



# CITY OF OXNARD

## MEMORANDUM

February 10, 1978

**To:** City Council

**From:** City Attorney

**SUBJECT:** Disclosure of Gifts

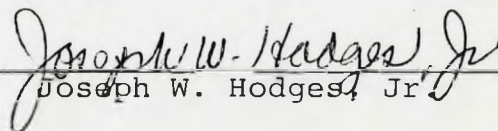
When members of the City Council visited Japan in 1977, they were given the services of an interpreter as well as some transportation around the plant and a guided tour of LNG facilities. In addition the wives of some councilmen received a gift of jewelry which had a value in excess of \$25.00.

The FPPC in an opinion (1 FPPC 16) ruled that a guided tour of a nuclear plant for a state employee was in the nature of informational material and was excepted from the definition of a gift. The tour by Oxnard officials of the Japanese LNG facilities, including the guide, interpreter and transportation, would appear to be of the same nature as the tour of the nuclear plant.

The value of the tour may be excluded from being reported on another theory. Income, other than a gift, does not include income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time any statement or other action is required under the Political Reform Act. (Government Code Section 82030(a)).

A gift of jewelry to a spouse is reportable as income if it is community property. (Government Code Section 82030a). As set forth above, the fact that the gift is from a source outside the jurisdiction does not exempt it from being reported.

Probably the gift of jewelry should be reported unless you are certain that it is the separate property of the spouse.

  
Joseph W. Hodges, Jr.

JWH:def