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June 17, 2015

VIA FAX: 1-916-322-0886
Fair Political Practices Commission
Technical Assistance Division
428 J Street, Suite 620
Sacramento, CA 95814

Re: Request for Formal Opinion

To Whom It May Concern:

I write on behalf of Hermosa Beach City Councilmember Hany Fangary to request a formal opinion as to whether under the circumstances described below the Councilmember is disqualified from participating in a decision regarding a development application by virtue of a conflict of interest under the Political Reform Act of 1974, as amended.

The City of Hermosa Beach is a general law city located in Los Angeles County with a population of roughly 20,000. A privately owned, commercially developed parcel of property in the City located adjacent to the City-owned Pier Plaza called Loreto Plaza (the "property") will be the subject of a development application in the near future. The property is owned by Pierside Properties, LLC.

The Councilmember does not own property within a 500 foot radius of the project. A distant relative of Councilmember Fangary (the husband of his wife's deceased first cousin) has an ownership or other interest in Pierside Properties, LLC, the entity that owns the property. Neither Councilmember Fangary nor his wife has a financial interest, or any other interest, in the property or Pierside Properties, LLC, nor any business or financial relationship with his wife's cousin's husband. Some people in the community have raised questions about whether Councilmember Fangary has a financial interest in the property in part because his wife's mother and his wife's deceased cousin share the same maiden name.

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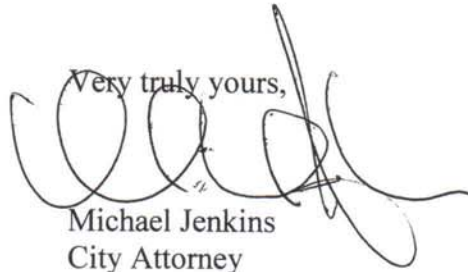
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I have advised Councilmember Fangary that the foregoing situation does not create a conflict of interest for him because he has no economic interest in any decision coming before the City Council involving the property; specifically: (1) he and his wife have no interest in the real property and no ownership or any other interest in Pierside Properties, LLC; (2) he and his wife have no financial or business relationship with Pierside Properties, LLC or his wife's deceased cousin's husband; (3) Neither Pierside Properties, LLC nor his wife's deceased cousin's husband is a source of income to him or his wife; and (4) neither Pierside Properties, LLC nor his wife's deceased cousin's husband is a source of gifts in excess of \$460 in the past twelve months. Further, neither Councilmember Fangary nor his wife anticipate receiving income in the future from Pierside Properties, LLC or the Councilmember's wife's deceased cousin's husband, and it is not reasonably foreseeable that the decision will have a material financial effect on the Councilmember or his wife distinguishable from its effect on the public generally.

Nonetheless, Councilmember Fangary would like the assurance that only a formal opinion from the FPPC can provide so as to assure his constituents that his participation in the matter is above reproach.

Please do not hesitate to let me know if you need any additional information. Thank you for your consideration of this request.

Very truly yours,

Michael Jenkins
City Attorney
City of Hermosa Beach

cc: Councilmember Hany Fangary