

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) 322-5662 322-5660 322-5901 322-6441

November 20, 1984

Robert A. Vermillion
31955 Corydon Street
Lake Elsinore, CA 92330

Re: Your Request for Advice;
Our Advice No. A-84-267

Dear Councilman Vermillion:

This letter is written in response to your letter of November 6, 1984. The purpose of this letter is to provide you with a general discussion of the conflict of interests provisions of the Political Reform Act. Please note that the letter sent by Lake Elsinore City Attorney, John Harper, was a request for advice, rather than a complaint. Because you did not consent to this request, I will not be providing Mr. Harper with specific advice concerning your responsibilities under the Act. I have sent him a copy of this letter and your letter.^{1/}

DISCUSSION

Government Code Section 87100^{2/} prohibits a public official from making, participating in the making, or in any way attempting to use his official position to influence^{3/} a governmental decision if he knows or has reason to know that he has a financial interest in the decision. An official has a "financial interest" in a decision if it is reasonably

^{1/} I have enclosed a copy of his letter to the Commission.

^{2/} Hereinafter all statutory references are to the Government Code unless otherwise indicated.

^{3/} For an explanation of these terms, see the enclosed copy of 2 Cal. Adm. Code Section 18700.

Robert A. Vermillion
November 20, 1984
Page 2

foreseeable that the decision will have a material financial effect^{4/} on:

(a) Any business entity in which the public official has a direct or indirect investment worth more than one thousand dollars (\$1,000).

(b) Any real property in which the public official has a direct or indirect interest worth more than one thousand dollars (\$1,000).

(c) Any source of income, other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the public official within 12 months prior to the time when the decision is made.

(d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management.

Section 87103.

If, after reading this general discussion, you desire specific advice, please feel free to contact the Commission's Legal Division. You will need to provide the staff with additional information about your financial interests. Please note that the advice contained in this letter is limited to the provisions of the Political Reform Act. The provisions of Section 1090 are under the jurisdiction of the Attorney General's Office.

Very truly yours,

Janis Shank McLean
Janis Shank McLean
Counsel
Legal Division

JSM:km
Enclosures

^{4/} For an explanation of this phrase, see the enclosed copy of 2 Cal. Adm. Code Section 18702.

Riverside, CA
(Riverside Co.)
Press Enterprise
(Cir. D. 125,053)

NOV 29 1984

Allen's P. C. B. Est. 1888

Vermillion to seek state airstrip opinion

293

By DAVID L. CASH
Rancho California and
Lake Elsinore Bureau

LAKE ELSINORE — City Councilman Robert Vermillion said yesterday he was surprised when the state's Fair Political Practices Commission recently refused to say whether he has a conflict of interest regarding the local airstrip.

FPPC spokesmen announced a week ago that the commission cannot respond to City Attorney John Harper's request because Vermillion didn't ask for the opinion himself or authorize Harper to ask for it.

Vermillion said he is willing to request the FPPC opinion.

Vermillion has said there is

no conflict of interest between his duties as a council member and his occasional acts as an unpaid representative for the airstrip's owner. He also uses the runway for business flights in his private plane.

Until other council members removed him from the council's airport advisory commission, that position was among his duties.

Other council members are not so sure there isn't a potential conflict of interest. In October, they directed City Attorney Harper to ask the FPPC for an opinion.

Vermillion wasn't present when the council directed Harper to seek the opinion, and he said

yesterday he never knew his consent was required. He said he was not asked for it.

He said he learned about the FPPC policy for giving opinions a week ago, when everyone else did. Now that he knows, he is willing to authorize the request, with the condition that he agrees with the way the situation is described to the FPPC.

Councilman Leon Strigotte, who has led the move to obtain an FPPC ruling on the matter, said he was pleased to hear that Vermillion would consent to a request. However, Vermillion could eliminate any conditions or further delays by preparing his own request and delivering it to the FPPC, Strigotte said.

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FAIR POLITICAL PRACTICES COMMISSION
1100 K STREET
SACRAMENTO, CALIF. 95814

IT IS MY UNDERSTANDING THAT THE LAKE ELSINORE CITY ATTORNEY JOHN R. HARPER HAS SENT YOU A LETTER CHARGING ME WITH VIOLATIONS OF FAIR POLITICAL PRACTICES RULES. ORDINARILY I WOULD REFER LEGAL MATTERS SUCH AS THIS TO MY ATTORNEY. IN THIS INSTANCE HOWEVER I CANNOT CONTROL MY RAGE AND DISGUST AND WILL ADDRESS THIS ISSUE PERSONALLY!! THE CHARGES MADE AGAINST ME BY COUNCILMAN STRIGOTTE ARE; THAT I AM IN VIOLATION OF GOVT. CODE 1090 REGARDING CONFLICT OF INTEREST AND THAT MY STATEMENT OF ECONOMIC INTEREST SHOULD BE REVIEWED.

THIS CONCERN SUPPOSEDLY CENTERS AROUND THE FACT THAT I WAS APPOINTED BY THE MAYOR TO CHAIR THE AIRPORT ADVISORY COMMITTEE. THIS POSITION IS ONLY AN ILLUSORY ONE SINCE WE DO NOT HAVE AN AIRPORT IN THE ORDINARY FRAME OF REFERENCE AND ESSENTIALLY HAVE NOT HAD ONE SINCE IT WAS DESTROYED BY THE 1980 FLOOD. PRIOR TO 1980 THE AIRPORT WAS A PRIVATELY OWNED PUBLIC USE AIRPORT. SINCE 1980 IT HAS BEEN A PRIVATELY OWNED AIRPORT RESTRICTED TO PRIVATE USE. ALL BUT ONE OF THE RUNWAYS ARE STILL UNDER WATER AND THE REMAINING RUNWAY IS UNDER THE WATER MUCH OF THE TIME.

THE CITY COUNCIL OVER THE YEARS UNDER PRESSURE FROM LAND DEVELOPERS TO TURN THE AIRPORT INTO TRACT HOUSING CONTRACTED FOR THREE DIFFERENT LAND USE FEASIBILITY STUDIES OF THE AIRPORT PROPERTY. THIS WAS DONE WITH THE IDEA OF CHANGING THE ZONING FROM "AIRPORT" TO "R1,R2 & R3". UNFORTUNATELY FOR THE DEVELOPERS THE EXPENSIVE STUDIES DONE AT TAXPAYERS EXPENSE KEPT COMING BACK WITH "AIRPORT USE ONLY" RECOMMENDATIONS!!

IN VIEW OF THIS FACT AND THE FACT THAT THE AIRPORT, BEFORE IT WAS DESTROYED WAS A SUBSTANTIAL ECONOMIC ASSET TO THE COMMUNITY, THE MAYOR'S INTENT OF ASSIGNING ME TO CHAIR THE AIRPORT ADVISORY COMMITTEE WAS TO ASSIST IN ITS ECONOMIC REDEVELOPMENT. THIS ASSIGNMENT WAS MADE BECAUSE OF MY 37 YEAR AVIATION BACKGROUND AS A LICENSED AIRFRAME AND POWERPLANT MECHANIC, COMMERCIAL PILOT AND AERONAUTICAL ENGINEER. IT HAS BEEN THIS CITY COUNCILS PRACTICE AS WELL AS ALL OTHER GOVERNMENTAL ORGANIZATIONS TO PLACE PEOPLE IN POSITIONS OF THEIR EXPERTISE. COUNCILMAN MATSON WHO IS IN COMMERCIAL REAL ESTATE DEVELOPMENT WAS APPOINTED TO CHAIR THE REDEVELOPMENT AGENCY WHICH IS THE SECOND HIGHEST POST IN THE COUNCIL NEXT TO THE MAYOR. R.D.A. IS TOTALLY INVOLVED IN REAL ESTATE DEVELOPMENT AND AGAIN THAT WAS MATSON'S EXPERTISE. COUNCILMAN STRIGOTTE WHO IS A POLICEMAN BY TRADE WAS ASSIGNED TO CHAIR THE DISASTER PREPAREDNESS COMMITTEE AND AT THE PRESENT TIME IS FORMULATING THE PUBLIC SAFETY(POLICE) COMMISSION WHICH HE FULLY EXPECTS TO CHAIR. BEFORE I WAS ELECTED TO COUNCIL I BECAME AWARE OF AN APPARENT CONSPIRACY BY REAL ESTATE DEVELOPERS TO TAKE OVER THE ENTIRE LAKE PERIMETER AS WELL AS THE AIRPORT. THIS ACQUISITION WAS AND IS BEING ACCOMPLISHED BY KEEPING LAKE ELSINORE'S OUTFLOW CHANNEL PLUGGED AND USING THE LAKE'S WATER AS A BLIGHTING TOOL. THE UNLAWFUL APPROVAL OF A REDEVELOPMENT

AGENCY WAS THEN INTRODUCED TO USE AS THE TOOL FOR CONDEMNATION AND TO GREASE THE SKIDS FOR THE LAND ACQUISITION BY DEVELOPERS WITH CITY GOVERNMENT ASSISTANCE. TO PUT A STOP TO THIS ILLEGAL AND UNCONSTITUTIONAL ACTIVITY I INITIATED AND SUBMITTED A PETITION REQUEST TO THE U.S. DEPT. OF JUSTICE ON JUNE 12, 1984 FOR A FEDERAL GRAND JURY INVESTIGATION. NO ACTION HAS BEEN TAKEN ON THIS REQUEST AT THIS TIME.

I HAVE NEVER HAD ANY DESIRE TO SERVE AS A PUBLIC OFFICIAL. I HAVE SERVED IN A MULTITUDE OF CIVIC AND CHARITABLE POSITIONS IN MY LIFETIME AND HAVE BEEN OVERLY REWARDED BY NUMEROUS ACCOLADES. MY RUNNING FOR CITY COUNCIL WAS THE RESULT OF CONSIDERABLE PERSUASION BY A SIGNIFICANT NUMBER OF CONCERNED CITIZENS. I RAN AND WAS ELECTED ON A LAW AND ORDER REFORM PLATFORM. EVERY EFFORT I HAVE MADE TO OBTAIN REFORM HAS BEEN BLOCKED BY THE OTHER MEMBERS OF THE COUNCIL. THIS CURRENT CONCENTRATED SMEAR TACTIC AND THE TOTAL UNFOUNDED ACCUSATIONS ARE AN EXAMPLE OF THEIR LATEST EFFORT.

AS YOU HAVE PROBABLY ALREADY DETERMINED BY REVIEW OF MY "STATEMENT OF ECONOMIC INTEREST" MY TOTAL INCOME IS DERIVED FROM THE GENERAL ELECTRIC COMPANY IN CINCINNATI, OHIO FOR WORK I PERFORM OUTSIDE OF RIVERSIDE COUNTY AND FROM A TRAVEL AGENCY OUTSIDE OF BOTH THE CITY LIMITS AND THE CITY'S SPHERE OF INFLUENCE.

THE CHARGE THAT I AM AN UNPAID "AGENT" FOR THE AIRPORT OWNER RESULTS FROM A WORD COINED BY THE COUNTY SHERIFF'S DEPT. THAT TERMINOLOGY CAME ABOUT FROM A PHONE CONVERSATION BETWEEN A SHERIFF'S DEPUTY AND THE AIRPORT OWNER IN CONNECTICUT. ACTING AS A GOOD NEIGHBOR I HAD CALLED THE SHERIFFS DEPT TO REPORT THE THEFT OF THE ALUMINUM ROOF FROM THE HANGAR BUILDING AND A HAZARDOUS TRESPASSING SITUATION ON THE AIRPORT PROPERTY. SINCE THE OCCURRENCES WERE BECOMING REPETITIVE THE AIRPORT OWNER ASKED THE SHERIFF TO LOOK TO ME FOR SOME DIRECTION IN HIS ABSENCE. I AM NOT THE ONLY RESIDENT NEXT TO THE AIRPORT THAT HAS BEEN OBLIGATED TO PERFORM THIS ROLE. WE DO IT TO SOME EXTENT TO PROTECT OUR OWN PROPERTY FROM THEFT AND TRESPASSING BECAUSE WE KNOW IF CONTROL IS LOST ON THE LARGE AIRPORT ACREAGE WE WILL BE THE NEXT TO BE THREATENED.

AS FAR AS THE CHARGE OF CONFLICT OF INTEREST INVOLVING THE AIRPORT, NOT ONE ITEM HAS COME ACROSS THE COUNCIL TABLE FOR MY VOTE INVOLVING THE AIRPORT. IF IT HAD I WOULD HAVE ABSENTED MYSELF FROM THE COUNCIL CHAMBER AND REFRAINED FROM VOTING. THE STATEMENT IN THE PRESS THAT I HAD REQUESTED AN AIRPORT ITEM ON THE AGENDA WAS AN OUTRIGHT LIE!! THAT ITEM WAS PLACED ON THE AGENDA BY THE OTHER COUNCIL MEMBERS AND WAS DONE FOR THE PURPOSE OF INITIATING A COUNCIL ACTION TO ABOLISH THE AIRPORT AND FOR THE PURPOSE OF APPOINTING COUNCILMAN MAISON NO LESS TO CHAIR THE AIRPORT POST INSTEAD OF MYSELF. MY NEIGHBORS AND MY FEARS AND SUSPICIONS HAVE NOW BEEN REALIZED!!. INCREDIBLY I WAS THEN CHARGED BY COUNCILMAN STRIGOTTE WITH HAVING A CONFLICT OF INTEREST IN THAT I EXIT FROM MY COMBINATION TWO BEDROOM HOUSE, OFFICE & HANGAR IN MY AIRPLANE TO GO TO WORK. SOMETHING I HAVE BEEN DOING FROM ELSINORE FOR THE LAST TWELVE YEARS. MY HOME ON CORYDON STREET ABUTTS THE AIRPORT AND I LIVE THERE WITH MY DISABLED SON. HE HAS TWO CATS WHICH I AM ALLERGIC TO AND HE KEEPS HIS CATS IN MY CAMPING TRAILER AND LISTENS TO HIS ROCK

MUSIC IN THERE WHILE I DO MY OFFICE WORK. WHEN I BOUGHT MY PROPERTY IT WAS ZONED AGRICULTURE/RESIDENTIAL. THERE ARE HOMES ON BOTH SIDES OF ME AND ACROSS THE STREET. I ENCOURAGED SOME OF MY FLYING FRIENDS TO BUY PROPERTY ALONG CORYDON ROAD WHEN I DID SO WE COULD REALIZE OUR BOYHOOD DREAMS OF A HANGAR HOUSE COMBINATION. WE ALSO HAD THE ENTHUSIASTIC SUPPORT OF THE AIRPORT OWNER WHO WANTED AVIATION ORIENTED RESIDENTIAL NEIGHBORS. THE CITY CAME ALONG LATER HOWEVER AND DECIDED THEY WANTED US ZONED COMMERCIAL AND THEN TURNED AROUND AND REZONED US "FLOODPLAIN" WHICH WAS A DELIBERATE TRICK TO REDUCE THE VALUE OF OUR PROPERTY IN PREPARATION FOR THEIR EMINENT DOMAIN, CONDEMNATION REDEVELOPMENT AGENCY SCHEME!! TO FIGHT AGAINST THIS I CIRCULATED A PETITION AMONG OUR TEN CONTIGUOUS NEIGHBORS TO DEANNEY BACK INTO THE COUNTY AND RECEIVED 100% PARTICIPATION. THE CITY GOVERNMENT HOWEVER BECAUSE OF THEIR R.D.A. PLANS FOR OUR PROPERTY AND THE FACT THAT WE WOULD BE A BARRIER TO THEIR AGGRESSIVE ANNEXATION DESIRES TO EXTEND THE CITY LIMITS INTO THE JACK NICKLAUS DEVELOPMENT REJECTED OUR PETITION. WE CONTINUE TO SUFFER AND BE HARRASED IN THE DESIRE TO UTILIZE OUR PROPERTY IN ACCORDANCE WITH OUR CONSTITUTIONAL RIGHTS.

RESPECTFULLY YOURS,



ROBERT A. VERMILLION

LAW OFFICES OF
NAZAREK, HARPER, HOPKINS & McFARLIN

EUGENE A. NAZAREK*
JOHN R. HARPER*
IVAN L. HOPKINS
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OCT 17 11 57 AM '84
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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*A PROFESSIONAL CORPORATION

BRET H. REED, JR.
OF COUNSEL

October 15, 1984

Diane Fishburn
Fair Political Practices Commission
1100 K Street Building
Sacramento, California 95814

Re: Advice Letter - City of Lake Elsinore

Dear Diane:

The purpose of this letter is to request a formal advice letter concerning a potential conflict of interest involving a City Councilman for the City of Lake Elsinore. The underlying facts are as follows.

There presently exists a privately owned airport within the City limits of Lake Elsinore. Several years ago, the airport was flooded and has not been used on a regular basis since that time. The owner of the airport is planning to reopen it and has had discussions with both the City and developers. A housing tract is being developed adjacent to the present airport and one of the concerns expressed by the Council through an environmental evaluation is the potential impact of the airport on that development.

City Councilman Robert Vermillion owns a hangar adjacent to the airport runway and operates a plane out of that hangar. The plane is, incidentally, used in his business. In addition, he claims the hangar as his residence, for the purpose of holding office. It appears that he, or a member of his immediate family actually live in the hangar structure on at least an intermittent basis. Mr. Vermillion acts as an agent for the owner of the airport in discussions with developers concerning the development of the airport and any additional property uses. He does so without compensation.

LAW OFFICES OF
NAZAREK, HARPER, HOPKINS & MCFARLIN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

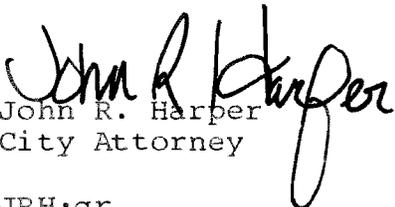
Diane Fishburn
October 15, 1984
Page Two

Because of the potential development and because of the desire of the property owner to reopen and redevelop the airport, including the realignment of runways and the development of accessory uses, the viability of the airport in general has been the subject for Council discussion. The development of the airport will require site development approval by the City Council. Presumably an environmental impact report will be required on any airport development. The Council is also considering amending its Zoning Code to place additional and/or different constraints on the operation and development of the airport.

Must Councilman Vermillion disqualify himself from discussion and voting on issues related to the airport as a consequence of a conflict of interest?

Thank you for your consideration. I am hoping that you can provide a response fairly quickly, since, as you can imagine, the development of the airport is a rather significant issue in the City. If you would like additional information, please don't hesitate to give me a call.

Yours truly,


John R. Harper
City Attorney

JRH:gr

June 12, 1984

Department of Justice
Federal Building
Washington, D.C. 20530

We, the undersigned residents of the Lake Elsinore Valley, Riverside County, State of California, do hereby petition for a Federal Grand Jury investigation. We grievously petition for such an investigation because we feel that a group of individuals and public agencies have collectively or individually conspired against us to violate our constitutional rights. All our efforts at both regaining and protecting our rights through constitutional procedures have been restricted in one way or the other to the point we have become severely frustrated and angry and are bordering on Anarchy!

Our problems seem to center with the following organizations:

Federal Bureau of Investigation
U. S. Corps of Engineers
State Attorney General's Office
State Parks and Recreation Department
Riverside County Flood Control District
Elsinore Valley Municipal Water District
Riverside County Board of Supervisors
Local Agency Formation Commission
Temescal Water Company (Daon Corp.)
City of Lake Elsinore

Specific charges against the individual organizations are as follows:

Federal Bureau of Investigation:

Numerous visits to the local FBI office by residents and City Councilmen to obtain advice and guidance in the resolution of our problems have only resulted in a display of lack of interest and promise of follow-up which never occurred. They have stated that they act only in areas of public corruption and misuse of federal funds. We have indicated to them that we feel both are involved and still no action has been forthcoming on their part.

6. Overpumping the unreplenishable water table by building and installing "super well" stations and storing water far in excess of their needs to the detriment of the adjacent water districts.

Riverside County Board of Supervisors:

This Board has failed in its duties to coordinate, assist and counsel the City of Lake Elsinore, which is one of its constituents, in the areas of flood control, over annexation and overtaxing itself with excessive residential development.

Local Agency Formation Commission of State of California:

This Commission is guilty of the same charges as the County Board of Supervisors.

Temescal Water Company (Daon Corp.):

This company is responsible for the many millions of dollars worth of flood damage suits lodged against the City of Lake Elsinore, County of Riverside and State of California because of its mismanagement of water control and disbursements, and because of its Tilley Agreement "law" that has put itself above the law of the people. This company owns the Railroad Canyon Dam and if the operational problem with the floodgate doors as reported in the media do exist, they should take steps immediately to rectify this situation by draining Canyon Lake and repairing the door before next year's rainy season starts.

City of Lake Elsinore:

1. The Council of this City has taken NO affirmative action in the direction of flood control other than a minuscule acquiring of property with county funds for a flood control channel which will not even be adequate in size. It instituted two redevelopment agencies within its boundaries for the purpose of restoring the City from its flood ravaged condition and to prevent future flood damage, but is proceeding to squander the money away in questionable bond fees, covering over-expenditure of City funds through mismanagement and excessive administration costs and by directing the money into areas completely outside the intended scope of the R.D.A. law.
2. The City is totally engulfed in unsatisfied and outstanding law suits because of flood damage suits and has neither the insurance coverage, nor any other type assets to satisfy these suits. Its City Attorney is so involved in profiting from R.D.A. and other type bond sales that he has neither the time, nor inclination to

U. S. Corps of Engineers:

Complete disregard of our flooding problems; specifically with regard to the flood damage being caused by the San Jacinto watershed into Canyon Lake and Lake Elsinore. Suggestions to reroute the San Jacinto River back into its historical channel down Wasson Creek and down Temescal Wash, thereby preventing its entry into Lake Elsinore have been repeatedly ignored. Additionally, they have taken no action to rectify the potential threat of Railroad Canyon Dam rupturing or total evacuation of Canyon Lake into Lake Elsinore at the critical point of the flood season. These two threats exist because one of the two flood gate doors is damaged and will not close if opened.

State Attorney General's Office:

This office is ignoring repeated violations of its own laws regarding misuse of federal approved redevelopment agency funds, federal flood insurance funds and school funds and its conflict of interest laws.

State Parks and Recreation Department:

This organization has systematically and repeatedly over the years deliberately misled the people of this area relative to actions which they were supposedly taking in regards to the stabilization of Lake Elsinore. They have made study after study of the problems over the years at the expense of the taxpayer, and have accomplished NOTHING!! They are currently in the process of doing this for the fifth time!

Riverside County Flood Control District:

This agency which should be the leader in addressing our flood control problems has become totally ineffective because of the bureaucratic and legal restraints imposed on them by the other agencies being charged in this petition.

Elsinore Valley Municipal Water District:

This pseudo governmental controlled organization has gone completely out of control as the result of the action of the majority of its directors. Examples are:

1. Exorbitant water meter installation charges.
2. Exorbitant water usage rates.
3. Exorbitant standby fee assessments which are being piggy backed one on top of another on the citizens' tax bills.
4. Total negligence in providing sewer service.
5. Contributing, aiding and abetting the State Park and Recreation Department in misleading the public relative to lake stabilization.

P E T I T I O N

The following owners of property identified by parcel numbers below do hereby petition for de-annexation from the City of Lake Elsinore and a return to their Riverside County status. The reasons for this request are many, but primarily are the result of the following:

- A. The City's promise of City Police and City Fire protection as an inducement for annexation was not fulfilled. We still have County Sheriff and County Fire protection. Additionally, we were denied County Sheriff's protection during the 1980 flood by specific orders of the Lake Elsinore City Council.
- B. The City's promise of protection of our commercial and residential zoning as an inducement for annexation is now being systematically destroyed by the Lake Elsinore City Council. Through a series of ordinances passed by the City Council over our strenuous objections, we have had our property zoning classification changed from "Residential and Commercial" to "Flood Plain" because of the uncontrolled level of the lake. All our personal and combined efforts to obtain stabilization of the lake and protection from its flood waters have been countered by the City of Lake Elsinore. Examples are: Refusing to initiate on their own or to assist us in obtaining funds for flood channel construction; refusing to assist us in cleaning out the outflow ditch and instructing the County Sheriff's Department to arrest us when we tried to do it on our own; passing an unduly restrictive ordinance prohibiting us from building dikes and sand bagging around our homes to protect them from the uncontrolled lake. All these actions are interpreted by us as a deliberate act to cause our property be "blighted".
- C. As a result of our "Flood Plain" zoning we have not been permitted to develop our property and have been severely restricted in its use.
- D. All requests for even limited use of our property have been conditioned by the City to donate land to the City and to pay exorbitant permit and capitalization fees far exceeding the cost of our proposed development investment.
- E. The City's most recent ordinance of placing our property under the jurisdiction of a city run redevelopment agency has subjected all our property to possible condemnation and eminent domain proceedings that will permit the City to take possession of our property at their will if they judge our property to be blighted.
- F. The combined effect of the flood plain rezoning, together with the threat of seizure through redevelopment processes, have reduced the current appraised value of our property to a fraction of its original "Commercial and Residential Zoned" value.

COUNCILMAN VERMILLION'S

DISCUSSION OF THE OUTFLOW CHANNEL

THE FOLLOWING INFORMATION IS BEING SUBMITTED TO CORRECT THE DISTORTIONS OF TRUTH REPORTED BY THE SUN TRIBUNE. THE FACTS IN CHRONOLOGICAL ORDER ARE;

1. MY FIRST PROPOSAL TO THE CITY COUNCIL BEFORE I WAS ELECTED WAS TO START IMMEDIATE CONSTRUCTION OF THE 7 MILLION DOLLAR RIVERSIDE COUNTY FLOOD CONTROL CHANNEL DESIGN THAT HAD BEEN REJECTED BY THE VOTERS ON A COUNTY BALLOT TWO YEARS PREVIOUSLY. THE COUNCIL REFUSED TO PLACE A NEW BOND INITIATIVE ON A CITY BALLOT.

2. MY SECOND PROPOSAL TO THE CITY COUNCIL THREE WEEKS AFTER I WAS ELECTED WAS FOR A BARE BONED VERSION OF THE COUNTY PLAN THAT WOULD COST 3 1/2 MILLION. THAT WAS REJECTED!

3. MY THIRD PROPOSAL MADE DURING BUDGET HEARINGS WAS FOR "EXCAVATION ONLY" MONEY. MY REQUEST WAS REJECTED BY THE COUNCIL WITH THE FLIPPANT REMARK THAT THE COUNCIL WOULD LET ME AND OTHER CONCERNED PARTIES GO DIG IT OUT OURSELVES WITHOUT THREAT OF ARREST AS HAD OCCURRED WHEN WE TRIED TO DIG IT OUT LAST YEAR. I THEN REQUESTED \$250,000 FROM THE COUNCIL FOR DIESEL FUEL FUNDS AND THAT WAS ALSO REJECTED.

4. CONCURRENT DISCUSSIONS WITH TEMESCAL WATER COMPANY RESULTED IN THREATS OF LAWSUITS AGAINST THE CITY IF WE DRAINED AS MUCH AS ONE FOOT OF WATER OFF THE LAKE OR IF WE DISTURBED THEIR 30 INCH IRRIGATION WATER LINE IMBEDDED IN THE SIDE OF THE CHANNEL. THE COUNTY FLOOD CHANNEL DESIGN WAS FOR A MAX FLOW RATE OF 6,000 CUBIC FEET PER SECOND. THIS REQUIRED A MINIMUM WIDTH ACROSS THE CHANNEL TOP OF 100 FEET. UNFORTUNATELY THE CITY HAD ONLY PURCHASED PROPERTY IN 100 FOOT WIDTH INCREMENTS WHICH WAS FINE FOR THE CHANNEL, BUT DID NOT PROVIDE THE ADDITIONAL 15 FEET NEEDED ON EACH SIDE FOR A MAINTENANCE SERVICE ROAD. THE ONLY SOLUTION TO THIS WAS TO SERVICE THE CHANNEL WITH A ROAD IN THE BOTTOM OF THE CHANNEL WHICH IS 40 FEET IN WIDTH. AS A RESULT OF THE THREE PROBLEMS MENTIONED IT WAS PROPOSED THE CHANNEL BE EXCAVATED TO 1245 FEET AND THAT TEMESCAL'S 30 INCH LINE BE MOVED TO THE BOTTOM OF THE DITCH (WHICH THEY WERE AGREEABLE TO) AND THE DITCH BE FILLED WITH

Council ponders permanent disbanding of local airport

BY BETH ALLEN

LAKE ELSINORE — Mayor Pro-tem Leon Strigotte queried the rest of the council at the Tuesday, Oct. 9, meeting regarding whether the former Skylark Airport should be permanently abandoned.

Councilman John Matson asked for a legal opinion on the airport land owner's vested rights and asked, "Do we have to allow an airport," and answered his own question by stating "Maybe we don't have to have one."

Councilman Larry Knight said the city needs an airport but not in its present location. At that point Councilman Robert Vermillion said, "I don't believe this council!" and gathering up his papers, waded out of the council chambers.

Vermillion had attempted to explain the plans airport owners have for partially restoring the field which was completely inundated during the 1980 flood and has been closed since that time.

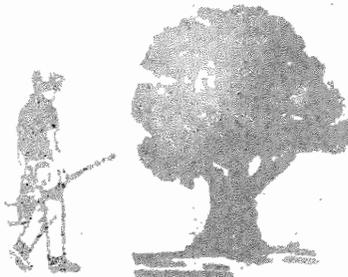
Paul Prebble, owner of a large

building and a portion of the airport land, had made a special trip from Downey to acquaint the council with his plan to construct a paved runway so that his business of converting turbo jet airplanes could be headquartered here. He would hire about 35 local people. Matson, stating Prebble's appearance was "premature," refused to allow him to speak.

Vermillion said the most recent feasibility report received from a firm specializing in that type of surveys and which cost the city \$1,600 had plainly stated that the best use of that land was an airport.

Vermillion tried to state the plan which owners of the land favored, but was interrupted by Strigotte demanding that Vermillion be removed from the airport advisory committee. Mayor Arts Valenzuela complied by appointing Matson to work with Jim Corocoran, city planner, and Ron Molendyk, the new city manager, to determine what, if any, vested interests the land owners have.

NOW ENROLLING 84/85



KIDS COUNTRY

KINDERGARTEN-5TH GRADE

TEACHING CHILDREN:

• ACADEMIC EXCELLENCE
GOD CENTERED A BEKA CURRICULUM

• TRUE GRACE/NESS
IN WISDOM, WITH, LOVE, GENTLENESS, COURAGE AND LOYALTY

• ANIMAL FRIENDLY
RESPONSIBILITY, ACCOUNTABILITY, ORDERLINESS
INITIATIVE, SELF-CONTROL & DETERMINATION

29411 BUNDY CANYON RD., LAKE ELSINORE 9:30 A.M.-6 P.M.

M.

BUNDY CANYON CHRISTIAN SCHOOL 674-1264

State of California



Fair Political Practices Commission

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

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October 23, 1984

John Harper
Lake Elsinore City Attorney
Nazarek, Harper, Hopkins
& McFarlin
2171 Campus Drive, Suite 330
Irvine, CA 92715

Re: A-84-267

Dear Mr. Harper:

Your letter requesting advice under the Political Reform Act has been referred to Janis Shank McLean, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

Barbara A. Milman
Barbara A. Milman
General Counsel

BAM:plh

be litigating the multitude of suits for the City.

3. The City has so completely over extended itself in the area of annexation and high density tract housing that it cannot possibly provide even minimal services to these new areas without bankrupting itself.
4. City administrative costs have gone completely out of control because of excessive hiring of personnel, many of whom are unqualified to perform their jobs which, in turn, is resulting in exorbitant subcontract labor costs.
5. The City of Lake Elsinore is so rampant with rumors of "sweetheart deals", violation of bidding procedures, violation of zoning and code enforcement law and intimidation of merchants, builders, city staff and even the City Councilmen that the City is on the brink of collapse.

The above listed problems and grievances can only be resolved by an organization that has the power to investigate, arbitrate and alleviate all the conditions, and it is imperative to the citizens of this community that the Federal Grand Jury assist us as soon as possible.

Thank you.