

RAVI MEHTA
CHAIRMAN



FAIR POLITICAL PRACTICES COMMISSION

October 10, 1996

Ms. Frieda M. Tadina
Post Office Box 376
Mt. Shasta, California 96067

Re: Your Request for Advice
Our File No. A-96-257

Dear Ms. Tadina:

This is in response to your request for advice regarding the conflict-of-interest provisions of the Political Reform Act (the "Act"), codified at Government Code Sections 81000-91015.

Pursuant to Section 83114(b) and Commission Regulation 18329, the Commission provides formal written advice and informal assistance to public officials concerning their duties under the Act. As we discussed, however, the Commission's legal division does not provide written advice or telephonic assistance to an individual if a complaint has been filed against that individual with the Commission's enforcement division, and the complaint involves the same issues that the individual is seeking advice about. (Regulation 18329(b)(8)(A) and (F).)

When I spoke with you on September 26, you informed me that a complaint may have been filed against you with the Commission. As there is in fact a complaint pending in the enforcement division, the legal division cannot provide advice concerning your participation as a planning commissioner in the City of Mt. Shasta's Land Development Code at this time. You will be notified by the enforcement division as to the disposition of the complaint.

If you have any further questions regarding this matter, please contact me at 916/322-5660.

Sincerely,

Steven G. Churchwell
General Counsel

By: Hyla P. Wagner
Counsel, Legal Division