

MEMORANDUM OF LAW

DATE: July 18, 1990

TO: Mayor Maureen O'Connor

FROM: City Attorney

SUBJECT: Potential Conflict of Interest with Council

Item 332, Docket of July 17, 1990

This is in response to your request of July 17 regarding Item 332 on the July 17, 1990 City Council Docket. (Copy of your memo attached.)

We find this issue is substantially the same as that raised in a similar situation two years ago. See attached copies of memoranda of law both dated December 1, 1987, to you from Chief Deputy City Attorney Ted Bromfield.

Because we find no nexus between the money you receive from Mr. Goebel as payment on the trust deed and the decision before the Council on the Future Urbanizing Area, you are not disqualified from participating in the decisions on the Future Urbanizing Area. This conforms also to the Fair Political Practices Commission regulations defining the term "nexus" as pertains to income interests. Regulation 18702.1(a)(1) and (d).

JOHN W. WITT, City Attorney

By

Cristie C. McGuire

Deputy City Attorney

CCM:jrl:048(x043.2)

Attachments

ML-90-80