

State of California



Fair Political Practices Commission

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Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-3662 322-3660 322-5901 322-6441

May 31, 1984

Judy Fowler
319 Quail Terrace
Ben Lomond, CA 95005

Re: Your Request for Advice
Our No. A-84-140

Dear Ms. Fowler:

This is to confirm advice rendered in response to your telephone request for advice on May 25, 1984. You are a member of the Board of Directors of the San Lorenzo Valley Water District, a public agency. As such, you are a public official subject to the conflict of interest provisions of the Political Reform Act.^{1/} The District has designated various areas for eventual connection to sewer facilities and these areas have been ranked by priority, with "Class 1" being scheduled to receive services first. Existing residences currently utilizing septic tanks will be required to connect to the sewer facilities when those services are extended to their areas. This will be costly for these homeowners.

Your grandparents reside in a home which is situated within an area currently designated as "Class 1." The residents of the street where they live (including your grandparents) have requested that their street be removed from Class 1. This would have the practical affect of saving your grandparents a substantial sum for sewer connection costs. You have no financial relationship with your grandparents; however, in light of their close familial relationship to you and in light of the foregoing facts, you wish to know whether or not you are required to disqualify yourself from participating in the decision on whether to grant the request for removal from the "Class 1" area.

^{1/} Government Code Sections 81000-91014. All statutory references are to the Government Code.

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As I advised you over the telephone, the familial relationship with your grandparents is not a basis for disqualification under the Political Reform Act. The Act prevents official actions where an appearance of conflict of interest exists because of an official's private financial dealings. The Act currently does not deal with interpersonal relationships. Since you have no financial relationship with your grandparents (you do not have an investment in them, are not employed by them and they are not a source of income to you), there is no basis for disqualification under the Political Reform Act.

Should you have any questions regarding this advice, please do not hesitate to call me at (916) 322-5901.

Sincerely,

Robert E. Leidigh
Counsel
Legal Division

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