

Reese, Latasha

Subject: FW: 10/16 Council agenda

From: Richard McDonald [mailto:rmcdonald@carlsonnicholas.com]

Sent: Wednesday, October 11, 2017 5:41 PM

To: Jomsky, Mark <mjomsky@cityofpasadena.net>

Cc: Tornek, Terry <ttornek@cityofpasadena.net>; Mermell, Steve <smermell@cityofpasadena.net>; Madison, Steve <smadison@cityofpasadena.net>; Hampton, Tyron <THampton@cityofpasadena.net>

Subject: FW: PCOC

Dear Mayor Tornek, Councilmembers Hampton and Madison, City Manager, and City Clerk -- Please see my e-mail message below to the Executive Committee and President of the PCOC regarding the need for me to resign as a result of my being retained by a new client. As always, thank you for the opportunity to serve our great City. I sincerely appreciate it. Thank you again.

Richard A. McDonald, Esq.
Of Counsel, Carlson & Nicholas, LLP
140 South Lake Avenue, Suite No. 251
Pasadena, CA 91101
Office Telephone: (626) 356 - 4801
Cell Telephone: (626) 487 - 6713

Email: RMcDonald@CarlsonNicholas.com

Website: www.CarlsonNicholas.com

From: Richard McDonald [mailto:rmcdonald@carlsonnicholas.com]

Sent: Wednesday, October 11, 2017 5:32 PM

To: Michael Ross <mross@pasadenacenter.com>; Philibosian, Dianne L <dianne.philibosian@csun.edu>; Gregg, Gene <ggregg@hahnlawyers.com>; clary@sbcglobal.net; Emina Darakjy <emina@earthlink.net>

Subject: PCOC

Mike, Gene, Dianne, Ann, and Emina –

Earlier today, I was retained to represent a hotel developer on a site that is adjacent to the Convention Center and potentially owned by the City. As a result, there is a direct conflict of interest under Rule 3-310 of the California Rules of Professional Conduct between my position as Chairman of the Board of Directors for the Pasadena Center Operating Company and being on the Board, on the one hand, and the work I will be doing for the client on the other hand.

In addition, although California has not formally adopted the American Bar Association's "appearance of impropriety" standards, State Bar Ethics Opinions and some case-law clearly indicate that the better practice is to avoid even the appearance of impropriety regardless of whether there is a direct conflict.

Finally, my own personal standards of conduct will not allow me to mix any of my professional work with any of my community service in any manner that may put my integrity in question.

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Having accepted the client's representation, therefore, I have decided that I must resign as Chairman of the Board and from the Board of the PCOC so that there is no question in anyone's mind, effective immediately. While I have treasured my time on the Board, and my work and friendship with all of you and the other members of the Board, the reality of this situation mandates this decision.

Last, I will notify the Mayor and City Clerk of my decision today as well.

Thank you all for your professionalism, commitment to our City, and friendship. I hope to see you soon.

Richard A. McDonald, Esq.
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Pasadena, CA 91101
Office Telephone: (626) 356 - 4801
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Website: www.CarlsonNicholas.com