



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

March 23, 2015

Councilmember Larry Reid
Oakland City Hall

RE: Advisory Letter
FPPC Case No. 13/875; Larry Reid

Dear Councilmember Reid:

The Enforcement Division of the Fair Political Practices Commission (the "Enforcement Division") enforces the provisions of the Political Reform Act (the "Act").¹ As you may be aware, the Enforcement Division was investigating whether you violated the Act's conflict-of-interest prohibitions by attempting to use your official position to influence decisions by the City of Oakland's Department of Parking (the "Parking Division") that had a reasonably foreseeable material financial effect on your personal finances. After a full investigation, we have determined that there is insufficient evidence to find that you violated the Act. Therefore, we are closing this matter with this advisory letter.

Our investigation found that on February 1, 2011, you contacted the Parking Division regarding a boot that was placed on your wife's vehicle because she had failed to pay fines for six citations issued by the Parking Division. After discussing the matter with the Parking Division's Senior Parking Enforcement Supervisor, you paid the six outstanding fines and the boot fee, totaling \$1,282, and the boot was removed from your wife's vehicle.

Please be aware that a public official is prohibited from making, participating in making, or in any way attempting to use his official position to influence a governmental decision in which the official knows, or has reason to know, that he has a financial interest.² A public official is attempting to use his or her official position to influence the decision if, for the purpose of influencing the decision, the official contacts, or appears before, or otherwise attempts to influence, any member, officer, employee or consultant of the official's agency or an agency appointed by or subject to the budgetary control of his or her agency.³ A public official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18109 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source. All statutory and regulatory references and discussions of law pertain to the Act's provisions as they existed at the relevant time.

² Section 87100.

³ Regulation 18702.3, subd. (a).

material financial effect on an economic interest of the official, including personal finance.⁴ A governmental decision will have an effect on his or her personal finances if the decision will result in the personal expenses, income, assets, or liabilities of the official or his or her immediate family increasing or decreasing.⁵ A reasonably foreseeable financial effect on a public official's personal finances is material if the official or his or her immediate family will receive a measurable financial benefit or loss from the decision.⁶

On February 1, 2011, you were a public official who was affected financially by the Parking Division's decision to require a payment of \$1,282 to have a boot removed from your wife's vehicle. By calling the Parking Division regarding the boot on your wife's vehicle, you gave the appearance that you were attempting to use your official position to influence the Parking Division's decision to require a payment of \$1,282 to remove the boot from your wife's vehicle, which led to our investigation into this matter. Please take that into consideration in the future.

Although we are closing this matter with this advisory letter, the information in this case will be retained and may be used against you should an enforcement action become necessary due to newly discovered information or failure to comply with the Act in the future. Failure to comply with the Act in the future may result in the imposition of administrative or civil penalties against you. Also, certain violations of the Act may be prosecuted by law enforcement agencies as criminal offenses.

If you have any questions regarding this matter, please feel free to contact me at 916-327-6357.

Sincerely,

A large black rectangular redaction box covers the signature area of the letter.

Milad Dalju
Commission Counsel
Enforcement Division

⁴ Section 87103.

⁵ Regulation 18703.5.

⁶ Regulation 18705.5, subd. (a).