



California Fair Political Practices Commission

October 1, 1986

William L. Gates
Catalano & Gates
Market Post Tower Building
55 South Market Street, Suite 250
San Jose, CA 95113

Re: Your Request for Advice
Our File No. A-86-282

Dear Mr. Gates:

This is to confirm our telephone conversation of September 26, 1986 regarding your request for advice regarding the duties of Santa Clara Supervisor Zoe Lofgren under the Political Reform Act.^{1/} As I indicated, Commission Regulation Section 18329(b)(1) (copy enclosed) provides that formal written advice will be provided only to the person whose duties under the Act are in question or that person's authorized representative. Accordingly, since you are not Mrs. Lofgren's authorized representative, we are unable to provide the advice you have requested.

If you would like to discuss this, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "John G. McLean".

John G. McLean
Counsel
Legal Division

JGM:sm
Enclosure

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise noted. Commission regulations appear at 2 California Administrative Code Sections 18000, et seq. All references to regulations are to Title 1, Division 6 of the California Administrative Code.

LAW OFFICES

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F P P C
SEP 25 5 00 PM '86

September 24, 1986

John Mc Lean, Esq.
Fair Political Practices Commission
P.O. Box 807
Sacramento, California 95804

Dear Mr. Mc Lean:

Pursuant to your request of September 23, 1986, I hereby summarize my conversation with you and the conversation you had the same date with Mr. Bob Weers of the County Counsel's office, County of Santa Clara.

On the above date both of us indicated to you an urgent need for an opinion relating to the vote of Mrs. Zoe Lofgren, a member of the Board of Supervisors of Santa Clara County. The urgency continues to exist and the issue will arise again at 10:00 a.m. on Tuesday, September 30, 1986.

By way of background, my client, Mr. Al Rodriguez retained Mr. Manuel Sandoval to assist him with mitigation necessitated by the construction of a power substation by P.G. and E in Morgan Hill, California. This substation would effectively put my client's radio station (KAZA), located on an adjacent site, out of business. Mr. Sandoval was paid a fee for his services in May or June, 1985 and my client is now requesting that the Board of Supervisors approve a lease for his towers on surplus park land.

Mr. Sandoval's fees were paid in full by Mr. Rodriguez months ago and he will have no financial gain as the result of any decision made by the Board of Supervisors in this matter. I attach his statement, made under penalty of perjury, for your review.

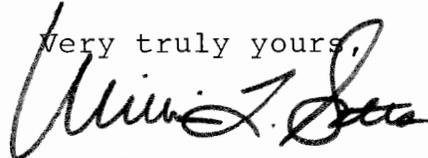
Apparently, a legal dispute arose between Mr. Sandoval and Supervisor Lofgren's husband (John Collins) relating to an alleged unpaid debt owed by Mr. Sandoval. Mr. Collins has filed a law suit against Mr. Sandoval.

This issue was presented to you by Mr. Weers and myself and you advised both of us that if Mr. Sandoval will receive no economic benefit as a result of Mrs. Lofgren's vote on this matter, then no conflict of interest exists relating to Mrs. Lofgren's vote on the lease of park land presently being considered by the Board.

John Mc Lean, Esq.
September 24, 1986
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I request that you send written confirmation that, based upon the above facts, your oral opinion to Mr. Weers and myself was as stated in this letter.

Thank you for your assistance.

Very truly yours,

WILLIAM L. GATES

WLG:td
Enclosure

P.S. I enclose a self-addressed, stamped envelope for your use.

DECLARATION OF MANUEL J. SANDOVAL
UNDER PENALTY OF PERJURY

I, MANUEL J. SANDOVAL, declare as follows:

1. During May and June of 1985, I was retained by MR. ALBERT RODRIQUEZ on behalf of Radio Station KAZA to assist with mitigation due to relocation of my client's transmission towers and to assist in identifying a suitable site for purposes of said relocation.

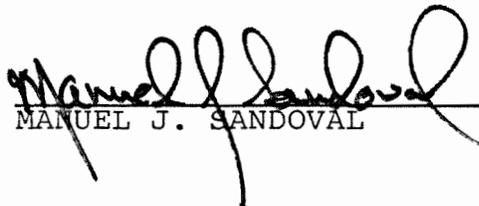
2. The total fee for the above services was paid in 1985. Since that time, only one additional payment was made for work approximately one year after the initial payments.

3. I will not receive any additional compensation if MR. RODRIQUEZ is successful in obtaining a lease on County park lands. My fees have been paid in full several months ago.

4. I have no ownership interest in KAZA or any other businesses owned by MR. RODRIQUEZ and will not benefit in any way whatsoever if he is granted a lease by Santa Clara County.

5. I have no intention of appearing before the Board of Supervisors on this issue and while I may have a dispute with Mrs. Lofgren's husband, I do not believe that fact should prejudice any decision involving my client. I will have no financial gain or loss as a result of any decision made by the Board of Supervisors in this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 24, 1986 at San Jose, California.



MANUEL J. SANDOVAL



California Fair Political Practices Commission

October 1, 1986

William L. Gates
Catalano & Gates
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