



California Fair Political Practices Commission

July 3, 1992

Michael B. Bixler
Mayor of City of Imperial Beach
1192 Seacoast Drive
Imperial Beach, CA 91932

Re: Your Request for Informal Assistance
Our File No. I-92-378

Dear Mr. Bixler:

I am writing to confirm our telephone conversation of June 30, 1992, wherein we discussed your request for advice, Letter No. I-92-378. As the Mayor of the City of Imperial Beach, you were requesting advice regarding the conflict-of-interest provisions of the Political Reform Act (the "Act").¹ Since you have not provided specific facts regarding each decision, we are providing informal assistance.²

You informed me that there are approximately ten decisions regarding a number of public accesses to the beach and also a series of decisions regarding the City of Imperial Beach Capital Improvement Project. Your home is approximately 300 to 2,500 feet from the subject properties of each decision.

We discussed Regulation 18702.3(a)(3) and whether there would be an effect of \$10,000 or more on the fair market value of your property as a result of any of the decisions. You stated that, in

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.


² Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

your opinion, such an effect was not foreseeable. I advised you that this is a factual determination which you must make for each pending decision. I also directed you to the factors in Regulation 18702.3(d) for guidance. (Regulation 18702.3 enclosed.)

I trust this answers your question.³

Sincerely,

Scott Hallabrin
Acting General Counsel

By: 
Jill Stecher
Counsel, Legal Division

SH:JS:aa

Enclosure

³ Copies of Commission regulations and Opinions are available in many law libraries. Alternatively, copies of these materials and Commission advice letters may be obtained from the Commission at a cost of 10¢ per page.