



# California Fair Political Practices Commission

October 7, 1988

Elizabeth G. Clark  
Sr. Deputy City Attorney  
City of Torrance  
3031 Torrance Boulevard  
Torrance, CA 90503

Re: Your Request for Advice  
Our File No. I-88-352

Dear Ms. Clark:

You have requested advice regarding the mass mailing provisions of the Political Reform Act (the "Act")<sup>1/</sup> as recently amended by Proposition 73. As city attorney for the City of Torrance, you have responsibility for advising the city about distribution of a quarterly publication known as the "Pipeline." This letter confirms telephone advice I rendered in response to your letter on September 20, 1988.

### QUESTION

May the City of Torrance list elected officials in its quarterly newsletter?

### CONCLUSION

The City of Torrance may include a roster listing of elected officers in its newsletter so long as the names of the elected officers are in the same type size and typeface as others listed.

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<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

FACTS

The City of Torrance distributes a quarterly newsletter to current city employees, retired employees and elected city officials. The newsletter, known as the "Pipeline," contains a standard roster-type listing of elected officials.

ANALYSIS

The Act as amended by Proposition 73 now provides that no mass mailing shall be sent at public expense. (Section 89001.) The Commission has determined that the intent of the voters in adopting Proposition 73 was to prevent elected officers from gaining an advantage from incumbency by using public funds to send out newsletters and mass mailings which increase their name recognition. (See Regulation 18901, adopted as an emergency regulation, filed August 8, 1988; and Raye, et al. Advice Letters, No. A-88-220, copies enclosed.)

Regulation 18901 provides that certain types of mailings are not prohibited by Section 89001. Subdivision (b) provides:

(b) A mailing will not be deemed to be prohibited by Section 89001 if the mailing meets all of the following criteria:

(1) It is mailed by an elected officer's agency;

(2) The stationery, forms and envelopes used for the mailing are the official stationery, forms and envelopes of the agency; and

(3) The elected officer's name appears, if at all, only on the standard letterhead or logotype of the stationery, forms or envelopes and there are no other references to the officer, including his or her photograph or signature, in the mailing.

(Emphasis added.)

The regulation is intended to make clear that a mailing is not prohibited merely because it contains a roster listing of the agency's elected officials in its publication. This is consistent with our previous advice stating that a newsletter may list the members of governing boards and other agency officers in a standard roster-type listing, so long as the names of elected officers are in the same type size and typeface as others listed. (Raye Advice Letter, supra.) Proposed permanent Regulation 18901 would state this exception more explicitly. The Commission will consider adoption of the proposed permanent regulation on December 6, 1988.

Elizabeth G. Clark  
October 7, 1988  
Page -3-

If you have any further questions, please contact me at  
(916) 322-5901.

Sincerely,

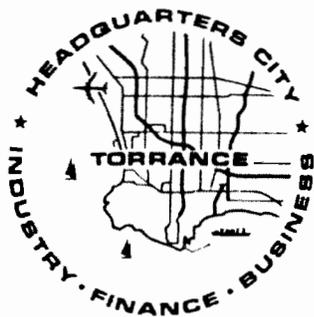
Diane M. Griffiths  
General Counsel

By: John G. McLean  
Counsel, Legal Division

JGM:ld

Enclosures

STANLEY E. REMELMEYER  
CITY ATTORNEY



# CITY OF TORRANCE

3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA

TELEPHONE (213) 328-5310

90503

September 2, 1988

Fair Political Practices Commission  
Conflicts Division  
428 "J" Street  
Suite 800  
Post Office Box 807  
Sacramento, California 95804

The City of Torrance distributes a quarterly newsletter to current City employees, retired employees and elected City Officials. A copy of this newsletter, known as the "Pipeline," is attached for your review. The newsletter on page eight contains a standard roster-type listing of elected officials.

The City of Torrance is requesting an advise letter from your office permitting the listing of elected officials in future newsletters.

If you have any further questions please contact me.  
Thank you for your attention in this matter.

Sincerely yours,

Elizabeth G. Clark  
Sr. Deputy City Attorney

mv/25

SEP 7 5 50 PM '88



# California Fair Political Practices Commission

September 9, 1988

Elizabeth G. Clark  
Sr. Deputy City Attorney  
3031 Torrance Boulevard  
Torrance, CA 90503

Re: 88-352

Dear Ms. Clark:

Your letter requesting advice under the Political Reform Act was received on September 7, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John McLean, 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 more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

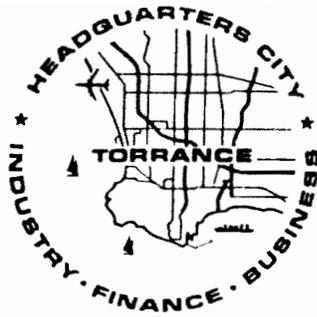
You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

*Diane M. Griffiths*  
Diane M. Griffiths  
General Counsel

DMG:plh

STANLEY E. REMELMEYER  
CITY ATTORNEY



CITY OF TORRANCE  
3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA  
TELEPHONE (213) 328-5310 90503

September 2, 1988

Fair Political Practices Commission  
Conflicts Division  
428 "J" Street  
Suite 800  
Post Office Box 807  
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Elizabeth G. Clark  
Sr. Deputy City Attorney

mv/25

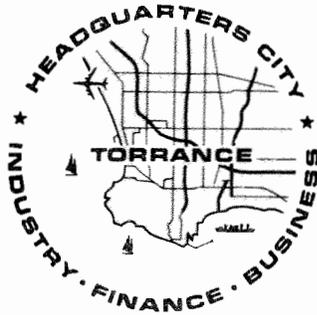
SEP 7 5 50 PM '88

9/20/88 - Told her  
Roster listing O.K., but picture of Mayo is not.  
Can't have name, picture signature, etc.

See "Clark" letter  
on John #1

88-352

STANLEY E. REMELMEYER  
CITY ATTORNEY



# CITY OF TORRANCE

3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA  
TELEPHONE (213) 328-5310 90503

September 2, 1988

Fair Political Practices Commission  
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Sincerely yours,

Elizabeth G. Clark  
Sr. Deputy City Attorney

mv/25

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# Pipeline

## THE TORRANCE CITY EMPLOYEES NEWSLETTER

*IN MEMORIAM*



### Dick Rankin

He was the dark haired, tall fellow with glasses who you saw so often in the East Annex. You could not work in the East Annex long without knowing him. Dick had a special gentleness that often goes with a big man. If he was in the hall, he was often answering a question for a citizen or City employee. You did not know Dick long before you knew how much UCLA meant to him. If you knew him well, you soon found a friend, a confidant, and if you needed one, a confessional. He had no guile.

If you had a deadline, he would often stay until you both were exhausted, but the deadline would be met and the product would be first class.

And who among us who has had to write for Council or management cannot remember an evening in Dick's office, watching a loose group of ideas evolve

*Continued on page 7*

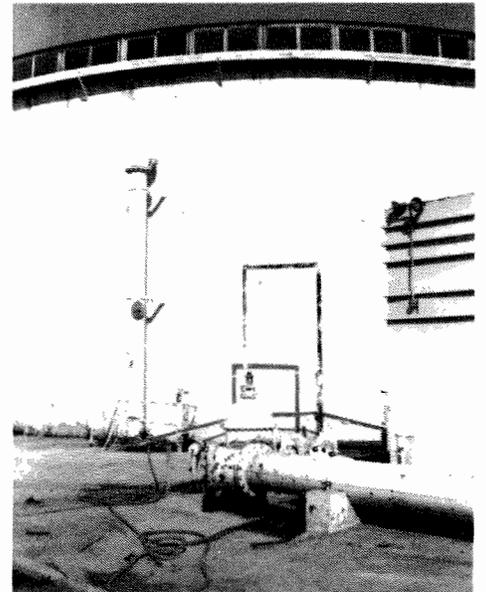
## Water, Water Everywhere

Colorless, odorless, tasteless. It freezes solid at 32°F and vaporizes into the atmosphere at 212°F. It clusters in the sky as clouds, falls as rain, collects in rivers, lakes, and basins, and gets pumped into your home so you can drink 8 glasses a day of it. Water. H<sub>2</sub>O. Aqua Pura. Just how does the City go about the business of providing this liquid to consumers?

The water comes from two sources. First there are Torrance's three wells, one of which is located at the Old Water Yard at 1001 Elm Street. Until the 1940's, all of the City's water came from these wells which, like other wells in this region, tap into the water table of the West Coast basin. However, increasing demand led local wells to be over-pumped causing sea-



*Pumps still functioning in the pumping station at the Old Water Yard on Elm Street.*



*Reservoir at the Old Water Yard on Elm Street.*

water to migrate in. While this saline intrusion threatened but did not affect Torrance wells, it is clear to see in this all-things-touch-all-other-things world that water is a very political substance. Water rights in the basin took 12 years of adjudication in the courts. Since then, the amount of water which Torrance and other cities and agencies can draw from their wells is legally limited by this adjudication.

Consequently, today only 20% of the City's water comes from its three wells. The remaining 80% is bought from the Metropolitan Water District of Southern California, one of the world's largest water agencies, of which the City of Torrance is a founding member. The District delivers water from the Colorado

*Continued on page 4*