



California Fair Political Practices Commission

November 22, 1989

Richard E. Archibald
Deputy City Attorney
812 Tenth Street
Sacramento, CA 95814-2694

Re: Your Request for Informal Assistance
Our File No. I-89-622

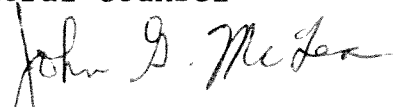
Dear Mr. Archibald:

We have received your letter of October 24, 1989 seeking written confirmation of the advice I provided in our recent telephone conversation. A copy of your letter and the exhibits referred to in your letter are attached for your convenience. This is to confirm that your letter accurately reflects the advice I provided.

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

Sincerely,

Kathryn E. Donovan
General Counsel


By: John G. McLean
Counsel, Legal Division

KED/JGM/aa

Enclosures



FPPC
Oct 25 2 47 PM '89

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CITY OF SACRAMENTO
CALIFORNIA

October 24, 1989

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SACRAMENTO, CA
95814-2694

916-449-5346

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John G. McLean, Esq.
Fair Political Practices Comm.
428 J Street
Sacramento, CA 95814

Re: **Mass Mailing Advice**

Dear Mr. McLean:

The purpose of this letter is to confirm our conversation of October 23, 1989, concerning sample mass mailings attached to my August 9, 1989 letter to Catherine Donovan, and also to thank you for your assistance in working through the mass mailing regulations.

The August 9, 1989 letter has five exhibits attached to it. With regard to these exhibits, you provided the following advice:

Exhibit 1: The description of the subject to be covered at the community meeting notice is perhaps too long and too detailed to be considered "concise" within the meaning of 2 Cal. Admin. Code §18901(f)(8). Provided that a "concise" description is furnished, the single reference to the councilmember being in attendance would be permissible.

Exhibit 2: The community meeting notice is proper and permissible, save and except the last sentence, "For further information, please call staff member at 111-2222." Inclusion of a telephone number is not considered to be part of the "concise" description permitted under §18901(f)(8).

Exhibit 3: Exhibit No. 3 is objectionable because of the inclusion of the "for more information" telephone number as well as its length and verbosity. Additionally, you questioned whether the event qualifies as a community meeting within the meaning of §18901(f)(8).

John G. McLean
Fair Political Practices Comm.
October 24, 1989
Page Two

Exhibit 4: Exhibit No. 4 is objectionable on the grounds that it includes a "for more information" telephone number. If the phone number information were excluded, the community meeting notice would be permissible under §18901(f)(8).

Exhibit 5: Community meeting notices may be set forth on standard City letterhead for the individual councilmember. In addition to the reference to the councilmember in the standard letterhead, the community meeting notice may also make one reference to the councilmember.

In addition to the advice concerning the five exhibits attached to my August 9th letter, we also discussed the David Shore community meeting notice that was the subject of Mr. Baugher's letters of August 3 and August 30, 1989. As Mr. Baugher indicated in his August 30, 1989 letter, the notice is considered objectionable by the FPPC because it included the "for more information" phone number, but it was not objectionable on the grounds of the size of the elected official's name. You advised that it is the FPPC's position that there was no limit on the size of print of the councilmember's name in a community meeting notice.

Please advise at an early opportunity if the foregoing does not accurately reflect the contents of our discussion. Once again, thank you for your time and patience in discussing the mass mailing provisions with me.

Very truly yours,



RICHARD E. ARCHIBALD,
Deputy City Attorney

REA/jmv



California Fair Political Practices Commission

October 27, 1989

Richard E. Archibald
Deputy City Attorney
921 Tenth Street, 7th Floor
Sacramento, CA 95814-2694

Re: Letter No. 89-622

Dear Mr. Archibald:

We received your letter requesting confirmation of advice under the Political Reform Act on October 25, 1989. Your letter has been assigned to John McLean for response. If you have any questions, you may contact Mr. McLean directly at (916) 322-5901.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

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

Sincerely,

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

Kathryn E. Donovan
General Counsel

KED:plh:confadv1