



CITY OF LONG BEACH

CITY CLERK

Dec 10 9 48 AM '92

333 WEST OCEAN BOULEVARD

LONG BEACH, CALIFORNIA 90802

(310) 590-6101
FAX (310) 590-6789

December 7, 1992

Fair Political Practices Commission
Technical Assistance and Analysis Division
P.O. Box 807
Sacramento, CA 95804-0807

Dear Representative:

Please provide us with an opinion regarding the following Statement of Economic Interests concern.

On October 5, 1992, the Assistant City Auditor was appointed by the City Council to fill the unexpired term of the City's elected City Auditor, who had retired. The FPPC filing officers' handbook states, "A person who transfers from one designated position in an agency's conflict of interest code to another designated position in the same agency is not deemed to assume or leave office and is not required to file an assuming or leaving office statement." Does this apply to the newly-appointed City Auditor, since he was not "transferred" as the manual states, but rather "appointed"?

In addition, the City of Long Beach has the following elected positions which are not listed in the Political Reform Act as requiring 721 forms: City Auditor and City Prosecutor. These positions have always filed a 730 form with our office. However, since these positions are elected, and since the City Auditor does "manage public investments" (FPPC filing officer's manual), should these positions file 721 forms for their annual statements? As candidates, these two positions always file 721 forms.

Please contact Linda K. Groves, Chief Deputy City Clerk, at 310/590-7479, should you have any questions regarding this inquiry.

Thank you for your assistance.

Sincerely,

Shelba Powell
City Clerk