



California Fair Political Practices Commission

October 19, 1987

George Holiday
11402 Downey Avenue
Downey, CA 90241

RE: Your Request for Advice
Our File No. A-87-238

Dear Mr. Holiday:

You have requested advice concerning your disclosure requirements under the conflict of interest disclosure provisions of the Political Reform Act (the "Act").^{1/}

QUESTION

Are you required to disclose investments or interests in real property which you held prior to the date when the project area committee, on which you serve as chair, was added to the City of Downey's conflict of interest code?

CONCLUSION

Members of project area committees must disclose reportable investments and interests in real property which are held on the date they become designated in their city's conflict of interest code.

FACTS

You are the chair of the City of Downey's Redevelopment Project Area Committee ("PAC"). The City revised its conflict of interest code on July 28, 1987, to require that members of the Redevelopment PAC file statements of economic interests ("SEI"). Downey Redevelopment PAC members were not required to file SEIs previously.

^{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.

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ANALYSIS

The Commission has ruled recently that members of PACs must be included as designated employees in a city's conflict of interest code. (In re Rotman (1987) 10 FPPC Ops. 1, copy enclosed.) The City of Downey revised its conflict of interest code on July 28, 1987, to require members of the Redevelopment PAC to file SEIs. The Commission made it clear in Rotman that: "...those who were not designated in a code, have not been subject to the requirements to file disclosure statements, need not file statements for past years." (In re Rotman, Supra at p. 9.)

You should complete an "initial" statement for designated employees, Form 730. Such a statement requires disclosure of your reportable investments and real property interests held on the effective date of the amended conflict of interest code adopted by the City of Downey.

If you have any questions regarding the advice in this letter, please feel free to call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel



By: Bruce W. Robeck
Political Reform Consultant

DMG:BWR:kmt

SEP 15 2 57 PM '87

GEORGE HOLIDAY

11402 Downey Avenue

Downey, California, 90241

(213) 862-2345

September 15, 1987

Mr. Bruce Robeck
Technical Assistance Department
California Fair Political Practices Commission
468 J. Street, P.O. Box 307
Sacramento, California 95804

Dear Mr. Robeck:

Please accept my thanks for your assistance in clarifying two important points for me yesterday in my request for assistance in filing Form 720 as Chairman of the Downey Redevelopment Project Area Committee.

It was most helpful to have your ruling that the Reporting Period in this instance starts when the City's Resolution adopting the Conflict of Interest Code was adopted on July 28, 1987 and that there is no retrospective reporting requirement.

I especially appreciate your courtesy in phoning me later in the day to affirm that your legal department confirmed your position; I am never quite comfortable when an important issue is at hand and the other party says, "If you don't hear back from me, everything is O.K." So, thank you again for putting me at ease.

With this thought in mind, and since this is an important matter, I would appreciate it greatly if you would send me a confirming letter for my file.

Sincerely,



George Holiday



California Fair Political Practices Commission

September 21, 1987

George Holiday
11402 Downey Avenue
Downey, CA 90241

Re: 87-238

Dear Mr. Holiday:

Your letter requesting advice under the Political Reform Act was received on September 18, 1987 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

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

Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:jaj