

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-3662 322-3660 322-3901 322-6441

May 11, 1984

Frank J. DeMarco
County Counsel
County of Siskiyou
P.O. Box 659
Yreka, CA 96097

Re: Advice Letter No. A-84-113

Dear Mr. DeMarco:

Thank you for your request for advice on behalf of the Siskiyou County Airport Director. The Director owns an airplane hangar at the Scott Valley Airport, a County owned airport. He is leaving the Scott Valley area and will no longer need the hangar. He has offered to sell the hangar to the County for approximately \$1,000. You have asked whether this creates any conflict of interest.

Under the Political Reform Act, a public official cannot make or participate in any governmental decision which will materially affect his financial interests. Government Code Sections 87100, 87103. Thus the Director may not participate in the County decision on the purchase of his own airplane hangar.

The Director is not prohibited by the Political Reform Act from selling his hangar to the County, so long as he disqualifies himself from participating in the County's decision in any way, including making recommendations to the County Administrator. However, you may want to look at Government Code Section 1090 to decide whether he would have a problem with this sale under any other provision of law.

If I can be of any further help in this matter, do not hesitate to call.

Very truly yours,


Barbara A. Milman
General Counsel

BAM:plh

FRANK J. DEMARCO
COUNTY COUNSEL

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304 LANE STREET - P.O. Box 659

YREKA, CALIFORNIA 96097

April 24, 1984

Fair Political Practices Commission
1100 K Street
Sacramento, CA 95814

Re: Request for advice

Dear Commission Members:

This letter is written on behalf of the Siskiyou County Administrator, the Siskiyou County Airport Director, and the Siskiyou County Board of Supervisors seeking your advice with regard to whether a conflict of interest would exist concerning the purchase by the County from the Siskiyou County Airport Director of his personal airplane hangar situated at the Scott Valley Airport which is a County-owned airport. The hangar is situated on County-owned property and is valued at approximately \$1,000. This hangar, in addition to being able to house an airplane, houses the County well and airport lighting system for the Scott Valley Airport. The Airport Director will no longer be residing in the Scott Valley area and does not need the hangar in order to house his airplane. He has offered to sell the hangar to the County for approximately \$1,000 and the County Administrator has recommended, if legally appropriate, for the County to purchase the hangar since it does serve to house the County well and airport lighting system.

Your advice with regard to the foregoing would be greatly appreciated.

Thank you in advance for your anticipated courtesy.

Very truly yours,

OFFICE OF COUNTY COUNSEL



FRANK J. DEMARCO
County Counsel

FJD:rw

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