



California Fair Political Practices Commission

February 3, 1994

Walter W. Hansell
Cooper, White & Cooper
201 California Street, 17th Floor
San Francisco, CA 94111

Re: Your Request for Assistance
Our File No. G-94-029

Dear Mr. Hansell:

This is in response to your letter requesting information regarding advice provided to Charles Vose, City Attorney of Hermosa Beach. We have construed your letter to be a public records request for information pertaining to the advice. Enclosed please find a copy of notes taken during my conversation with Mr. Vose.

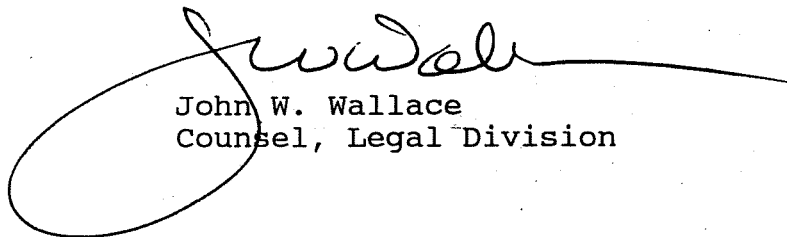
In addition, we have enclosed some general materials concerning the questions you have raised in your letter:

- o In re Thorner (1975) 1 FPPC Ops. 198 (discussing foreseeability).
- o Regulation 18702.2 (sets forth the materiality standards applicable to business entities).
- o Bell Advice Letter, No. I-93-337 (discussing the Commission's role in providing advice; the Commission does not act as the finder of fact).
- o Regulation 18329 (discussing the distinctions between Commission formal and informal advice) See also, Section 83114.

However, as you are aware, the Political Reform Act requires the Commission to provide advice only to persons whose duties under the Act are in question, or to that person's authorized representative. (Section 83114(b).) The Commission does not provide advice to third parties either formally or informally concerning another person's duties under the Act. (Regulation 18329(b)(8).) Thus, we have not evaluated the facts and materials you submitted with your letter.

If you believe a violation of the Act has occurred you should contact the Commission's Enforcement Division at (916) 322-6441.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wallace", with a large, sweeping flourish that loops back under the name.

John W. Wallace
Counsel, Legal Division