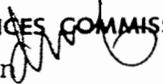


# Memorandum

To : Advice Files - Sections 84308, 87101

Date : May 2, 1985  
No. M-85-100

From : FAIR POLITICAL PRACTICES COMMISSION  
Diane Fishburn 

Subject: Section 84308 and Rule of Legally Required Participation

I advised Nancy Miller, lawyer for the Sacramento Transit Development Agency (Light Rail), that the rule of legally required participation in Section 87101 applies to the situation where 3 of the 5 governing board members were disqualified pursuant to Section 84308.

DMF:plh

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Subject: Section 84308 and Rule of Legally Required Participation

I advised Nancy Miller, lawyer for the Sacramento Transit Development Agency (Light Rail), that the rule of legally required participation in Section 87101 applies to the situation where 3 of the 5 governing board members were disqualified pursuant to Section 84308.

DMF:plh

Randal Friedman  
1360 Kelton #2  
Los Angeles, CA 90024

Barbara Millman, Chief  
Legal Division  
Fair Political Practices Commission  
PO Box 807  
Sacramento, CA 95814

SEP 22 11 00 AM '83

Dear Ms. Millman:

In response to a conversation between Mr. John Harrington and Bob Leidigh, wherein Senator Rosenthal requested my participation in the application of Mr. Murphy Dunne before the California Coastal Commission, I am seeking clarification of my participation pursuant to Section 83114(b) of the Government Code. This application has been scheduled before the Coastal Commission on September 29, 1983 so your prompt response would be appreciated.

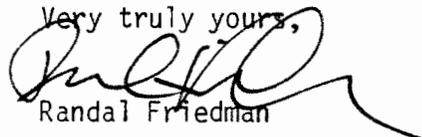
I was an employee of the Coastal Commission for three years. The first two years I was on the Permit Appeals staff in the San Francisco office, during which time I handled several major permits in the Malibu coastal zone. The last year of my employment I was assigned to the South Coast District and worked primarily on Malibu projects, including the Malibu Local Coastal Program. One of the cases I worked on was Murphy Dunne's previous application before the Commission, also for a single-family residence of a slightly different design.

My involvement in this matter is pursuant to a request from the Senator. I am not under contract with Mr. Dunne, nor am I receiving any compensation for my work or appearance before the Commission. I have not been designated in any way as such on the application for a coastal development permit.

It is my understanding based upon a conversation with Mr. Harrington of Senator Rosenthal's office that there does not exist any conflict of interest given these circumstances. It is my desire, however, to have a formal opinion rendered by the FPPC prior to the hearing before the Coastal Commission so as to not cast any doubt about this serious question.

Again, your prompt response given the short amount of time remaining would be most appreciated.

Very truly yours,



Randal Friedman