



# California Fair Political Practices Commission

March 29, 1990

Arthur E. Goulet  
154 Spindlewood Avenue  
Camarillo, CA 93010

Re: Your Request for Informal Assistance  
Our File No. I-90-229

Dear Mr. Goulet:

You have requested advice concerning the duties of the Camarillo city council under the conflict-of-interest provisions of the Political Reform Act (the "Act").<sup>1</sup> The Commission does not comment on past conduct. Moreover, the Commission does not provide advice to a third party concerning the conduct of public officials unless the third party is the authorized representative of the public officials and discloses the names of the officials. (Section 83114; Regulation 18329(c), copy enclosed.) Therefore, we decline to provide the advice you have requested.

Enclosed is a copy of a complaint form. If your questions relate to a public official's past conduct and you believe that conduct is in violation of the Act, you may file a complaint with the Commission's Enforcement Division. Please contact the Enforcement Division at (916) 322-6441 if you have any questions about the complaint procedure.

Sincerely,

Kathryn E. Donovan  
General Counsel

A handwritten signature in cursive script, appearing to read "Blanca M. Breeze".

By: Blanca M. Breeze  
Counsel, Legal Division

KED:BMB:plh  
Enclosure

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

Arthur E. Goulet  
154 Spindlewood Avenue  
Camarillo, CA 93010

FPFC  
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March 16, 1990

Fair Political Practices Commission  
428 J St., Suite 800  
P. O. Box 807  
Sacramento, CA 95804

Gentlemen:

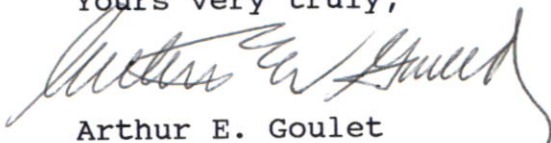
I am a resident and property owner in the City of Camarillo. The City contracts with the firm of Burke, Williams and Sorensen for City Attorney services.

Recently, the City Council approved the creation of a Community Facilities District (West Camarillo Community Facilities District No. 1) and authorized the sale of bonds therefor. At the hearing on the creation of the Community Facilities District, I appeared and questioned the propriety of a private firm employed as City Attorney also being employed under separate contract as Bond Counsel in connection with the bonds which were authorized. My concern centered upon the ability of the City Attorney to provide objective advice on the boundaries of the District, the legality of the proceedings undertaken, and the facilities for which the bond proceeds were going to be used when the Attorney had a direct and substantial financial interest in the positive outcome of the proceedings.

As might be expected, the Attorney advised the City Council that there was no conflict of interest since any Bond Counsel would have been employed by contract with the City. I argued that the difference was that Bond Counsel did not provide the City Council with legal advice pertaining to policy decisions, as the City Attorney did. Notwithstanding my comments, the City Council approved the necessary resolutions and the Community Facilities District will proceed as planned.

I would appreciate it if the Commission would explore this situation and determine whether or not a conflict of interest exists under the circumstances described. Thank you for your help.

Yours very truly,



Arthur E. Goulet