LEGAL DEPARTMENT

INTEROFFICE MEMORANDUM **DATE: February 17, 2009**

TO: Ed A. Adams, Chief Administrative Officer and
Randy M. Autio, Interim City Clerk

FROM: Robert M. White, City Attorney, Hearing Officer RMW

RE: Hearing Officer Request to Extend Public Comment Period for Amended Regulations for Public Funding for the Election of Candidates for City Office under the Open and Ethical Elections Code

The Hearing Officer having received further public comments on the proposed amendments to the Regulations for Public Funding for the Election of Candidates for City Office under the Open and Ethical Elections Code requests the City Clerk post notice and make available for additional public comment until noon on Friday February 20, 2009 a revised set of regulations that contain the following proposed changes:

- An additional definition for the term "contribution".
- An additional definition for the term "regular municipal election" to state that the election begins on the day that in-person voting begins.
- Change the wording in Part B 3 to delete the sentence concerning incidental use of seed money and in-kind contributions.
- Add language to Part B 5 to clarify that any excess In-Kind contributions may be paid back from public funds.
- Add language to Part C 4 indicating that only completed receipt books need to be returned to the City Clerk on the Fridays indicated in the rules.
- Add language to Part C 10 indicating the date the Application for Certification as a Participating Candidate is to be filed.
- Change language to Part D 3 clarifying that no public funds may be used to retire prior campaign debt and deleting the language concerning seed money and other contributions.

- Change the language in Part E 4 to delete the phrase "but not including alcoholic beverages".

- Add language to Part G 6 to clarify that any funds returned pursuant to Part G may be used for matching funds or to correct a distribution reduction caused by Section 14 B of the Code.

- Change the phrase in Part H 8 (a) from "Two days" to "Two working days".

- Add language to Part H 11 to change the phrase "If the property" to "If a single piece of property".

- In Part H 11 the word "personal" was deleted from the phrase "personal property".

These changes are in addition to the ones noted and recommended by the City Clerk at the hearing held on February 10, 2009. I will issue the final report and recommendations on Friday, February 20, 2009.

Dated: 2-17-9

By: _____
Hearing Officer