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THE OTHER "700 CLUB"

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Elected and appointed officials in California are required to file a "Disclosure of Economic Interests" within 30 days of taking office, and annually from then on. It tells the public in very vague terms what officials own and where they've invested their money. Some Glendale officials haven't been very attentive to their duty, and one has even been openly hostile to it.

The report, commonly called a "700 form," is an invasion of a public servant's privacy. But the form's premise is that we're entitled to know when officials are becoming involved with issues that could have an impact on their own finances. Since the reporting requirements are developed by some of the very officials the laws are written to oversee, there are gaps in the data required that are large enough to drive an RV through.

As is often the case, the small-time investor or business/land owner is held to a tougher standard than bigwigs. Throughout the forms, officials are required to describe the value of their holdings as being valued between \$2,000 and \$10,000, \$10,001 and \$100,000, \$100,001 and \$1,000,000, or "over \$1,000,000"

If you're small-time, the estimated value of your asset or holding has to be reported close to its worth. But if you're a big shot with an asset worth \$1 billion, you need only reveal that it's worth more than \$1 million. Of course, nothing prohibits officials from reporting more detail than required, but in 20 years of journalism I've only encountered three officials who did so.

The point to these forms is NOT to report holdings the official suspects might someday be tied to city business. It's not open to their discretion. Rather, they're required to report virtually everything, and the reports remain available so that, as issues arise, interested members of the press and public can look themselves for potential conflicts of interest.

Among those locally who routinely pay attention to 700 forms is Barry Allen. He's the partner of former Glendale council candidate Pauline Field, and an entrepreneur who seems to have included "community activist" to the list of his business enterprises.

Allen created "Vanguard," which he bills as a non-profit, grassroots community watchdog group. He finds more ways to charge people for membership and

information than I'm comfortable with, but he also offers plenty for free. He publishes a weekly, free e-mail newsletter that offers a sometimes confusing mix of commentary, news tidbits and loads of information about upcoming city meetings and notable issues under discussion. ([CLICK HERE](#) to ask Allen to send you a copy)

Allen's newsletters also often include a raft of accusations and implications. Some I've found appalling and utterly uncorroborated, and others I know to be irrefutable.

Based on my experience with Allen, he'll eagerly pick apart literally every paragraph you've read thus far, asserting a long list of qualifications and rebuttals, especially those sections including any mention him or his efforts. Moreover, he'll offer his comments in a tone that, intentionally or otherwise, indicates he's bemused by the tiresome chore of dealing with a clod barely entitled to walk upright.



The Vanguard Weekly's logo.

It's as if the guy thinks he's a columnist.

Yes, Allen can be a chore. But perhaps I find him an easy chore because I've been accused of talking to some people with the same tone, and Allen seems to handle my attitude without bursting into tears.

I didn't envy the Glendale officials whose 700 forms Allen set out to review. But I confess surprise he found so many who simply didn't file the form. I was also taken aback when I confirmed one of Allen's allegations about a form that was filed.

Carvel Gay is a prominent Glendale businessman, known as much for his role in community service groups as he is for the towing business he operates. He's also a council appointee to the city's Transportation and Parking Commission.

Gay filed a 700 form, but when it came to listing his holdings, Allen found Gay had checked off a box that reads "No Reportable Interests."

That's a pretty stunning claim when one remembers the controversy last year when Gay's towing company pursued selection as one of the city's official police towing contractors. And might a police tow operator in Glendale have some interests that could touch upon matters handled by a commission that makes decisions on transportation and parking issues in Glendale?

Still, if a member of the public who didn't know better reviewed Gay's 700 form, they wouldn't know he owns any business in Glendale, to say nothing of owning one the city is in business with. Finally, Gay owns or has interests in a number of properties throughout Glendale, none of which were disclosed.



Former Glendale Mayor Larry Zarian - He wasn't a champion of full disclosure.

Not since former Mayor Larry Zarian was in office – the champion of mixing city business and his own business - have I seen an official fail to report so many interests the public should be permitted to at least consider in watching a government body do its business.

Among those on Allen's list of officials who've never bothered to file a Disclosure of Economic Interests was an even bigger surprise for me, Gary Kemper.

Since August, 2003 Kemper has been a council appointee to the CDBG Advisory Committee. The panel advises the council where it should direct millions of dollars from the federal government in annual Community Development Block Grants. But Kemper is also the publisher of a local newspaper,

“Glendale Focus.” (He also held a position with another local newspaper I once wrote for, though I didn't and don't know his title there, and I'd only begun to see him in that office in the final few weeks before that newspaper shut down.)

OK, so Glendale Focus isn't a hard-charging muckraker. It's a free paper relying on happy features, reformatted press releases and even offering ads from council members saluting the city. But it was just two weeks ago that I sat with Kemper on a forum panel, one ironically dedicated to discussion of giving the public access to information about the government and public officials.



Glendale Focus, published by Gary Kemper.

Because he was presented as a journalist, and given his limited remarks - most of which focused on national debates over the Patriot Act and privacy concerns – I confess having assumed Kemper was in favor of public access to government. But when I later asked where his 700 form was and why it hadn't been filed where and when it should have been, Kemper bristled like any old-time machine politician, seemingly offended he was being held to the same standard applied to everyone else.

After a series of e-mail exchanges last week, Kemper finally told me he recently filed a 700 form, but repeatedly ignored my questions about the three years that have passed since he was first legally required to file the form.

Instead, Kemper sent me a lengthy rant about his lack of economic interests. Of course, amid his furious words he never noted he's the publisher of a newspaper ostensibly covering the very council he's serving as an appointee. In addition, Kemper seemed to believe that Allen's smug attitude in requesting the 700 form somehow excused an appointee's obligation under state law.

To be fair, and especially astounding to me from someone in journalism, I came to learn Kemper was totally unaware of the legal obligations and deadlines, or even that such records are supposed to be held by the City Clerk's office. (He'd turned in his belated filing to a staffer in the department that oversees his panel.) Indeed, at one point he sent me "proof" that he'd met all applicable requirements. It was a copy of an e-mail message from a Community Development staffer referencing an instruction to file his form by April 3.

As far as he was concerned, by finally succumbing to Allen's haranguing and submitting a form on March 15, Kemper declared he'd not only met, but far exceeded the requirements.

"For the life of me, I cannot see the need for a mea culpa," Kemper said.

Alas, in exchange I gave Kemper materials from California's Fair Political Practices Commission, the body enforcing the laws requiring 700 forms. The documents spelled out his obligation to have filed his first 700 form by Sept. 2003, with updates due March 1 every year after that. Potential penalties for failing to file 700 forms can run to \$5,000 for each violation, and Kemper has left himself open to as many as 4 violations, or \$20,000 in fines.

Twenty thousand smackers is quite a mea culpa. Oddly, I haven't heard back from Kemper since.

It's unfortunate that, when first confronted with something he obviously didn't know much about, Kemper didn't ask experts in the city attorney's office, or check with the FPPC himself to research claims being made by Barry Allen and myself about state regulations. (The FPPC even provides a toll-free phone number anyone can use for questions and rulings. It's 866-ASK-FPPC)

Instead, the self-described journalist chose the path taken by so many cantankerous politicians before him, including some Kemper at least implicitly lambasted at the recent forum we both participated in. Rather than provide or look for answers, he blasted the people asking the questions.

It's clear the Glendale City Clerk's office has fallen down on its obligations to notify appointees of their duty to file 700 forms, contact them again if they fail to file, and then to report those failures to the FPPC. But one would hope that, when a public official is informed by a citizen that the official may have violated the law, the office holder would exert some effort beyond belligerently insisting their own ignorance is the best, most reliable and only relevant information available.
