



# California Fair Political Practices Commission

September 27, 1989

Bruce Risley  
Civic Action League of  
Morro Bay Inc.  
P.O. Box 245  
Morro Bay, CA 93442

Re: Our File No. G-89-557

Dear Mr. Risley:

We have received your letter, dated September 17, 1989, concerning a possible violation of the conflict of interest provisions of the Political Reform Act<sup>1</sup> by a member of the Morro Bay City Council. Enclosed are a pamphlet explaining the conflict of interest laws and a complaint form.

The Commission does not provide advice concerning past conduct of public officials; furthermore, we only provide advice to public officials and their authorized representatives. Complaints about possible violations of the Political Reform Act are handled by our Enforcement Division. After you review the enclosed pamphlet, you may wish to file a complaint with the Enforcement Division concerning possible conflict of interest violations. If you have any questions about filing a complaint, please contact the Enforcement Division at (916) 322-6441.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan  
General Counsel

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<sup>1</sup> Government Code Sections 81000-91015.

# CIVIC ACTION LEAGUE OF MORRO BAY INC.

PO BOX 245 MORRO BAY CA. 93442

September 17, 1989

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FPPC

Fair Political Practices Commission  
428 J Street  
Sacramento, CA 95814

We request advice as to whether a member of the City Council should be or should have been allowed to vote on alternative solutions to finding new water supplies for our city under the following circumstances:

According to his forms 721 Statements of Economic Interest, on file for the four years 1981 through 1984 as well as 1987, the Council member was employed by the California Precast Concrete Pipe Association as Managing Engineer. (Presumably he was also so employed in 1985 and 1986 but he was out of public office then.) Each year that he filed a report on this he listed his income from this trade association in the over \$10,000 category except for 1987 when he listed it as between \$1,000 and \$10,000. His home address was listed with the Secretary of State as the address of this manufacturer's organization.

While working for this organization, whose purpose is to promote use of precast pipe, he was voting on the City Council (and still does) on matters pertaining to finding a new source of water for our city. Recently, he has been active in trying to eliminate the job of the City Water Engineer who was specifically hired to find new sources of water for our city. Local solutions pursued by the Water Engineer are:

1. Drilling for new wells in local water basins
2. Developing a stream diversion program whereby local streams would be diverted into reservoirs during rainy seasons and thus be tapped in dry periods.
3. Relocating wells
4. Replacing leaking pipes

This particular Council member has been a strong advocate of the State Water Project. According to Clint Milne, San Luis Obispo Deputy County Engineer, the California State Water Project will, if completed, use 142 miles of precast pipe and will cost the State, exclusive of installation, \$230 million dollars.

In summary our question is, did and does this Council member's employment for the California Precast Pipe Association constitute a conflict of interest when voting on water shortage solution choices?

Thank you for your attention in this matter.

CIVIC ACTION LEAGUE

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