



FAIR POLITICAL PRACTICES COMMISSION

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April 26, 2002

Paul J. Luellig, Jr., Chair
Barstow Redevelopment Agency
City of Barstow
220 Mountain View Street, Suite A
Barstow, CA 92311-2888

**Re: Your Request for Informal Assistance
Our File No. I-02-097**

Dear Mr. Luellig:

This letter is in response to your request for informal assistance regarding the conflict-of-interest provisions of the Political Reform Act (the "Act").¹ You are requesting assistance regarding possible conflicts of interest involving an elected member of the Barstow City Council, who also sits as a member of the Barstow Redevelopment Agency.

While the Act requires that the Commission provide formal written advice or informal assistance to any person whose duties under the Act are in question or to that person's authorized representative, the Commission does not provide advice to a third party about a public official's duties under the Act.² (Section 83114; regulation 18329, copy enclosed.) Furthermore, your questions involve issues of past conduct and the Commission does not provide formal advice or informal assistance regarding past conduct. (Regulation 18329.) Therefore, we decline to provide the assistance you have requested.

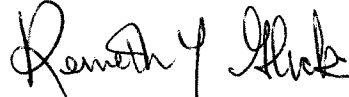
¹ Government Code sections 81000 – 91014. Commission regulations appear at Title 2, sections 18109-18997, of the California Code of Regulations.

² You should be aware that a public official, who may otherwise have a conflict of interest disqualifying him or her from participating in a particular governmental decision, may still appear, as a member of the general public, before an agency in the course of its prescribed governmental function to represent himself or herself on matters related solely to the official's personal interests, including a personal interest in real property. (Regulation 18702.4.)

If you believe that a violation of the Act has occurred, you may file a complaint with the Commission's Enforcement Division. I have enclosed brochures explaining the complaint procedure and a complaint form. Please contact the Enforcement Division at (800) 561-1861 if you have any questions about the complaint procedure.

Sincerely,

Luisa Menchaca
General Counsel



By: Kenneth L. Glick
Counsel, Legal Division

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