COUNCILMEMBER DAVID ALVAREZ

City of San Diego
Eighth District

MEMORANDUM

DATE: **January 13, 2011**

TO: **Stacey Fulhorst, Executive Director, Ethics Commission**

FROM: **Councilmember David Alvarez**

SUBJECT: **Conflict of Interest Opinion**

In the near future, the City Council, acting as the Redevelopment Agency may consider proposed amendments to merge the Central Imperial, Gateway Center West, Mount Hope, and Southcrest Redevelopment Project Areas into the Southeastern San Diego Merged Project Areas. One of these areas includes the location of my primary residence. As such, I am requesting a formal legal opinion from you determining whether I can participate in any decisions relating to a proposed expansion that includes or is in close proximity to my primary residence. Specifically, does my ownership of real property (my primary residence) within the SEDC "Dells Imperial" study area prohibit me from participating in municipal decisions related to that area becoming a redevelopment project area? Further, please provide me with an analysis regarding the "public generally" exception and whether it is applicable to this situation.

I respectfully ask that you respond to this request as soon as possible, as the City Council could discuss this issue as early as February 15, 2011. Thank you for your prompt attention to this matter.

DA/ks