



FAIR POLITICAL PRACTICES COMMISSION

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May 3, 2000

Geoffrey S. Johnson
2949 Lomitas Avenue
Santa Rosa, California 95404

Re: Your Request for Information
Our File No. G-00-102

Dear Mr. Johnson:

I am writing in response to your letter requesting information about the *Conner* Advice Letter, No. A-00-044, which was received on April 20, 2000, by the Fair Political Practices Commission.

The Political Reform Act (the "Act")¹ requires the Commission to provide formal written advice to any person with respect to the person's duties under the Act. (Section 83114(b).) However, the Commission does not provide advice to third parties regarding a public official's duties under the Act. Written advice is declined where the requestor is seeking advice about another person's duties under the Act and has not been authorized to do so by that person. (2 Cal. Code of Regs. Section 18329(b)(8)(B), copy enclosed.) Consequently, we are unable to provide assistance with respect to the issues you raise in your letter.

However, I will give a brief explanation to your questions. First, you questioned why we provided Mr. Conner with advice regarding CityVision. Mr. Conner was seeking advice as to whether the members of the board of directors of CityVision are public officials under the Act and therefore have duties and obligations under the Act. As the President of the Board of Directors of CityVision, Mr. Conner is authorized to seek advice on behalf of CityVision. (Regulation 18329(b)(1).)

Your second question is answered in the advice letter itself. We stated that CityVision is solely an advisory entity. A board or commission that does not possess decisionmaking authority pursuant to the provisions of Regulation 18701(a)(1), copy enclosed, is solely advisory in nature. Accordingly, its members are not public officials subject to the disclosure and disqualification provisions of the Act.

¹ Government Code Sections 81000-91015.


I hope this has provided some clarification for you. You also requested some other documents (i.e., Mr. Conner's request for advice and any related correspondence). Those may only be obtained after you make a formal Public Records Act request.

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

Sincerely,

Luisa Menchaca
Assistant General Counsel

By:


Jill Stecher
Staff Counsel, Legal Division

LM:JS:tls

Enclosures