



California Fair Political Practices Commission

June 3, 1987

Jan Weiss
Walnut Grove Fire District
P.O. Box 41
Walnut Grove, CA 95690

Your Request for Advice
Our File No. I-87-133

Dear Mr. Weiss:

You have written seeking advice on behalf of Jerry Himebauch, Assistant Chief of the Walnut Grove Fire District. Your letter seeks advice regarding past conduct by Mr. Himebauch. The Commission does not provide advice relating to past conduct. (Commission Regulation 18329(b)(8)(A); copy enclosed.)

Your letter also may raise issues involving interpretation of Government Code Section 1090. That statute is not part of the Political Reform Act. Consequently, we cannot provide advice as to its applicability. You might discuss this matter with your local city attorney.

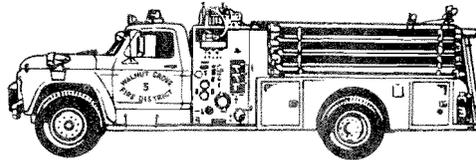
If you have any questions concerning this letter, please feel free to give me a call at (916) 322-5901.

Sincerely,

A handwritten signature in cursive script that reads "Diane M. Griffiths".

Diane M. Griffiths
General Counsel

DMG:jaj
Enclosure



WALNUT GROVE FIRE DISTRICT

April 29, 1987

Diane Griffiths
428 "J" St. #800
Sacramento, CA 95814

RE: Conflict of Interest
Exemption

Dear Diane:

The Walnut Grove Fire District has just been audited and a Conflict of Interest question came up once again.

The situation is this: Our Assistant Chief, Jerry Himebauch, owns and operates Himebauch's Auto Parts and Service here in Walnut Grove. Jerry is not on the Board of Directors. All or most of the work on our emergency vehicles is done by Himebauch's. Our Board of Directors and Chairmen, Joe Enos are concerned about a possible Conflict of Interest violation and would like a ruling of exemption for our files.

Per our conversation, I am writing for such a ruling by your office. I spoke with Jerry today and he is aware of the situation and will help out any way he can. His address, as you requested:

Jerry Himebauch
PO Box 12
Walnut Grove, CA 95690

I hope this will be sufficient information to obtain the Conflict of Interest exemption and/or ruling from your office. If I can be of further help, please advise.

Yours truly,

A handwritten signature in cursive script that reads "Jan Weiss".

Jan Weiss, Secretary
Walnut Grove Fire Dist.
916-776-2060 or 916-776-1945



California Fair Political Practices Commission

May 12, 1987

Jan Weiss, Secretary
Walnut Grove Fire District
P.O. Box 41
Walnut Grove, CA 95690

Re: 87-133

Dear Ms. Weiss:

Your letter requesting advice under the Political Reform Act was received on May 4, 1987 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Kathryn E. Donovan, an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).) You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

A handwritten signature in cursive script that reads "Diane M. Griffiths".

Diane M. Griffiths
General Counsel

DMG:jas