



# California Fair Political Practices Commission

August 18, 1988

Martin Winderl  
Landlord  
1377 Guerrero Street  
San Francisco, Calif. 94110

Re: Your Letter of July 11, 1988  
Our File No. G-88-267

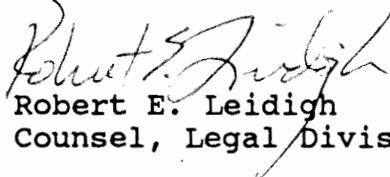
Dear Mr. Winderl:

You have written expressing your concern over the fact that certain members of the San Francisco County Board of Supervisors are periodically required to disqualify themselves on land-use decisions such as rent control because they own rental properties. Your letter also expresses concerns regarding a possible past violation by one of the supervisors.

Under the provisions of the Political Reform Act, we are unable to advise you regarding actions taken by someone other than yourself. However, I enclose for your review some general informative materials regarding the conflict of interest provisions of the Political Reform Act and how to make a complaint to our Enforcement Division if you believe that a violation has occurred.

Sincerely,

Diane M. Griffiths  
General Counsel

  
By: Robert E. Leidigh  
Counsel, Legal Division

DMG:REL:ld

Enclosure: Pamphlet on Conflict-  
of-Interest, Act

Jul 12 10 01 AM '88

1377 Guerrero St.  
San Francisco, Ca. 94110

July 11, 1988

Fair Political Practice Agency  
428 "J" Street  
Suite 800  
P.O. Box 807  
Sacramento, Ca. 95804

To Whom It May Concern:

I am concerned over the conflict of interest issue in San Francisco on the Board of Supervisors.

As a landlord I have no representation on the Board no matter who I vote for in the election. They take conflict of interest in every matter crucial to my the management of my property and my source of liveyhood.

I am being taxed on my property and still have no representation to take care of my problems. I believe this is what the Boston Tea Party was about.

I have written by certified letter to Supervisor Hongisto who claims to be an expert in this area and to this date has refused to reply to my letter of which a copy is attached.

It is also my understanding that Supervisor Hongisto voted for a contract for Sunset Scavengers of which he owns stock. Is this conflict of interest?

I would like you to look into these areas and give me some explanations and how I may be represented.

Enclosed also are copies of two newspaper articles pertaining to this subject.

Kindly reply.

Sincerely yours,

  
Martin Winderl - Landlord

Enc. 3

1377 Guerrero St.  
San Francisco, Ca. 94110

June 14, 1988

Reference: Progress, Your Voice, Supe rebuttal

Supervisor Richard Hongisto  
City Hall  
Van Ness and McAllister Street  
San Francisco, Ca. 94102

Dear Supervisor Hongisto:

I read your letter to the Editor in regard to conflict of interest. I was under the assumption the law was a San Francisco law not a state law, however that is not what bothers me about it.

I understand the conflict of interest law when it is applied directly, such as voting on the purchase of the lot next door to your property, voting on a contract for a company which you have control and voting for a highway to run through your house.

The thing I cannot understand is the conflict of interest when it is applied collectively as in rent control. If you vote to remove rent control, you gain income and control over your property along with the rest of income property landlords which you represent. Now if the Supervisors who do not own property and rent, vote for rent control they gain from additional control over their landlord and pay less money to him and all the other renters they represent save money.

It would appear the Supervisors who rent are in conflict of interest as much as you are. Afterall they are controlling the revenue from their own landlords.

I believe it was Supervisor Kennedy who lived in Golden Gate Way apartments which was under Federal price ceilings on rent expired. The Board of Supervisors quickly ran through an ordinance to include it under San Francisco rent control and was signed by Supervisor Kennedy acting as Mayor when Dianne Fienstien was conveniently out of town. This was a direct savings. Is this conflict of interest?

I believe by your criteria all income property Supervisors and all renter Supervisors are in conflict of interest.

I further cannot understand how state and federal politicians can vote themselves pay raises without conflict of interest.

Maybe what should be used is blind trusts such as the President uses.

Would you kindly respond and clarify this issue, for I feel I have no representation on the Board of Supervisors and renters do.

This is the same feeling I get when I call or go down to the Rent Board that I am the bad guy or I'm wrong and I have expend money to prove I'm right, or take a loss.

Sincerely yours,



Martin Winderl - Landlord

JULY 10, 1988

# Britt plan addresses conflicts of interest

## Amendment would end stalemate on vacancy controls

month.

Britt's immediate purpose is to allow five members to adopt rent-increase controls on vacant residential housing units. Vacant units are currently exempt from the 4 percent annual rent-raise ceiling on occupied apartments.

Supervisor Richard Hongisto is exempt from voting on residential rent matters because he owns several residential units, and Supervisor Carol Ruth Silver is exempt because she is a real estate broker, who has also acquired residential units.

Tenant activists now count only five votes for vacancy control. Previous to her conflict declared by the City Attorney this year, Silver had voted for vacancy control.

Supervisor Harry Britt has introduced a Charter Amendment to allow five members of the Board of Supervisors to adopt legislation whenever two or more members are disqualified because of a conflict of interest. An absolute majority of six out of all 11 supervisors is now required.

The board Rules Committee is expected to consider the matter Tuesday. The proposal would go on the November ballot if the full board agrees later this

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# Your voice

## Cutting the payroll fat

Editor:

Jim Kelly's article about Business Associations for a Strong and Interactive City (BASIC) is a breath of fresh air long overdue. It addresses the real crux of the matter. The proposed reduction of work force is not the way to correct the city's budget deficit. It will cut mainly the people who deliver the services to the citizens. It might be necessary to set the civil service rules aside and make the cuts where they cause only minimal damage.

One way to improve service is to relieve low level supervisors from an oversize burden of paper work and have them do what their classification requires: namely SUPERVISE. That should cut some of the fat by workers who take it to easy on the job. This change improves the return on the city's low level payroll tax dollar. Next we should look at all the paper created by the many computers the city owns. Do we need all these reports generated by the legion of computer operators/programmers, etc.? Who really reads, uses and needs these reports? These are only two problem areas. The list is almost endless.

The sad truth is that our city fathers have taken a short cut by selecting the route of least resistance. The same thing has happened after Prop. 13 passed as a matter of fact. It created a new byer of bureaucracy to supervise the budget cuts. While it is a very unfortunate situation in which the city finds itself, it is, if properly handled, a god-send opportunity to revamp our bureaucratic system to become

more efficient and people-oriented.

The city could for every tax dollar spent receive a dollar's worth of service by really cutting the fat wherever it finds it. This way our Mayor would leave the city in much better shape for years to come and claim what he promised in his book.

The bottom line is San Franciscans have to write letters, use the phone and tell the Board of Supervisors and the Mayor that we expect less deputies and aides, cuts of dead wood, reorganization and improvements in city services and no more grandstanding on issues unrelated to city government. Supporting BASIC might just be another way to help straighten out mismanagement of our hard earned tax dollars.

John Marshall  
San Francisco

## Supere rebuttal

Editor:

In your June 1 "letters", Harriet Ross complained that Supervisor Silver and I "declined" to vote on rent control. You printed her letter as if this represented a reasonable version of reality. It is not.

Supervisor Silver and I do not "decline" to vote. The fact is, by state law, we can not vote. It is not a matter of our choice. It is also true that various other supervisors, particularly those who are attorneys, from time to time must decline to vote on various issues because they have other, but similar, conflicts of interest.

Any insinuation that Supervisor Silver and I, or any other

supervisors who have conflicts of interest, could vote if we wished to is without foundation and to suggest that we could is to absolutely mislead the public.

Section 87100 of the California Government Code states: "No public official . . . shall . . . participate . . . in making a decision . . . in which he . . . has a financial interest." It should be made clear to the public that it is a crime for officials with conflicts of interest to vote on the legislation concerned.

Richard D. Hongisto  
Supervisor

## Gun control rebuff

Editor:

I do not wish to misrepresent myself. I'm pro gun, but not in the Wild West fashion.

All the handguns should be registered. (Not all guns are purchased from dealers and some are inherited.)

If we give up our guns we will give up our freedom.

Each generation will have to defend the Bill of Rights in some fashion. Think of the Bill of Rights in its entirety.

Raymond R. Dleden  
San Francisco

## Olympics split gays

Editor:

In Lester Olmstead-Rose's guest column (Progress, June 1), in which he launches an attack upon Examiner columnist Rob Morse, he appears to be speaking on behalf of all lesbians and gays in his stated position as "community organizer."

Please do not be misled, as he hardly speaks for the "community" and is not organized if he would lead you to believe that all lesbians and gays are against



# California Fair Political Practices Commission

July 13, 1988

Martin Winderl  
1377 Guerrero Street  
San Francisco, CA 94110

Re: 88-267

Dear Mr. Winderl:

Your letter requesting advice under the Political Reform Act was received on July 12, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Robert Leidigh, an attorney in the Legal Division, directly at (916) 322-5901.

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 information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. 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 "Diane M. Griffiths".

Diane M. Griffiths  
General Counsel

DMG:plh