



PARTY DISCLOSURE FORM

This form must be completed by a party to a LAFCO proceeding, i.e., any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use before LAFCO.

TITLE OF PROCEEDING: _____

PARTY'S Name: _____

PARTY's Signature: _____ Date: _____

Party or agent have NOT made a contribution of more than \$250 to a regular or alternate LAFCO commissioner within the preceding 12 months.

Party or agent have made the following contribution of more than \$250 to a regular or alternate LAFCO commissioner within the preceding 12 months.

Name of party or agent who made the contribution: _____

LAFCO commissioner to whom contribution was made: _____

Date of Contribution: _____ Amount: _____

Name of party or agent who made the contribution: _____

LAFCO commissioner to whom contribution was made: _____

Date of Contribution: _____ Amount: _____

Name of party or agent who made the contribution: _____

LAFCO commissioner to whom contribution was made: _____

Date of Contribution: _____ Amount: _____

Name of party or agent who made the contribution: _____

LAFCO commissioner to whom contribution was made: _____

Date of Contribution: _____ Amount: _____

NOTE: Names of current LAFCO commissioners are available at www.santaclara.lafco.ca.gov

DISCLOSURE REQUIREMENTS AND DEFINITIONS

LAFCOs are subject to disclosure and prohibition requirements detailed in Government Code §84308, and the Regulations of the Fair Political Practices Commission (FPPC), §18438. The following is a summary of those provisions in Gov. Code §84308:

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO.
2. Prior to rendering a decision on a LAFCO proceeding, any LAFCO commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a commissioner receives a contribution which would otherwise require disqualification, returns the contribution within 30 days of knowing about the contribution and the proceeding, the commissioner shall be permitted to participate in the proceeding.
3. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO commissioner. No party, or his or her agent and no participant, or his or her agent, shall make a contribution of more than \$250 to any LAFCO commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO. When a closed corporation is a party to, or a participant in, a LAFCO proceeding, the majority shareholder is subject to the disclosure and prohibition requirements.

Definition of Terms

1. "Party" is defined as any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use. [Gov. Code §84308(a)(1)]
2. "Participant" is defined as a person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if he or she lobbies in person the officers, or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency. [Gov. Code §84308(a)(1)]
3. "Agent" is defined as a person who represents a party or a participant, in connection with a proceeding in connection with a proceeding. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or a similar business entity or corporation, both the business entity or corporation, and the individual are "agents". [FPPC Regulations §18438.3(a)]
4. To determine whether a campaign contribution of more than \$250 has been made by a person or his or her agent, contributions made by the person within the preceding 12 months must be aggregated with those made by his or her agent within the preceding 12 months or the period of the agency relationship, whichever is shorter. [FPPC Regulations §18438.3(a)]