



California Fair Political Practices Commission

September 2, 1987

Cleve Jones
P.O. Box 14573
San Francisco, CA 94114

Re: Your Request for Advice
Our File No. I-87-228

Dear Mr. Jones:

You have requested advice under the campaign provisions of the Political Reform Act.^{1/}

QUESTIONS

1. How do you change the name and purpose of your controlled recipient committee?
2. Do you have filing obligations if your level of activity, and that of your committee's, is under \$500 during a reporting period, even though your current elective office is a non-compensated position?

CONCLUSIONS

1. To amend a statement of organization, you must complete a new statement of organization (Form 410). It should include your committee's I.D. number in the box provided in the upper-left corner of the form, the word "Amendment" typed or printed at the top of the form, and provide the changed information in the appropriate space. The original of the statement of organization must be filed with the Secretary of State, and a copy must be filed with the San Francisco Registrar of Voters. (Section 84101.)
2. You must file a Form 490 on a semi-annual basis if you or your committee makes expenditures or receives contributions of any amount. (Section 84200(a)(2).)

FACTS

You currently have a controlled recipient committee. You intend to run for county supervisor in 1988 and, therefore, want to amend your committee's Statement of Organization to reflect a change of name and purpose.

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Administrative Code Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Administrative Code.

You receive no financial compensation from your current elective office with the San Francisco County Democratic Central Committee.

ANALYSIS

1. Section 84103(a) requires that a committee's statement of organization be amended if there is a change in any of the required information.

2. Although Section 84200(a)(2) exempts officeholders from semi-annual reporting obligations if compensation from their elective office is under \$100 per month, this exemption does not apply if the officeholders or their committees make any expenditures or receive any contributions.

Additionally, as a candidate in a supervisorial election, you and your committee will have pre-election reporting requirements, in addition to the semi-annual reporting. Please contact your county clerk in January of 1988 to obtain the 1988 "Information Manual on Campaign Disclosure Provisions" which will contain the filing schedule for elections held in 1988.

The forms and manual you requested have been sent under separate cover.

If you have any questions, please call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel



By: Kevin Braaten-Moen
Political Reform Consultant



California Fair Political Practices Commission

August 19, 1987

Honorable Phillip Isenberg
Member of the Assembly
State Capitol, Room 2148
Sacramento, CA 95814

Re: Your Request for Advice
Our File No. A-87-229

Dear Assemblyman Isenberg:

You have requested advice regarding your duties under the conflict of interest provisions of the Political Reform Act (the "Act").^{1/} Your request involves many of the same facts involved in an informal advice letter which we provided to you previously. (No. I-86-309, copy enclosed.) That letter is incorporated by reference herein.

QUESTION

Are you prohibited from participating in a decision on SB 1017 by virtue of the fact that your wife is employed by River West Development Company?

CONCLUSION

You are not prohibited from participating in a decision on SB 1017.

FACTS

SB 1017, as proposed to be amended, would extend the boundaries of the Folsom Redevelopment Agency to include two parcels of land, one owned by Love Chevrolet and the other owned by the Natomas Real Estate Company.

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Administrative Code Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Administrative Code.

Honorable Phillip Isenberg
August 19, 1987
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Your wife is the controller for River West Development Company. She is a salaried employee of River West -- not an owner or investor in the company. River West is not involved in the development of either parcel affected by SB 1017, but is managing a piece of property across Blue Ravine Road from Love Chevrolet. The property does not belong to River West, which is managing its development for a flat fee. The management fee paid to River West would not change up or down as a result of the other two parcels being included in the Redevelopment Agency boundaries (which would presumably increase their value).

ANALYSIS

As indicated in our previous advice letter, you may not participate in any decision which will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on River West. (Sections 87100, 87103(c).) In the present situation, you have indicated that passage of SB 1017 would have no financial effect on River West Development. Accordingly, disqualification is not required.^{2/}

Since you and your spouse do not have an investment interest in River West, the effect which the decision will have on River West's client is not a basis for you to disqualify from the decision. (Sections 82030, 87103.)

^{2/} It should be noted that even if the decision did have a financial effect on River West, the effect would not be material unless it met at least the following thresholds:

(1) The decision will result in an increase or decrease in the gross revenues for a fiscal year of \$10,000 or more; or

(2) The decision will result in the business entity incurring or avoiding additional expenses or reducing or eliminating existing expenses for a fiscal year in the amount of \$2,500 or more; or

(3) The decision will result in an increase or decrease in the value of assets or liabilities of \$10,000 or more.

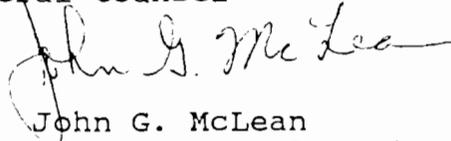
(Regulation 18702.2(g)(1), (2) and (3), copy enclosed.)

Honorable Phillip Isenberg
August 19, 1987
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If you have any questions, please contact me at
(916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel

A handwritten signature in cursive script that reads "John G. McLean". The signature is written in dark ink and is positioned above the typed name and title.

By: John G. McLean
Counsel, Legal Division

DMG:JGM:plh
Enclosure

California Legislature

PHILLIP ISENBERG

ASSEMBLYMAN

STATE CAPITOL, SACRAMENTO 95814

(916) 445-1611

830 10 9 30 07

August 17, 1987

Ms Diane Griffiths, Chief Counsel
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

Dear Ms. Griffiths:

I would appreciate written confirmation of the conversation Alison Harvey, my administrative assistant, had with one of your staff attorneys regarding the possibility of a conflict of interest for me with regards to SB 1017.

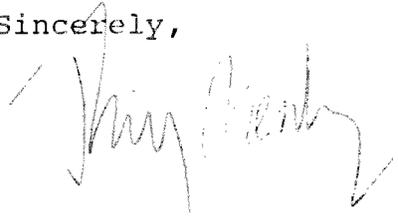
This bill, as proposed to be amended, would extend the boundaries of the Folsom Redevelopment Agency to include two parcels of land, one owned by Love Chevrolet and the other owned by the Natomas Real Estate Company.

My wife is the controller for River West Development Company. She is a salaried employee of River West -- not an owner or investor in the company. River West is not involved in the development of either parcel affected by SB 1017, but is managing a piece of property across Blue Ravine Road from Love Chevrolet. The property does not belong to River West, which is managing its development for a flat fee. The management fee would not change up or down as a result of the two parcels being included in the Redevelopment Agency boundaries (which would presumably increase their value).

It was your staff's opinion that there would be no material financial effect on River West from the passage or failure of SB 1017, therefore there would be no conflict of interest for me to vote on SB 1017.

The bill is scheduled to be heard in Ways and Means Committee Wednesday, August 19. I would like to be assured that this opinion is correct before I cast a vote in that hearing.

Sincerely,



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SACRAMENTO, 95814
(916) 324-4676

DISTRICT OFFICE
1200 W. TOKAY ST., STE. D
LODI 95240
(209) 334-4945

DISTRICT OFFICE
625 W. 4TH ST., RM. 4
ANTIOCH, 94509
(415) 778-4510

California Legislature

PHILLIP ISENBERG
ASSEMBLYMAN

STATE CAPITOL
SACRAMENTO, CALIFORNIA 95814



Ms. Diane Griffiths, Chief Counsel
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814