

MEMORANDUM OF LAW

DATE: May 30, 1990

TO: Mayor Maureen O'Connor
FROM: City Attorney
SUBJECT: Potential Conflict of Interest with Item 334 on
Council Docket of May 29, 1990

This is in response to your memorandum of May 29, 1990, and confirms oral advice given to you via Rules Committee Consultant Rudy Cervantes on May 29th. Mr. Cervantes confirmed that you do not now and have not in the past received income from the Willis M. Allen Real Estate Company, or from Mr. Allen himself. Neither have you shared a real property interest or investment interest with that company or Mr. Allen personally. Instead you have paid money in the past to the real estate company for its handling of certain real estate transactions for you.

We find that you do not have a financial conflict of interest arising from your dealings with the Willis M. Allen Real Estate Company or Mr. Allen within the meaning of the Political Reform Act (Government Code section 87100), because you do not have an income, investment, or real property interest within the meaning of the Act (Government Code section 87103). Therefore, you are not disqualified from participating in or voting on Item 334 of the May 29, 1990, docket.

You should be aware, however, of Council Policy 000-4 which suggests that you refrain from participating or voting on a matter if you have a personal interest in that matter which would impair your judgment. A copy of Council Policy 000-4 is attached for your convenience.

JOHN W. WITT, City Attorney

By

Cristie C. McGuire
Deputy City Attorney

CCM:jrl:048(x043.2)
Attachment
ML-90-63