If you don't want to participate, please return sold or unsold tickets to Trustee Patrice Olds, City of Walnut Creek, 1666 North Main Street, Walnut Creek, CA 94596.

Thanks for supporting clerk scholarships!



CCAC Silent Auction Items Needed!!

*Have an item to **donate** to the Silent Auction? No item is too large or small!
Whether a trinket, gift basket, or gift card, we welcome them **ALL!***

Check the **Silent Auction Donation Form** on page 15 and at www.californiacityclerks.org for instructions.

Not attending? **Please contact any trustee to donate** an item to the Silent Auction.

Patrice Olds, Northern - (925) 943-5819 (olds@walnut-creek.org),
Nanci Lima, Central - (559) 924-6700 (nlima@lemoore.com), or
Kimberly Rodrigues, Southern - (818) 597-7303
(krodrigues@ci.agoura-hills.ca.us)



Donate to the TEAM

All proceeds will assist the CCAC Scholarship Fund.

CCAC Initiates Green Project

CCAC INITIATES A GREEN PROJECT IN CALIFORNIA AND TENNESSEE

When you open a book, attend a seminar, watch television, or just talk to your friends in your city, or in your neighboring cities, one of the most important topics being discussed everywhere, are the "green projects". The use of reusable, washable bags used for your grocery shopping, special lights for your home, green building standards, landscaping with drought resisting products. Saving water, reuse, reduce waste, recycle, carbon emissions, greenhouse gases, and global awareness.

CCAC's Immediate Past President, Lisa Pope (Malibu), made one of her goals to do a "green project", and "make it sustainable". For almost a year a small committee contemplated every green project their brains could conceive, one which would be seen as a benefit for our entire organization. A new board took office in September and a new President Randi Joel (Lodi) and a new goal was established, to promote our profession. At this same meeting a brand new board member, Lorrie Brewer (Santa Cruz) suggested "why don't we plant a tree" and we were off and running. What a great idea! Why had we not thought of this before? The committee contacted two City Clerks, one who was hosting this year's CCAC annual conference in So. Lake Tahoe, Susan Alessi and one who was hosting this year's IIMC annual conference in Nashville, Marilyn Swing.

Their responses were similar. They were excited that we would think of

them, and what a great idea we had, and each wanted to help, using their Public Works and Parks employees to advise and assist this committee. In both cities the City Manager agreed. All the committee had to do was go back and ask the CCAC board to fund the projects. We initially had planned on just one tree, but in December the CCAC board authorized funding both projects and agreed to keep the "Green Team" as a sub-committee, and look to the future of doing this project at both conferences each year. In this effort we hope we have attained the goals of two CCAC Presidents, one of promoting our profession and one goal of a "green project".

Whether you go to So. Lake Tahoe or Nashville, CCAC will be represented by a tree in each city with plaques that read as follows:

The City Clerks Association of California

Exhibiting a leadership role in the community through its "Green Team" efforts, dedicates this tree to the city of South Lake Tahoe, our 2011 Conference Host.

The City Clerks Association of California

Exhibiting a leadership role in the community through its "Green Team" efforts, dedicates this tree to the City of Nashville, our 2011 IIMC Conference Host.

Please make an effort at either conference to see the tree planted by these cities to support the goals of two CCAC Presidents.



CCAC Live Auction

JOIN US at the CCAC Annual Conference Banquet on Thursday, April 28, 2011!

We'll open with a starting bid of 10 dollars, 10 dollars, 10 dollars, to the lady in red, now 20 dollars, now 20, to the man in blue, who will give me 25? 25 dollars...



NEW this year...at the CCAC Annual Conference Banquet... participate in a **LIVE AUCTION** during dessert!! With a very **SPECIAL GUEST AUCTIONEER** (*guess who?*)!! There will be **FOUR** Live Auction Items to bid on... three Division baskets and a Carnival Cruise for two!!

So, **PRACTICE** raising your bidder arm and **PLAN** on bringing your cash or checkbook for an evening of fun and the opportunity to **BID** on your favorite basket or dream vacation!!

Annual Conference - Free Night!

As most of you probably know there is a 'free night' in South Lake Tahoe during the annual conference in April. Randi Johl, CCAC President, decided this was a great opportunity for folks to see much of what South Lake Tahoe has to offer. Given the location she felt that most would prefer some options rather than one organized event. Here is a website www.tahoessouth.com that shows a host of things to do.

Newly Designated

Congratulations to the following IIMC Members for achieving their designations!

Certified Municipal Clerk:

- o Patricia Bravo-Valdez, CMC, City of Maywood

Master Municipal Clerk:

- o Betty Hughes, MMC, City of Highland
- o Maricela Hernandez, MMC, City of Seaside
- o Kathleen L. Franco Simmons, MMC, City of Sunnyvale
- o Patrice Olds, MMC, City of Walnut Creek
- o Bren M. Lehr, MMC, City of Rancho Cordova

Congratulations!

Legislative Update Cont.

AB 293 (Hill-D) Vote by mail ballots.

CCAC Position: Watch

Summary: Existing law sets forth procedures for voting by mail and requires the local elections official to compare the signature on a vote by mail ballot received with the voter's signature that appears on the affidavit of registration. Existing law requires the elections official to establish procedures to track and confirm the receipt of vote by mail ballots that are voted and to make that information available by means of online access using the county's elections division Internet Web site, or, if it has no Internet Web site, then by toll-free telephone number that may be used to confirm the date the ballot was received. This bill would require the local elections official to establish a free access system by which a vote by mail voter may find out whether his or her ballot was counted and, if not, the reason why it was not counted, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 309 (Cook-R) Public officers: removal from office

CCAC Position: Watch

Summary: Under existing law, an office becomes vacant on the occurrence of certain events. Existing law specifies that when a public officer is removed, declared insane, or convicted of a felony or offense involving a violation of his or her official duty, or when his or her election or appointment is declared void, the body or person before whom the proceedings are had is required to give notice thereof to the officer empowered to fill the vacancy. This bill would provide that an appointed or ex officio office becomes vacant where the appointed or ex officio individual has been debarred, suspended, disqualified, or otherwise excluded from participating in federal "covered transactions," as prescribed under federal law.

AB 413 (Yamada-D) Elections: all-mailed ballot elections

CCAC Position: Support

Summary: Existing law authorizes a local, special, or consolidated election to be conducted wholly by mail if specified conditions are satisfied. This bill would authorize, as a pilot program, until December 31, 2017, elections in Yolo County, other than statewide primary or general elections or special elections to fill a vacancy in a state office, the Legislature, or Congress, to be conducted wholly by mail if specified conditions are satisfied. The

county would be required to report on these elections to the Legislature and the Secretary of State, as specified, if an election is conducted wholly by mail pursuant to this authority.

AB 416 (Bonilla-D) Write-in candidates

CCAC Position: Watch

Summary: Existing law regulates the processing of write-in votes, including requiring that a ballot for a qualified write-in candidate be counted if, on specified voting systems, the candidate's name is written on the ballot in the blank space provided and the voting space next to the write-in space, if provided, is marked according to voting instructions. It further requires that, for other voting systems, a ballot for a write-in candidate, if otherwise qualified, be counted if the name is written in the manner described in the voting instructions. This bill would require a liberal construction of these write-in vote processing provisions in the event of a manual recount conducted under specified circumstances to ensure that a ballot is counted if the voter's intent can be determined, regardless of whether the voter has complied with the voting instructions.

AB 754 (Fletcher-R) Elective office: military service

CCAC Position: Watch

Summary: Existing law prescribes the manner in which a person may be nominated to run for office, including the form and filing of a declaration of candidacy and nomination paper. This bill would permit a person who is deployed on active military service outside of the state to have an attorney-in-fact authorized under a power of attorney to complete and file on the deployed person's behalf a declaration of candidacy, nomination paper, and any other paper necessary to run for office.

AB 785 (Mendoza-D) Public officers: contracts: financial interest

CCAC Position: Watch

Summary: Existing law prohibits Members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in a contract, as specified, made by them in their official capacity or by any body or board of which they are members, subject to specified exceptions. This bill would provide, notwithstanding any other provision of law, that a public officer who is an elected member of any

(Continued on page 8)

Legislative Update Cont.

state or local body, board, or commission shall be deemed to have a financial interest in a contract pursuant to these provisions, if that officer's spouse, or child, parent, or sibling, or the spouse of the child, parent, or sibling, has a financial interest in any contract made by that public officer in his or her official capacity, or by any body, board, or commission of which that public officer is a member. This bill contains other related provisions and other existing laws.

AB 867 (Swanson-D) Elections: vote by mail ballots

CCAC Position: Watch

Summary: Under existing law, an application for a vote by mail ballot shall be made by a voter to an elections official having jurisdiction over the election between the 29th and 7th days prior to the election. Existing law permits an elections official to deliver a vote by mail ballot to the voter, the voter's spouse, child, parent, grandparent, grandchild, sibling, or other person residing in the same household as the voter, so long as the individual to whom the ballot is delivered signs a statement under penalty of perjury that contains the name of the voter and affirms that the person receiving the ballot is 16 years of age or older and is authorized to deliver the vote by mail ballot. Existing law permits a voter who is unable to return his or her vote by mail ballot due to illness or other physical disability to designate his or her spouse, child, parent, grandparent, grandchild, sibling, or other person residing in the same household as the voter to return the vote by mail ballot. Except in the case of a candidate or the spouse of a candidate, existing law prohibits a person returning another voter's vote by mail ballot from being a paid or volunteer worker of a general purpose committee, controlled committee, independent expenditure committee, political party, candidate's campaign committee, or any other group or organization at whose behest the individual designated to return the ballot is performing a service. This bill would provide that an application for a vote by mail ballot must be received by the elections official between the 29th and 7th days prior to the election. The bill would authorize a voter to designate an authorized representative in writing to an elections official to receive, re-

turn, or both receive and return, that voter's vote by mail ballot. If a voter is unable to return his or her vote by mail ballot, this bill would authorize the voter to have his or her authorized representative return the ballot to the elections official regardless of whether his or her inability to return the vote by mail ballot is due to illness or physical disability. This bill contains other related provisions and other existing laws.

AB 985 (Williams-D) Elections: official canvass: manual tally

CCAC Position: Watch

Summary: Existing law requires, during the official canvass of an election in which a voting system is used, the elections official conducting the election to conduct a public manual tally of the ballots tabulated by those devices, including vote by mail voters' ballots, cast in 1% of the precincts chosen at random by the elections official. This bill would, during the official canvass of an election in which a voting system is used, authorize the elections official conducting the election to conduct a public manual tally by alternative means than those described above. Specifically, this bill would permit the elections official conducting the election to conduct a manual tally of the ballots cast in 1% of the precincts chosen at random by the elections official and a separate manual tally of not less than 1% of the vote by mail ballots cast in the election.

AB 1146 (Norby-R) Political Reform Act of 1974: contribution limits

CCAC Position: Watch

Summary: Existing law prohibits cash contributions or anonymous campaign contributions of \$100 or more to a candidate, committee, or other person in a calendar year. Existing law also prohibits cash campaign expenditures of \$100 or more. This bill would find that the current limit of \$100 was established more than 30 years ago and would raise the minimum campaign contribution and expenditure reporting limit to \$200 to align it with the limit applicable under federal law to campaign disclosures. This bill contains other related provisions and other existing laws.

(Continued on page 9)

Legislative Update Cont.

AB 1292 (Hernandez, Roger-D) Political Reform Act of 1974: campaign reports and statements of economic interests: local disclosure

CCAC Position: Watch

Summary: Existing law requires that candidates for and current officeholders of specified elected or appointed local offices file certain campaign reports and statements with the county elections official. This bill would require the county elections official to annually post on his or her county's Internet Web site those campaign reports or statements. This bill contains other related provisions and other existing laws.

SB 88 (Yee-D) Elections: names of candidates

CCAC Position: Watch

Summary: Existing law requires the translation of ballots and ballot materials into languages other than English when specified circumstances exist. This bill would require that, if a jurisdiction provides a translation of the candidates' alphabet-based names into a character-based language, such as Chinese, Japanese, or Korean, phonetic transliterations of the alphabet-based names of candidates be provided. The bill would also permit a specified jurisdiction that provides translations of candidates' names to establish a process by which specified candidates may appeal the translation of his or her alphabet-based name in addition to procedures available under current law. This bill contains other related provisions and other existing laws.

SB 109 (Gaines-R) Elections: special vote by mail

CCAC Position: Watch

Summary: Under existing law, a small city with a population of 100,000 or less, and an eligible entity, as defined, may conduct an election therein wholly by all-mail ballot, subject to certain conditions, including that the election is a special election to fill a vacancy in the legislative body of the small city or the governing board of the eligible entity, and that the election is not consolidated with any other election. This bill would also authorize a small county with a population of 400,000 or less to conduct a special election to fill a vacancy in a legislative body or governing body, or any special election called by the Governor, wholly by all-mail ballot, subject to the same conditions currently imposed on small

cities and other eligible entities. This bill contains other related provisions.

SB 199 (Correa-D) Elections: vote by mail ballots

CCAC Position: Watch

Summary: Existing law permits any voter to apply for permanent vote by mail voter status if the voter completes an application containing the required information in accordance with specified statutory provisions and requires a voter to return a vote by mail ballot by mail or in person to the elections official from whom it came, or in person to any member of a precinct board at any polling place within the jurisdiction, before the close of the polls on election day. This bill would permit a voter to return a vote by mail ballot to any polling place in the state, and in the case of a vote by mail ballot returned to a precinct located in a county other than the county of the elections official who issued the ballot, would require the elections official of the precinct at which the ballot is returned to forward the ballot to the elections official who issued the ballot. By imposing additional duties on local elections officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 304 (Kehoe-D) Elections: all-mailed ballot elections: San Diego County

CCAC Position: Support

Summary: Existing law authorizes a local, special, or consolidated election to be conducted as an all-mailed ballot election, so long as specified conditions are satisfied. This bill would authorize elections in San Diego County to be conducted wholly by mail until January 1, 2016, if specified conditions are satisfied. If San Diego County conducts an all-mailed ballot election, the bill would require the county, on or before December 31, 2016, to report to the Legislature and to the Secretary of State regarding the success of the election, as specified.

SB 327 (Committee on Elections and Constitutional Amendment) Elections: procedure

CCAC Position: Support-----this is our bill!!!

Summary: Existing law requires that a notice of intention and the title and summary of a local ordinance proposed to be submitted to the voters

(Continued on page 10)

Legislative Update Cont.

of an incorporated city be published or posted, as specified. This bill would specify that the text of the proposed measure is not required to be published or posted. This bill contains other related provisions and other existing laws.

SB 348 (Correa-D) Elections: vote by mail ballots

CCAC Position: Watch

Summary: Existing law makes the vote by mail ballot available to any registered voter. Existing law requires that those vote by mail ballots be received by the elections officials from whom they were obtained or by the precinct boards before the polls close on election day in order to be counted. This bill would, notwithstanding the above provisions, provide that any vote by mail ballot is timely cast if it is postmarked on or before election day and received by the voter's elections official no later than 6 days after election day. This bill contains other related provisions and other existing laws.

GOVERNANCE COMMITTEE

This past month, representatives from the City Managers, City Attorneys, Finance, and City Clerks Departments volunteered to assist the League in digging into recently introduced legislation (approximately 31 bills) relating to the City of Bell. President Randi Johl and I represented the City Clerks Department on the quickly pulled together Governance Advisory Committee.

At the Committee's first meeting, League staff provided a brief overview of the Bell scandal and League's response followed by a brief discussion on the 2011-12 bills relating to Bell. The bills were broken down into three categories:

- Governance, Transparency, Ethics & Open Meetings
- Retirement/Compensation
- Local Government Audits

Subcommittees for each of the categories noted above were formed. Both Randi and I were very active (yes, vocal) on the Governance, Transparency, Ethics & Open Meetings subcommittees. At each of these meetings, League staff provided updates on changes and developments on bills. Subcommittee members provide League staff with comments, concerns, and in some cases, proposed amendments with the goal of attempting to strike a compromise. Following the three individual subcommittee meetings, the overall Governance Advisory Committee met one final time to receive a report back from League staff which included each subcommittee's recommendations and/or positions, if any, on all bills.

The following information pertains strictly to the **Governance, Transparency, Ethics & Open Meetings** bills which will not only impact local government but impact the duties of the City Clerk. Please note that the CCAC Legislative Committee has not formally taken any position on these bills. Through the Governance Advisory Committee, we have provided numerous concerns, comments, opinions, and proposed amendments. The following are bills that you should be aware of. You are strongly encouraged to follow the status of each of these bills:

Transparency, Ethics & Open Meetings

AB 23 (Smyth-R) Local agency meetings: simultaneous meetings: prohibition.

Summary: Prohibits simultaneous or serial meetings of local agency legislative bodies.

Status update: The League of CA Cities is actively working with the Assembly member Smyth's office to address the significant concerns that have been raised by cities. The

(Continued on page 11)

**Governance,
Transparency,
Ethics & Open
Meetings bills
will impact the
duties of the City
Clerk.**

Legislative Update Cont.

League anticipates seeing amendments to the bill that would instead require members of a legislative body to indicate at each meeting their stipend/compensation for each meeting. This bill will be presented to the Administrative Services Policy Committee on April 8 for discussion and action.

AB 148 (Smyth–R) Local government: ethics training: disclosure.

Summary: Requires that agencies that adopt written attendance compensation policies to post the policy on the agencies website and submit a copy to the State Controller and provides penalties for noncompliance. Requires a local agency to post ethics training records to its website and submit a copy to the Attorney General within 15 days of receiving the record. Requires ethics training laws to include training on compensation setting guidelines, as established by organizations including CSAC, LCC, CSDA, and CCMF.

Status update: This bill has been significantly narrowed to require that ethics certificates for only elected and appointed officials be posted to your agency's website and sent to the controller. It also changed the requirement that this process be complete within 15 days to 90 days. The bill still requires agency's that adopt written attendance compensation policies or written reimbursement policies to post those to the agency website and send them to the state Controller.

This bill will be presented to the Administrative Services Policy Committee on April 8 for discussion and action.

AB 392 (Alejo–D) Ralph M. Brown Act: posting agendas.

Summary: Requires agencies to post, along with the agenda, 72 hours in advance of a public meeting any "writing" that relates to an item on the agenda and also requires the writing to be posted on the agency's website if one exists.

Status update: There was a similar bill introduced in 2007, SB 343 (Negrete-McLeod) sponsored by the California Association of Realtors. After numerous stakeholder meetings and amendments to SB 343 the League took a neutral position. League staff will continue to work with Assembly member Alejo's office to better determine the problem that exists and to address significant concerns raised by cities.

AB 582 (Pan–D) Open Meetings. Local Agencies.

Summary: Would amend the Ralph M. Brown Act to require that proposed compensation increases for unrepresented employees be publically noticed twice. The first notice requiring non-voting discussion and the second notice in the event a vote is taken on the matter and must be scheduled more than 12 days after the first notice.

AB 1345 (Lara–D) Local Government. Boards and Councils.

Summary: This is a spot bill intended to create an appointment process to appoint members to serve on the governing board or council of a local government in the absence of a quorum.

AB 1355 (Lara–D) City Officials. Standards.

Summary: Would require the Secretary of State (SOS) to partner with the Controller and the League of California Cities to develop recommendations for minimum educational and certification standards for the following appointed and/or elected city officials: city clerk, city manager, and city treasurer.

Status update: League staff continues to work with Assembly member Lara's office to address significant concerns raised by City Clerks, City Managers and Finance Directors.

(Continued on page 12)

Legislative Update Cont.

SCR 8 (Yee–D) Sunshine Week.

Summary: This Senate Concurrent Resolution would designate March 19, 2011, to March 23, 2011, as Sunshine Week and encourages all Californians to participate in appropriate activities relating to open government and access to public information.

SCA 7 (Yee) Public Bodies. Meetings.

Summary: Would put a proposition before the voters that amends the Constitution and would require that public bodies provide public notice of meetings and disclose any action taken at a public meeting. This bill is intended to circumvent the Ralph M. Brown Act mandate related to noticing and posting of public meetings.

Governance

AB 46 (John A. Perez–D) Local government: cities.

Summary: Provides that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into those cities' respective counties as of 90 days after the effective date of the bill, unless a county board of supervisors determines, by majority vote within that 90-day period, that continuing such a city within that county's boundaries would serve a public purpose.

Status update: This bill will be taken to League policy committees on April 7 and 8.

AB 834 (Hernandez–D) Local Government. Contracts.

Summary: Requires a legislative body to review any private party contract with an automatic renewal clause on before the annual date the contract may be rescinded and prior to renewal of the contract the legislative body must make findings on the record whether the contract contains updated information and whether the contract fits the needs of the legislative body.

Status update: This bill will be taken to League policy committees on April 7 and 8.

AB 1344 (Feuer) Local Governance.

Summary: Requires a charter proposed by a charter commission, whether elected or appointed by a governing body, for a city or city and county to be submitted to the voters at and established statewide election date. This bill includes several provisions related to employment contracts and compensation increases and makes several changes to the Ralph M. Brown Act.

Status update: This bill will be taken to League policy committees on April 7 and 8.

To follow the status of bills contained in this writing, you may access the information on the League of California Cities' website: http://www.cacities.org/issues/admin/trackleg/index.jsp?nav_sec=advo

To find a full text of the bills and their status, history, votes, and analyses you may also access the following website: <http://www.leginfo.ca.gov/bilinfo.html>

In closing, I want to acknowledge the numerous comments and concerns that the Legislative Committee has heard from the membership related to several of the Bell related bills. On behalf of the Committee, I want to assure you that we will continue to work closely with League staff and actively monitor each of these bills, provide a report back to the membership and take a position as necessary. Members are always encouraged to share their concerns or comments to me or any member of the Legislative Committee.

Follow the status
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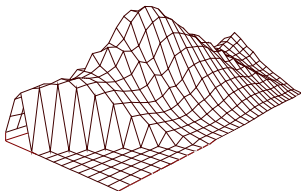
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