

January 13, 2015

Margaret Kemp-Williams  
Inyo County Counsel  
P.O. Box M  
224 No. Edwards Street  
Independence, CA 93526

Re: Your Request for Advice  
**Our File No. A-14-216(a)**

Dear Ms. Kemp-Williams:

This letter supplements our advice letter dated January 9, 2015 (Kemp-Williams Advice Letter, No. A-14-216) in which we addressed potential conflicts of interest under the Political Reform Act (the "Act")<sup>1</sup> of each member of the Inyo County Board of Supervisors in decisions regarding the designation of county roads for use by off-highway vehicles. There is one additional property that is an economic interest of Supervisor Griffiths and two additional properties owned by Supervisor Tillemans that we address here.

### QUESTIONS

1. Does Supervisor Griffiths have a conflict of interest in decisions regarding the designation of combined use routes where he owns real property located 1,174 feet (.2 miles) from the nearest proposed route?

2. Does Supervisor Tillemans have a conflict of interest in decisions regarding the combined use routes where he owns one property located 1,111 (.2 miles) feet from the nearest proposed route and another located 1,462 feet (.3 miles) from the route?

---

<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

## CONCLUSIONS

1 and 2 - No. Under the facts provided, the subject decisions will not have a reasonably foreseeable material financial effect on any of the supervisors' interests.

## ANALYSIS

In our prior advice letter, we determined that the only possible effects on nearby residential property of off-highway vehicle use of the designated routes that might be significant would be increased noise and reduced air quality. These effects are addressed in the Environmental Impact Report ("EIR.") According to the EIR, the effects, if any, would not be significant upon implementation of the proposed mitigation measure. The factors considered in our prior letter apply equally here. Accordingly, neither Supervisor Griffiths nor Supervisor Tillemans has a conflict of interest in decisions regarding the proposed routes

If you have other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Zackery P. Morazzini  
General Counsel

By: Valentina Joyce  
Counsel, Legal Division

VJ:jgl