



# California Fair Political Practices Commission

August 4, 1989

Dianna M. Higdon  
City Clerk  
City Hall  
3954 Old Hamner  
P.O. Box 428  
Norco, CA 91760

Re: Your Request for Advice  
Our File No. A-89-405

Dear Ms. Higdon:

This is in response to your request for a confirmation of telephone advice concerning your responsibilities under the provisions of the Political Reform Act (the "Act").<sup>1/</sup> This letter confirms that your letter dated July 3, 1989 accurately summarizes the telephone advice I provided to you on June 22, 1989.

As I stated in our telephone conversation, the Act requires that every report and statement filed pursuant to this title be a public record open for public inspection and reproduction. (Section 81008(a).) Section 81008(a) prohibits imposition of any conditions upon persons desiring to inspect or reproduce reports or statements filed under the Act, and limits the amount that may be charged for retrieval and reproduction of these records. It specifically prohibits requiring identification from persons seeking to inspect or copy records.

You stated in our telephone conversation that you have implemented a policy of asking for written requests for records in order to deal with the volume of requests to which your staff must respond. You also stated that you do not require identification or signatures with the requests. The policy as described is consistent with Section 81008 and with the Public Records Act. (Sections 6250, et seq.) Accordingly, we conclude that requiring written requests as described in your letter is reasonable and does not violate Act. However, you may wish to contact your city

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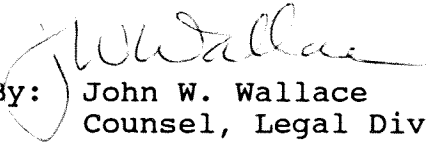
<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code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

attorney in regard to other laws or regulations that might apply which are not within the jurisdiction of the Act or the Commission.

If you have any further questions regarding this matter, please feel free to contact this office at (916) 322-5901.

Sincerely,

Kathryn E. Donovan  
General Counsel

  
By: John W. Wallace  
Counsel, Legal Division

KED:JWW:plh



# CITY of NORCO

CITY HALL 3954 OLD HAMNER • TELEPHONE (714) 735-3900 • P.O. BOX 428, NORCO, CA 91760

July 3, 1989

FPPC  
Jul 6 3 02 PM '89

LEGAL DIVISION  
Fair Political Practices Commission  
428 J Street, Suite 800  
Sacramento, CA 95814

Dear Sirs:

I would like a written opinion regarding the following situation.

Due to the limited staff and the many requests for copies of records, we have a standard policy of asking that all requests be made in writing. This has proved a great time saver as it specifies the items desired.

Recently we are in the process of a Recall and are having many requests for campaign statements and statements of economic interests, for 5 years or so. We have also asked that this be in writing, no need for signature or identification, and we comply with the FPPC regulations for time frame to acquire the information and the charges for copies. Upon a phone call Mr. John Wallace clarified that was an acceptable request, but since they had not had this situation previously I might want to write to get a written statement.

Please furnish any information you can for our files.

Sincerely,

Dianna M. Higdon, CMC  
City Clerk  
City of Norco

#### CITY COUNCIL

RICHARD L. MacGREGOR  
Mayor

STEVE M. NATHAN  
Mayor Pro Tem

JOHN M. COBBE  
Councilman

RON WILDFONG  
Councilman

JOHN W. CASPER  
Councilman

89-405



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Councilman

JOHN W. CASPER  
Councilman



# California Fair Political Practices Commission

July 12, 1989

Dianna M. Higdon  
City Clerk  
P.O. Box 428  
Norco, CA 91760

Re: Letter No. 405

Dear Ms. Higdon:

Your letter requesting advice under the Political Reform Act was received on July 6, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John Wallace 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,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan  
General Counsel

KED:plh