



California Fair Political Practices Commission

February 26, 1986

Walter J. Egan
505 East Lomita Boulevard, #1
Carson, CA 90745

Re: A-86-058

Dear Mr. Egan:

Your letter requesting advice under the Political Reform Act has been received by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact the Technical Assistance and Analysis Division at (916) 322-5662.

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,

A handwritten signature in cursive script that reads "Jeanne Pritchard".

Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh



California Fair Political Practices Commission

March 27, 1986

Walter J. Egan
505 East Lomita Blvd., #1
Carson, CA 90745

Re: FPPC No. A-86-058

Dear Mr. Egan:

This is in reply to your letter dated February 11, 1986, addressed to Robert Leidigh, concerning the campaign disclosure provisions of the Political Reform Act.

You enclosed with your letter a copy of a letter and a survey which were sent by you to the citizens of Carson. You indicated that the costs of the mailing were paid for by a foundation established by your mother, and asked us to determine whether or not the survey is a "non-political activity."

The Political Reform Act of 1974 provides that all "contributions" received by, and all "expenditures" made by a candidate or an officeholder must be disclosed on the candidate's or officeholder's campaign disclosure statements.

The Fair Political Practices Commission's regulation 2 Cal. Adm. Code Section 18215 provides that a "contribution" is a payment which is:

...received by or made at the behest of:

a candidate, unless it is clear from surrounding circumstances that the payment was received or made at his or her behest for personal purposes unrelated to his or her candidacy or status as an officeholder.
(Emphasis added)

FPPC regulation 2 Cal. Adm. Code Section 18225 provides that an "expenditure" is a payment which is:

...made by a candidate, unless it is clear from surrounding circumstances that the payment was made for personal purposes unrelated to his or her candidacy or status as an officeholder. (Emphasis added)

Walter Egan
March 27, 1986
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Based on these definitions, it is clear that the costs of the letter and survey you sent to the citizens of Carson are reportable.

In addition, it appears from the information provided on the "Exemption Application" for the Walter J. Egan Education Foundation which you enclosed, that the foundation may meet the definition of a "committee" under Gov. Code Section 82013(a). We believe the foundation meets the definition of a committee because some of the moneys received by the foundation appear to meet the definition of "contributions." In addition, at least some of the payments made by the foundation are "expenditures" (the payments for the costs of the letter and survey are "expenditures"). If the foundation meets the definition of a committee under Gov. Code Section 82013(a), it must file a Statement of Organization (Form 410) and campaign disclosure statements.

Please call me at (916) 322-5662, and we can discuss the obligation of the foundation to register and file reports as a committee.

Sincerely,

Jeanne Pritchard
Chief, Technical Assistance
and Analysis

JP:kt

FEB 14 9 13 AM '86

505 East Lomita Boulevard #1
Carson, California 90745
February 11, 1986

Fair Political Practices Commission
P. O. Box 807
Sacramento, California 95804

Attention of Mr. Robert Leidigh:

Dear Mr. Leidigh:

I am writing you in response to a telephone conversation that I had with Helen Arriola, Deputy Field Officer for the Los Angeles F.P.P.C. office on Monday, February 10, 1986.

During our conversation we discussed a survey that was recently sent to the community. I am enclosing within this letter a copy of that survey as well as a copy of the answer that was sent back to members of the community who so requested a response.

You will also find a copy of a newspaper article that gives the survey responses from a former survey in the form of a recap on its front page.

Some time ago my mother, Rosie T. Egan, wished to establish a foundation that would endeavor to cover and report the costs of non-political activities. Upon seeking the advice of an attorney, a foundation was formed.

I am sending you a copy of the first project that the foundation has been involved with. In discussing the merits of this program, it has been suggested to me that I seek the advice of the Fair Political Practices Commission on whether or not this would be considered non-political activity.

I, therefore, have called Helen Arriola and she has indicated to me that surveys are normally evaluated on a program by program basis.

Since I have just finished sending in my annual F.P.P.C. report to the City Clerk (July 1, 1985 to December 31, 1985), I want to make sure that I have done everything to comply with the law. Therefore, I am respectfully requesting your opinion on whether or not the subject survey is a non-political activity.

Most sincerely,


Walter J. Egan

EXEMPTION APPLICATION

DO NOT USE THESE SPACES SERIAL NO. AMOUNT REMITTED

Every organization that claims to be exempt must furnish the information and data specified and pay the REQUIRED \$25.00 APPLICATION FEE.

See instructions for FTB 3500 for guidance on completion and submission.

1a. Full name of organization: Walter J. Egan Education Foundation b. Federal Employer Identification Number: (Not yet assigned)

c. Mailing address of organization: 26365 Monte Vista Avenue, Lomita, California 90717 b. Telephone number: 213/326-7455

2a. Name of representative to be contacted: Arthur Forcier b. Telephone number: 213/877-5835 Representative's address: 11783 Laurelcrest Drive, Studio City, California 91604

3a. Is the organization incorporated? [X] Yes [] No b. If "Yes," in which state? California c. California Corporate Number: 1330012

4a. If not incorporated, what is form of organization? N/A b. Date organized c. Month in which the annual accounting period ends

5a. Has this organization or its predecessor previously applied for exemption? [] Yes [X] No b. If "Yes," check appropriate box(es) and enter "Granted" or "Denied" and date of determination for each box checked.

6a. Has organization filed Federal Income tax returns? [] Yes [X] No b. If "Yes," state type of returns and years filed.

7a. Enter California Revenue and Taxation Code section under which exemption claimed: Section 23701 b. Primary activity of organization: Non-partisan education of residents concerning: 1) laws and regulations affecting City Government and Voting; and, 2) Importance of Voting.

Table with 2 columns: Question, Yes/No. Contains questions 8a through 8g regarding organization status and compensation.

YOU MUST SUBMIT THE INFORMATION REQUESTED IN QUESTION 9, PAGE 2, OF THIS APPLICATION

NOTE: FOREIGN CORPORATIONS OR TRUSTS MUST SECURE A FEDERAL EXEMPTION AND FURNISH A COPY OF THE FEDERAL EXEMPT DETERMINATION LETTER.

Under penalties of perjury, I declare that I have examined this application, including accompanying schedules and statements and to the best of my knowledge and belief, it is true, correct and complete.

March 16, 1985 DATE Signature of Rosie T. Egan PRESIDENT Lomita, California PLACE SIGNED [Versions of this form prior to (10-83) are obsolete and should be destroyed.]

Section 23701 requires that each organization MUST PAY A \$25.00 APPLICATION FEE. Processing of the application cannot be completed until the application fee is received. DO NOT SEND CASH. ALLOW 45 DAYS FOR PROCESSING.

Application for Recognition of Exemption

Under Section 501(c)(3) of the Internal Revenue Code

For Paperwork Reduction Act Notice, see page 1 of the instructions.

To be filed in the key district for the area in which the organization has its principal office or place of business.

This application, when properly completed, constitutes the notice required under section 508(a) of the Internal Revenue Code so that an applicant may be treated as described in section 501(c)(3) of the Code, and the notice required under section 508(b) for an organization claiming not to be a private foundation within the meaning of section 509(a). (Read the Instructions for each part carefully before making any entries.) If required information, a conformed copy of the organizing and operational documents, or financial data are not furnished, the application will not be considered on its merits and the organization will be notified accordingly. Do not file this application if the applicant has no organizing instrument (see Part II).

Part I.—Identification

1 Full name of organization <u>WALTER J. EGAN EDUCATION FOUNDATION</u>		2 Employer identification number (If none, see instructions) <u>None - SS-4 attached</u>	
3(a) Address (number and street) <u>26365 Monte Vista Avenue</u>		Check here if applying under section: <input type="checkbox"/> 501(e) <input type="checkbox"/> 501(f)	
3(b) City or town, State, and Zip code <u>Lomita, California 90717</u>		4 Name and phone number of person to be contacted <u>Rosie T. Egan (213) 326-7455</u>	
5 Month the annual accounting period ends <u>December</u>	6 Date incorporated or formed <u>January 30, 1985</u>	7 Activity codes <u>125 124 </u>	
8 Has the organization filed Federal income tax returns or exempt organization information returns? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," state the form number(s), years filed, and Internal Revenue office where filed.			

Part II.—Type of Entity and Organizational Document (see instructions)

Check the applicable entity box below and attach a conformed copy of the organization's organizing document and bylaws as indicated for each entity.

Corporation—Articles of Incorporation and bylaws. Trust—Trust indenture. Other—Constitution or articles of association and bylaws.

Part III.—Activities and Operational Information

- 1 What are or will be the organization's sources of financial support? List in order of size.
- a. Individual donations by persons resident in the City of Carson.
 - b. Donations by businesses located in the City of Carson.
- 2 Describe the organization's fund-raising program, both actual and planned, and explain to what extent it has been put into effect. (Include details of fund-raising activities such as selective mailings, formation of fund-raising committees, use of professional fund raisers, etc.) Attach representative copies of solicitations for financial support.

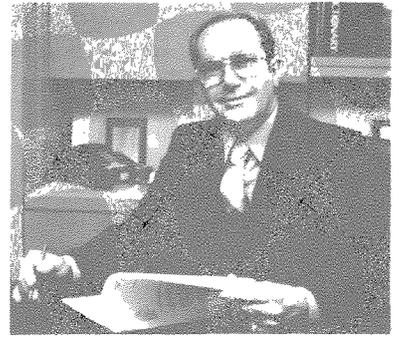
The Foundation personally contacts individuals and businesses in Carson. A campaign by mail or newspaper is not anticipated. Fund raising committees most likely will not be used. The Foundation does not intend to use professional fund raisers. The Foundation does not have any written solicitations for financial support.

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and I have examined this application, including the accompanying statements, and to the best of my knowledge it is true, correct, and complete.

Rosie T. Egan
(Signature)
Rosie T. Egan

President
(Title or authority of signer)
President

March 16, 1985
(Date)



WALTER "JAKE" EGAN
Carson City Council

Dear Citizen of Carson:

As your City Councilman I have solicited your thoughts and opinions on civic projects. This method of communication has brought an outstanding number of replies which has given me the opportunity to hear your concerns. It has also been very helpful to me in the development of City policies which are of benefit to our community.

The implementation of a sign program for citywide street sweeping is just one example. Another community suggestion was the removal of old, broken, unsightly bus benches with the replacement of the blue benches that are now in use.

Many of the questions that you will find on the reverse side have been suggested by citizens who have expressed their views at meetings and civic events. I meet many of you in the community and I am always pleased to hear your opinions and ideas. I find your input very valuable when I am called upon to make decisions that affect the City of Carson. With this idea in mind, I am sending this survey to expand my contact with those of you who wish to share your ideas and concerns. I am asking for your opinion and I would appreciate a few minutes of your time to let me know what you feel about your city and the direction you would like it to take.

I am looking forward to hearing from each and everyone of you. If I can be of service to you in any way, please feel free to give me a call.

Most sincerely,

WALTER J. "JAKE" EGAN
City Councilman

Survey questions on reverse side.....

1985 SURVEY QUESTION RETURN

1) The City of Carson recently cosponsored a FOURTH OF JULY CELEBRATION utilizing the velodrome at Cal State Dominguez Hills. Former survey responses indicate support for such programs. Would you be in favor of my continuing to notify survey responders of future community events so that you many have the opportunity to participate?

YES 93% NO 7%

2) There are many methods the City uses to disperse citizen information. What source do you or members of your family use to learn about City activities?

- a) City Newsletter 67%
- b) Local newspapers 17%
- c) Direct communication from an elected official 11%
- d) Community Building Signboard 2%
- e) Other 3%

3) Are you aware that the City of Carson annually sponsors a float in the Pasadena Tournament of Roses Parade?

YES 92% NO 8%

4) Would you, or a member of your family, enjoy participating with other Carson citizens in decorating our float for this years parade?

YES 31% NO 69%

5) Past survey respondents have indicated support for the recently implemented sign program for citywide street sweeping. Now that the program has been implemented, are you finding the benefits of this new program to be an asset in your neighborhood?

YES 80% NO 20%

6) Are there any suggestions that you feel would make an improvement to the new citywide street sweeping program in your area?

- a) Enforcement of ticketing for street sweeping program. 63%
- b) Coordination of street sweeping and trash pickup on same day. 24%
- c) Would like to see the street sweeper slow down. 9%
- d) Favored both sides of street to be swept on same day. 8%

7) One of the most important concerns expressed by citizens in our community is aesthetics. What specific suggestion would you have to improve the aesthetic quality of our City?

- a) Favored cleanup of commercial/business areas. 43%
- b) Wanted the removal of abandoned vehicles from lawns and driveways. *and recent lots* 39%
- c) Suggested street sweeping of business areas. 18%

8) Recent State legislation (SB-1091) is being proposed that would return to non-property tax cities, such as Carson, a portion of property taxes collected by the County of Los Angeles. Would you be in favor of returning this rebate directly to Carson property owners?

YES 87% NO 13%

9) The City of Carson has three (3) Sister Cities. They are Robertsport, Liberia; Sinit, Philippines; and Soka, Japan. Would you be interested in participating in a Pen Pal program in any one of these cities?

YES 29% NO 71%

10) Would you like to have the tabulated results of this survey returned to you? If so, please indicate below.

YES 87% NO 13%

Citizens Express Views

Survey of 10,600 Voters Unveils Feelings

Carson Bulletin

10¢

And Wilmington Beacon

Your Community Newspapers
Equal Opportunity Employers

VOL. 10 NO. 5

647 E. CARSON ST., CARSON, CA. 90745

WEDNESDAY, OCTOBER 13, 1982

774-0018 or 549-6351

Councilman Walter J. "Jake" Egan, conducted his own survey of a substantial cross section of Carson residents, on areas of citizens concerns, and came up with some startling answers.

As an example, the questionnaire results showed that only 25 percent of the residents rated the city's image as "good."

The majority, 53 percent, replied that the profile was "fair," and a surprising 22 percent registered, "poor."

The survey pointed out that the city council has appropriated a substantial amount of money for the construction of the new Community Building, approximately \$12,900,000. The question: "Do you think that this new facility should be used to house social service programs?"

Two-thirds of the residents surveyed answered yes, 68 percent in favor and 32 against.

Another question on the community building pointed out that it is estimated that \$800,000 a year will be needed to maintain the building. Egan questioned: "Do you think we should close parts of the building when they are not in use, in order to bring the buildings maintenance costs down?"

An overwhelming number of cost-conscious residents, 91 percent, voted yes, compared to nine percent, no.

It should be noted that the cost of the survey was borne by friends of Egan, and not at taxpayers expense.

In his preface, Egan stressed that "I have never believed that an elected official can sit in an office and come up with the right answers to increasingly difficult problems and choices."

He pointed out that "Although I know the view of many of you through the personal contact that we have, I find that I do not know your views on all of the subjects included in this survey."

Egan explained that "for subjects that do not lend themselves to a simple answer, I have included an 'Open Question'."

Included in the Carson resident questionnaire were the following:

"In your opinion, what area of city service needs the most improvement?"

Carson citizens replied to nine posers by aesthetics, 37 percent; law enforcement, 26 percent; street maintenance, 17 percent, with a 20 percent combined total for citizen involvement, city council expenses, housing/transportation/employment, trash pickup and animal control.

An overwhelming number of Carson residents, 83 percent were against the council approving large sums of money for leases and improvements to buildings that the city does not own. This occasionally has been the practice in the past.

Four options were included in a survey question that asked "If the city of Carson should be faced with major cutbacks due to the loss of revenue sharing, county, state or federal funds, what areas of service would you recommend that we cut?"

Only one percent of the citizens answered law enforcement. Three percent were in favor of cutting senior citizen programs, and 17 percent would whittle parks and recreation.

The great majority, 79 percent were in favor of putting the axe to city council and department expenses.

Of those queried, 76 percent of the residents said they were satisfied with the present trash service in Carson. One-fourth said no. Of the 76 percent of satisfied customers, however, only 6 percent were in favor of once a week trash pick-up.

The survey pointed out that presently 20 percent of the trash pickup service users do not pay their trash bill. According to the survey, "consolidated billing" would reduce this factor and provide savings for everyone. Seventy-two percent of the residents would prefer the efficiency and savings through the consolidation of the trash service billing with the county billing system, if this would reduce costs that would be passed on to the customer, the survey showed.

Almost 100 percent of the cross-section of residents were in favor of having all members of the city council set specific hours for hearing citizen concerns. The questionnaire pointed out the former members of the council had the policy of opening their council office to the public.

The survey pointed out that a recent staff report has indicated that the "Town Hall Meeting" concept held in Carson was poorly attended, costly and ineffective.

Question: "Do you feel that set hours for each council member would be a more effective way to address the specific concerns of individual citizens?" Eighty-five percent of the citizens answered yes.

Egan, in attempting to obtain input direction, stated in the survey that he was instrumental in "contracting" median divider maintenance in the city, thereby affecting a cost savings at no loss of jobs to city employees. He asked, "Are you in favor of this type of contracting by your city council?" Eighty-seven percent replied, "Yes."

The citizens did not look kindly on Mobile home relocation, except for the outskirts of the community.

The survey pointed out that the corner of 223rd and Moneta is a proposed city recreation parksite. Sixty-four percent of those queried were against cutting the site in half to provide low income housing or a relocation mobile home park.

Fifty-four percent of the citizens surveyed also tur-

ned thumbs-down on the idea of promoting a relocation mobile home park or low income housing in the Avalon Greens area.

However, by a slight margin, 52 to 48 percent did not mind if low income housing or mobile home relocations were sited on the northeast/northwest corners of Central and 190th Street. Citizens also snubbed the ideas, 56 to 44 percent, of promoting a relocation mobile home park or low income housing at 228th and Main.

Egan's survey was not a meager pie in the sky project.

His survey questionnaire went out to 10,600 of the Carson residents who voted in the 1980 city council election.

The number of "returns" were as startling as some of the answers.

Normally, he said, a survey is answered only by three percent of the persons polled.

The Egan survey netted a 17 percent reply.