



Los Angeles City Ethics Commission

July 18, 2012

The Honorable City Council
c/o June Lagmay, City Clerk
200 North Spring Street
City Hall – 3rd Floor
Los Angeles CA 90012

Re: **Council File Number 12-1007**
Appointment of Dana Perlman to the Board of Planning Commissioners

FOR COUNCIL CONSIDERATION

Dear Councilmembers:

On July 2, 2012, the Mayor transmitted to the City Clerk a letter indicating his appointment of Mr. Dana Perlman to the Board of Planning Commissioners. The Ethics Commission received Mr. Perlman's pre-confirmation statement of economic interests (SEI) on July 10, 2012, and this letter is provided for your consideration as part of the confirmation process. A copy of this letter is also being provided to Mr. Perlman to help him avoid potential conflicts of interests that may arise in the course of his tenure as a member of the Board of Planning Commissioners.

Mr. Perlman reports on his SEI an ownership interest in the law firm Perlman & Associates, which holds an interest in real property and has received income of \$10,000 or more from sources identified in Attachment A. In addition, Mr. Perlman discloses several investment interests in various publicly traded companies, which are identified in Attachment B. He also reports an ownership interest in Colony Companies, Inc., which holds two interests in real property.

If a matter involving any of these interests comes before the Board of Planning Commissioners, Mr. Perlman should, before acting, seek the advice of the City Attorney regarding whether he should disqualify himself. We are unable to assess if or how frequently Mr. Perlman would be in a position of having to recuse himself.

Interests disclosed on an SEI are not the only interests that can give rise to a conflict of interests. For example, state law may require recusal by a board or commission member due to certain business activities of the clients of that member's employer. Additionally, recusal may be required under City Charter § 222, which states that the City Attorney may provide a written opinion concerning the obligation of a City official to refrain from acting on a matter when it may violate state law or when action may not be in the public interest.

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CITY CLERK

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If a matter raises a potential conflict of interests, we encourage Mr. Perlman to seek the advice of the City Attorney before acting. If Mr. Perlman is required to disqualify himself from acting on a matter, Los Angeles Municipal Code § 49.5.6(J) and Executive Directive 2005-1 require him to file a Recusal Notification Form (CEC Form 51) with the Ethics Commission and the Mayor's office. If a board or commission member is disqualified from acting on three or more agenda items in a year because of a conflict caused by the same interest, the Ethics Commission is required by City Charter § 707 to review the conflict. If the Ethics Commission determines that the member has a significant and continuing conflict of interests, it must order divestment of the interest that is causing the conflict.

In addition to reviewing a nominee's SEI, the Ethics Commission also verifies that the nominee is a registered City voter. We have received a completed Residence Verification Form for Mr. Perlman, which affirms that he is registered to vote in the City.

If you have questions, please feel free to contact Ethics Program Manager Shannon Prior at (213) 978-1960.

Sincerely,



Heather Holt
Executive Director

Attachments

cc: Mayor Antonio Villaraigosa
Mr. Dana Perlman

Attachment A
Dana Perlman
Pre-confirmation Form 700
Sources of income to Perlman & Associates
July 2012

Alliance Laundry Systems, LLC
Cause Force, Inc
Carol Rosenfeld
Abacus IT
Beaudry - Beverly Hills, LP
Carinal Pointe Capital Group, LLC
mCapital LLC
350 N. Canon Dr., LP
Leisure Properties, Ltd
William Hefner Archiect, Inc
Vepo Design Services, LLC
KPMD, LLC
MediaNaviCo, LLC
Technicolor, Inc.
NMG Management Group, Inc
Seismic Productions, LLC
Vance Soto Enterprises, Inc

Attachment B
Dana Perlman
Pre-confirmation Form 700
Investments
July 2012

Cemer Corp
Perrigo Corp
Cabot Oil & Gas
Coach
Monsanto
JP Morgan
Fluor
Chevron
Blackrock
Abbot Labs
Apple, Inc.
Catepillar
Eaton Corp
Intel
General Mills
International Business Machines
Johnson & Johnson
Pfizer
PPG Industries
Union Pacific
United Technologies
Thermo Fisher Scientific
Occidental Petroleum
Johnson Controls
Precision Cast Parts
Illinois Tool Works
Oracle
Nestle
Danaher Corp
Franklin Resources
Ecolab
St. Jude Medical
Celgene
Qualcomm

Ebay
Exxon Mobil
Goldman Sachs
Honeywell
Costco
Target
Edwards Lifesciences
Metlife
United Health Group
FMC Technologies
Prudential Financial
3M
Yum Brands
Comcast Corp
iShares
Priceline
Biogen Idec
L'Air Liquide
Intuitive Surgical
Google
SBA Communications
SalesForce.com
AT&T
Phillip Morris
Intercontinental
CBS
Viacom
TD Ameritrade
Cameron International
Baidu
Vodafone
Western Union
Travelers Companies
Bank of New York Mellon

Amazon
Verisign
Diageo
Shire PLC
SAP
Range Resources
Stanley Black & Decker
O'reilly Automotive
Covidien Corp
Ralph Lauren
Delphi Automotive
American Tower Corp
Express Scripts
LinkedIn Corp.
EMC
Borg Warner Automotive
Lockheed Martin
Intuit
Altera Corp
Estee Lauder
Northop Grumman
CVS Caremark
Ulta Salon Cosmetics
Visa Inc.
Lorillard
Ace Limited
Tyco International
Accenture PLC
Merck
Dollar General Corp
PNC Financial
Starbucks
Concho Resources
Teradata Corp