

**City Ethics Commission**

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## **Ethics Handbook for NEIGHBORHOOD COUNCIL GOVERNING BOARD MEMBERS**

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The Los Angeles City Ethics Commission has prepared this handbook specifically for Board Members of Neighborhood Councils and for any member or employee of a Neighborhood Council involved in making governmental decisions. This handbook summarizes significant provisions of the City and State ethics laws that are designed to promote fair and open government. We welcome and encourage you to contact the City Ethics Commission whenever you have any questions about the information contained in this handbook.

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# FORWARD

August 2002

City of Los Angeles officials are charged with the responsibility of making the decisions that shape our government and affect the people of Los Angeles. In 1990, the citizens voted to approve a ballot measure enacting a sweeping set of ethics reforms. The City's Governmental Ethics Ordinance, in combination with state law, is intended to protect the integrity of the City's decision-making process. Often, even the *perception* that a City official has acted with bias can seriously erode public confidence as much as if any real bias existed. Therefore, it is crucial that we all are ever conscious of the conflict of interest laws and other ethics rules established by state and City law.

The goal of this Ethics Handbook is to increase your awareness of the ethics and conflict of interest laws and to provide you with information about how to seek advice from the City Ethics Commission and the Office of the City Attorney.

*Thank you for your service to the City and your commitment to providing a voice to our neighborhoods by becoming part of an open, honest, and accountable City government.*

## ANY TIME YOU NEED ASSISTANCE

**Please feel free to contact the City Ethics Commission if you have questions about financial disclosure, gifts, political activity, post-City service restrictions, or other ethics rules. For questions about conflicts of interest or the Ralph M. Brown Act, California's open meeting law, our office will work with the Office of the City Attorney to help you receive information and advice. We can be reached during regular business hours at:**

City Ethics Commission  
200 North Spring Street  
City Hall 24th Fl  
Los Angeles, CA 90012

Tel: (213) 978-1960  
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Information about ethics rules, the text of the City's laws and financial disclosure forms are available on the City Ethics Commission's Web site:

**[ethics.lacity.org](http://ethics.lacity.org)**

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# CONFLICTS OF INTERESTS

## General Rule

As a general rule, you should avoid situations where your official actions may affect or appear to affect your private interests, financial or non-financial.

## What is a Conflict of Interest?

You have a conflict of interest if your public actions as a Neighborhood Council Board Member affect your personal financial interests or the interests of your immediate family members. It does not matter whether the action has a negative or positive effect on the interest. State law prohibits you from making, participating in making, or attempting to influence *any* government decision if it is reasonably foreseeable that the decision will have a material financial effect on any of your economic interests or those of an immediate family member.

### *A Note About the City's "Appearance" Standard*

Keep in mind that in addition to state law, the City has its own conflict provision. Pursuant to City Charter Section 222, it is "not in the public interest" for you to act on a matter if you do not believe that you could act impartially or if the public might reasonably reach that conclusion.

### *And a Note About Decisions Related to Contracts*

State law prohibits you from being financially interested in any Neighborhood Council contract if your duties call on you to participate in any way or at any stage in the development, negotiation or execution of that contract. You are also prohibited from participating in any matter related to a contract where a party to the contract is your employer or where you know, or should have reason to know, that any party to the contract is a person by whom you were employed immediately prior to entering government service and within 12 months prior to the time you are called to act on the matter.

## How Do I Know If I Have a Conflict?

It can be difficult to determine on your own whether you have a legal conflict of interest pursuant to state or City law. Therefore, it is important to remember to contact the City Attorney for advice *any* time your work on the Neighborhood Council Board involves:

- ◆ a business in which you or family members have an investment; or
- ◆ real property in which you or family members have an interest; or
- ◆ any source of income or loans to you or family members (includes a person or entity that has provided *you* with gifts); or
- ◆ any person or entity with which you have a relationship other than in your capacity as a City official (examples: a personal friend; a person with whom you are in business; a person with whom you own real property; a close relative's employer); or
- ◆ any person with whom you have an agreement concerning future employment.

It is the City Attorney's job to work with you to determine if you have a conflict pursuant to City or state law and determine whether you must "disqualify" yourself. Contact the City Ethics Commission or the Department of Neighborhood Empowerment if you need assistance from the City Attorney. Please note that the mere presence of one of the interests listed does not necessarily mean that you have a conflict. Other factors may be involved and the City Attorney will advise you of your responsibilities.

# CONFLICTS OF INTERESTS

## What Happens if I Have a Conflict?

If a conflict of interest exists, you must be “disqualified” - - meaning that you must abstain from making, participating in making or attempting to use your official position in any way to influence the governmental decision that might affect that personal interest. The Office of the City Attorney provides advice about whether a conflict exists and how to disqualify yourself if necessary. Please be aware that severe penalties may result for you and the City if you do not abstain when appropriate.

## Example

### *Do You have a Conflict?*

You are a Neighborhood Council Board Member and your Neighborhood Council is accepting bids from local print shops to produce a monthly Community Newsletter. Your husband, the best printer in town, owns a *Fast and Friendly Printing* franchise. Since he has been in the printing business for decades, you think you would be an excellent judge for awarding the contract. Your husband’s *Fast and Friendly Printing* shop wants to bid on the contract so he has his business partner draft the bid and make the presentation to the board rather than doing it himself. You and your husband know nothing about the details of the bid. In this case, do you have a conflict of interest?

Because you have a financial interest in your spouse’s business, you would have a financial interest in the contract to be considered and would most likely be disqualified from participating at any stage in the development, negotiation or execution of that contract. In this situation, you need to consult the City Attorney for advice about how to proceed as soon as you know it is even a possibility that your spouse’s business will be a bidder on the contract. To get in contact with the appropriate City Attorney, you should contact the Department of Neighborhood Empowerment or the City Ethics Commission for assistance.



# FINANCIAL DISCLOSURE

State and City laws prevent conflicts of interest in two ways -- disclosure and disqualification. The purpose of financial disclosure is to alert you to the personal interests that might be affected while you perform your official duties, i.e., making governmental decisions.

## Who Files Financial Disclosure Statements?

Because Neighborhood Councils were created by the City Charter, they are considered "City agencies." Every City agency is required to adopt a Conflict of Interest Code pursuant to the state Political Reform Act. One attachment to the Code, "Schedule A," lists each position at your Neighborhood Council that makes or participates in making governmental decisions. Officials holding these positions are required to file financial disclosure statements. Therefore, if your position is listed on your Neighborhood Council's Conflict of Interest Code, you are a "City Official" within the meaning of the law, and are required by law to complete and file periodic financial disclosure forms.

## What Interests are Required to be Publicly Disclosed?

You must disclose the personal financial interests you own that *potentially* could be affected by your decisions as a City official. "Schedule B" of your Neighborhood Council's Conflict of Interest Code contains your "Disclosure Category." You are required to report **ONLY** the interests specified in your Disclosure Category. These *may* include disclosure of:

- ◆ Investments in business entities (e.g., stock holdings, businesses, partnerships)
- ◆ Real estate interests
- ◆ Sources of income, including gifts and loans
- ◆ Positions of management

## How Do I Disclose My Financial Interests?

Your public disclosure is made using a state Form 700. A completed form is called a "statement of economic interests." Your Neighborhood Council will either designate a "Filing Official" who processes statements of economic interests and forwards them to the City Ethics Commission, or the Department of Neighborhood Empowerment may fulfill this role. The Filing Official provides you with your Disclosure Category and the proper forms and instructions you will need to complete the filing. He or she *should* remind you of pending filing deadlines, but it is *your* responsibility to ensure that you have filed properly and on time. Please be aware that your statements of economic interests are public documents that must be made available by your Neighborhood Council and the City Ethics Commission to anyone who requests them. For this reason, **you are not required to disclose your home address provided that it is used exclusively as your personal residence.** We recommend that you use your Neighborhood Council's mailing address or a business address when completing your forms.

# FINANCIAL DISCLOSURE

## When Do I File My Statements of Economic Interests?

The schedule for filing your statements of economic interests depends on which type of statement you are filing. Each statement is filed using a State Form 700 and submitted to your Neighborhood Council's Filing Official as follows:

**Assuming Office Statement** - Due within 30 days after assuming a position listed on Schedule A of your Neighborhood Council's Conflict of Interest Code.

**Annual Statements** - Due every year no later than April 1, disclosing interests for the previous calendar year. *Important: A new Annual statement must be completed and filed each April even if your interests have not changed since your last filing.*

**Leaving Office Statement** - Due within 30 days after the date of leaving a position listed on Schedule A of your Neighborhood Council's Conflict of Interest Code.

Detailed instructions for completing the statement are included with the forms used for filing.

**Important:** Pursuant to state and City law, no extensions of the above deadlines may be granted. Please be aware that monetary penalties apply to any City official who does not file his or her statement on time or fails to file completely. *You must complete and return your forms, even if you have "no reportable interests" to disclose.*

## Example

You are on the Board of your Neighborhood Council and are required to file statements of economic interests each year. Your Disclosure Category (Schedule B) of your Neighborhood Council's conflict of interest code requires that you disclose "any interest in *real property* located within the boundaries of the Neighborhood Council or within 500 feet of the boundaries of the Neighborhood Council and *income* from any business doing business within the boundaries of the Neighborhood Council." Within the boundaries of your Neighborhood Council you own your home and the building that houses your spouse's *Fast and Friendly Printing* business. On your Form 700 statement of economic interest, therefore, you must disclose your interest in the property that houses your spouse's business, your community property income from that business, but not your personal place of residence (provided that you do not conduct a business from that location).

## Help Available

The staff members of the City Ethics Commission are happy to help if you need assistance completing your disclosure forms. Please call the Commission at (213) 978-1960.



# ACCEPTING GIFTS

The state's Political Reform Act and the City's Governmental Ethics Ordinance regulate your receipt of certain gifts. These laws apply to all "City officials," that is, anyone whose position is listed on Schedule A of the Neighborhood Council's conflict of interest code (and is therefore, required to file statements of economic interests). It is important for you to be familiar with these laws because accepting a prohibited gift may subject you to penalties and may require the City to void contracts if accepting the gift has created a conflict of interest.

## What is a Gift?

A "gift" is anything of value that you receive for which you do not provide monetary or other consideration of equal or greater value. A gift may include meals, tickets to sporting events, and rebates or discounts in the price of anything of value unless the rebate or discount is made in the regular course of business to any member of the public without regard to your official status. Any official who claims that he or she did not receive a gift because he or she provided consideration has the burden of proving that the consideration is worth as much as or more than the gift.

## Gift Restrictions for Neighborhood Council Board Members and others required to file statements of economic interests

You may not accept any gift intended to influence you in the performance of your official duties. In addition, *if you are required to file statements of economic interests* pursuant to your Neighborhood Council's Conflict of Interest Code, you may not accept a gift or combination of gifts\* during the calendar year from a single source with a total value that exceeds:

- ♦ \$320 if the gift is required to be reported on your statement of economic interests. A gift is required to be reported if the donor is described as a source of income in your Disclosure Category (Schedule B) of your agency's Conflict of Interest Code.
- ♦ \$25 from a "restricted source" who is a registered lobbyist or lobbying firm that lobbies your Neighborhood Council. A list of all registered lobbyists is available on the City Ethics Commission's website at [ethics.lacity.org](http://ethics.lacity.org) or call the Commission at (213) 978-1960.
- ♦ \$100 from any other "restricted source." A restricted source for you is a person or entity that:
  - does business or seeks to do business with your Neighborhood Council;
  - has a matter involving a license, permit or other entitlement for use currently before you or had one pending during the past nine months;
  - has attempted to influence you during the past year in any legislative or administrative action which would have benefitted him/her or his/her employer financially; or
  - contracts with, or employs a registered lobbyist or lobbying firm that lobbies your Neighborhood Council.

You may never *solicit* a gift from any of the restricted sources described above.

\*Note: Receipt of certain gifts, including those from family members, are excluded from these restrictions. Please see "Exceptions to the Gift Limits" below.

# ACCEPTING GIFTS

## Public Disclosure of Gifts

You must publicly disclose a gift you receive and its value on your statement of economic interests (state Form 700) if:

- ♦ the donor is a source described in your Disclosure Category (Schedule B) of your Neighborhood Council's Conflict of Interest Code; and
- ♦ the total value of all gifts you received from that source during the calendar year is at least \$50.

If the exact dollar amount of a gift is unknown, you must report a good faith estimate of the item's fair market value on your statement of economic interests. Reporting the value as "over \$50" or "value unknown" is not adequate disclosure.

## Gifts of Travel are Restricted

Generally, you may not accept reimbursement for travel and related expenses from sources other than the City of Los Angeles or your employer. Some exceptions apply, and you should seek advice about how to proceed if a person or entity offers to reimburse your travel in connection with City business. It is important to get advice, because if an outside entity pays for your travel, the travel must meet state guidelines, and your Neighborhood Council will have public disclosure requirements.

Travel that is offered to you as a gift is subject to the gift limits - - even if offered to you in your personal life outside the scope of your official duties. In some cases, you may be prohibited from accepting a "gift of travel." For example, travel paid by a "restricted source" (please see "Gift Limits" for the definition of a "restricted source") is prohibited. You could not accept a free gift of travel to Hawaii, say, from someone who is bidding on a Neighborhood Council contract.

Exemptions to the gift limits may apply for certain types of travel. For example, **travel paid by another local, state, federal or foreign government is not restricted.** For more information about travel restrictions, please contact the City Ethics Commission [213/978-1960].

## Example: Applying the Gift Laws

You are on the Board of your Neighborhood Council. In January, John Garcia submitted a bid on a personal services contract for your consideration. In February, John sends you a fruit basket valued at \$100. John is a "restricted source" to you because he seeks to do business with your Neighborhood Council (please see "Gift Limits" for the definition of a "restricted source"). You may accept the basket because its value does not exceed the applicable restricted source gift limit of \$100, and you must report the gift on your next statement of economic interests (Form 700). If in June, however, John offers to take you to lunch, you may not accept this meal because the limit from that donor is \$100 per calendar year, and you have already received a gift totaling that value for this year.

# ACCEPTING GIFTS

## Exceptions to the Gift Limits

Items listed below are not subject to City or state gift limitations, and, if received, need not be disclosed on your statement of economic interests, except where noted.

- ◆ Gifts not used and returned or donated to charity or the City without being claimed as a tax deduction within 30 days of acceptance.
- ◆ Tickets to a fundraising event for a non-profit organization that is tax exempt under IRC Section 501(c)(3), or to a political fundraising event.
- ◆ Gifts from family members (spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother or sister-in-law, nephew, niece, aunt, uncle, first cousin, or the spouse of any of these persons) or a partner in a bona fide dating relationship as long as they are not acting as intermediaries for restricted sources.
- ◆ Gifts to you or an immediate family member in connection with a non-recurring ceremonial event (e.g., wedding, bar mitzvah) valued at no more than \$100. In addition, such gifts valued at \$50 or more may be reportable. Receipt of these gifts valued at more than \$100 are prohibited if offered by a restricted source.
- ◆ Informational material such as books, reports, pamphlets, calendars, seminars, or informational conferences exclusively for official or office use and valued at less than \$250. (Note: travel is never informational material.)
- ◆ Items received from your union; food and beverage from another union if you are a member of a union.
- ◆ Personalized plaques and trophies valued at less than \$250.
- ◆ Meals and lodging offered in an individual's home.
- ◆ Meals provided at an event at which you speak, participate in a seminar, or provide a similar service.
- ◆ Meals paid for by a local, state, federal, or foreign governmental agency.
- ◆ Inheritances and bequests. (An inherited investment or interest in real property, however, may be required by state law to be disclosed on your statement of economic interests.)
- ◆ Gifts to non-elected City officials for legal expenses related to an enforcement action brought under City or state ethics laws. If received, such gifts valued at \$50 or more must be reported on your statement of economic interests.

# ETHICS RULES

## Misuse of City Authority and Resources

As representatives to the public on behalf of the City through your Neighborhood Council position, you are held to appropriately high standards of conduct and demeanor. This important concept is stated in the City of Los Angeles Code of Ethics as follows:

Persons in the public service shall not only be ever conscious that public service is a public trust but also shall be impartial and devoted to the best interests of the City, and shall so act and conduct themselves, both inside and outside the City's service, as not to give occasion for distrust of their impartiality or of their devotion to the City's best interests.

Every City agency has its own policy about the use of City position and resources. The City's Governmental Ethics Ordinance, however, explicitly states that you may not:

- ♦ use your position, or the power or authority of your office or position, to cause any person to provide anything of value which shall accrue to your personal, private benefit or to the personal benefit of any other person;
- ♦ use or authorize the use of City offices, stationery, telephones, vehicles, equipment, internet access or e-mail or any other City property for any non-City business purpose, including but not limited to campaign activity;
- ♦ use or disclose confidential information acquired in the course of official City business.

## Keeping Confidential Information

You may not use or disclose to any other person for pecuniary gain or personal advantage or privilege, any confidential information that you acquired in the course of your official duties. This provision applies even after you leave City service.

*Example:* In the future, a dispute arises between the Neighborhood Council and a contractor who was hired to provide services. The contractor files a suit against the City and all the Governing Board members of the Neighborhood Council. During the discussions of the suit between the Governing Board and the City Attorney, any information provided in the discussions about the contractor would not be able to be used in the future for the pecuniary gain or personal advantage or privilege of any of the Governing Board members or any other person.

## Protection from Retaliation

No City official may use or threaten to use his or her official authority or influence to interfere with, or cause retaliation against, any person reporting to the City Ethics Commission or other appropriate agency, conduct which, if true, would constitute:

- ♦ a work related violation by a City officer or employee of any law or regulation;
- ♦ gross waste of City funds or abuse of City authority;
- ♦ a danger to public health or safety due to an act or omission by a City official or employee;
- ♦ use of a City office or position or of City resources for personal gain; or
- ♦ a conflict of interest for a City officer or employee.

If you have been subjected to retaliation for reporting a violation, you may file a confidential complaint with the City Ethics Commission [213/978-1960].

# ETHICS RULES

**Future Employment** If you are a member of a Neighborhood Council who is required to file statements of economic interests, you may not, directly or indirectly, knowingly or willfully negotiate the possibility of future employment with any person (other than a government agency) who has a matter currently pending before you or within the regulatory, proprietary, or contractual jurisdiction of your Neighborhood Council. Furthermore, you may not participate in making, or use your official position, to influence a decision involving the interests of a person with whom you have an agreement concerning future employment.

*Example:* As a Member of the Board on your Neighborhood Council you will vote on whether to recommend that the City Council rezone a residential block to a mixed use residential/commercial block. Mike Smith, who lives on the block, is leading the rezoning effort and will appear before your Board to ask you to support his proposal. Should Mike decide to make a job offer to you during the period in which this matter is pending before the board, you cannot discuss the possibility of future employment with him.

**Honoraria** An “honorarium” is a payment for giving a speech, writing an article for publication or attending a conference, convention, meeting, social event, meal or similar gathering. If you are a member of a Neighborhood Council who is required to file statements of economic interests, state law prohibits you from accepting an honorarium from a source that is covered by your “Disclosure Category” (Schedule B) of your Neighborhood Council’s Conflict of Interest Code (See the section of this guide on “Financial Disclosure” for more information about your Conflict of Interest Code).

*Example:* Say your Disclosure Category of your Neighborhood Council’s Conflict of Interest Code requires you to disclose on your statement of economic interests sources of income “from any person or business entity that provides printing or photocopying services or equipment.” If *Fast and Friendly Printing*, a company that sells printing services, offers to pay you to speak to the company’s staff at their quarterly meeting, you are prohibited from accepting that honorarium because *Fast and Friendly Printing* is a source described in your Disclosure Category. If, however, the California Ice Cream Makers Association wants to pay you an honorarium, you may accept it because this source is *not* covered by your Disclosure Category.

**Does Your Neighborhood Council Have Full-Time Staff?** If your Neighborhood Council hires any full-time employee, such as an Executive Director, that staff member must receive prior written approval from the governing board before accepting any outside earned income (e.g., a second job). This is so that the board can ensure this income would not be inconsistent, incompatible, or in conflict with the staff member’s duties, functions or responsibilities. Approval from the City Ethics Commission is required only if the source of the income is a “restricted source” such as a lobbyist or a person or entity doing or seeking to do business with your Neighborhood Council. Refer “Accepting Gifts” for a more complete definition of a restricted source.



# POLITICAL ACTIVITY

Laws governing City officials' and employees' political activity have been established to: 1) safeguard public resources; 2) ensure the government remains nonpartisan and neutral in election matters; and 3) protect City employees from pressure to support or oppose candidates or ballot measures.

## Prohibited Political Activity

Pursuant to the City Attorney's written advice to the Department of Neighborhood Empowerment (12/15/00), "whether its activities are funded by City budgeted funds or private donations, a neighborhood council may not endorse candidates for public office or spend money under its control to support or oppose candidates for office. The individual members of the governing board of a neighborhood council are certainly allowed to make personal endorsements for candidates for public office, to work for their election and to contribute their own personal funds to political campaigns."

### *Additionally, no one may:*

- ♦ use or authorize the use of City or Neighborhood Council offices, stationery, telephones, vehicles, equipment or any other City property for any campaign activity;
- ♦ engage in fundraising or other campaign activities during Neighborhood Council meetings or during hours for which a person is paid to conduct City business if he or she is a paid Neighborhood Council staff member;
- ♦ knowingly solicit contributions for or against a political candidate or ballot measure from *any* City official or employee. Soliciting a contribution from the spouse of a City officer or employee is permissible so long as it is not a subterfuge for soliciting the City official or employee;
- ♦ be solicited for a campaign contribution by another City official or employee (applies only to members of Neighborhood Councils who are listed on Schedule A of the Council's Conflict of Interest Code);
- ♦ receive, deliver, or attempt to deliver a political contribution in City Hall, any City office building, or in any office for which the City pays the majority of the rent.

## Permissible Political Activity

### *You may:*

- ♦ make political contributions, perform volunteer work, endorse\* candidates, and take a position on a ballot measure, as long as these activities do not involve the use of City time, property, facilities, or equipment.
- ♦ solicit political contributions from persons *other* than City officials and employees on behalf of candidates or ballot measures.
- ♦ use City resources to provide unbiased, balanced, and factual information about the purposes, provisions and estimated impact of bond issues and ballot measures. (Remember, however, that City funds may not be spent to urge the passage or defeat of any ballot measure.)

\* Note: Neighborhood Council Members should make clear that they are acting as individuals and take *all* steps to avoid giving the impression that the Neighborhood Council supports the candidate.



# POST-CITY SERVICE RESTRICTIONS

To prevent former City officials from exercising, or appearing to exercise, improper influence or unfair advantage over City decision-making, City law establishes certain "revolving door" limits on their attempts to influence City decisions after they leave City service. These restrictions apply to you only if you are compensated for these activities.

There are two types of post-City service restrictions: a ban that applies to all former City officials, appointees and employees in very specific circumstances, and a one-year "cooling off" period that applies only to those former City officials who were required to file financial disclosure statements ("statements of economic interests") during their City service.

## **Matters in Which You "Personally and Substantially" Participated**

City law prohibits you from attempting to influence, *for compensation*, any action on matters in which you "personally and substantially" participated during your Neighborhood Council service so long as those matters are still pending with any City agency. Moreover, you also are prohibited from advising or assisting anyone else in attempting to influence action on those pending matters. Determining whether you personally and substantially participated in a matter occurs on a case-by-case basis and will depend on your decision-making authority and the scope of your involvement in developing or researching the matter. Generally speaking, "personal and substantial" involvement may include actions such as voting on a matter or drafting the specifications for a contract.

## **The One-Year Restriction**

All former City officials who were required to file statements of economic interests must observe a one year ban on directly communicating, *for compensation*, with their former agency for the purpose of attempting to influence action on any matter pending before that agency. While the former official may not personally communicate, he or she may assist and advise others to make such communications so long as he or she did not "personally and substantially" participate in the matter before leaving City service (as described above). Therefore, if you are a Board Member or a staff member of the Neighborhood Council who files statements of economic interest because you are designated in the Council's Conflict of Interest Code, this rule applies to you. Your former "agency" is your Neighborhood Council.

## **Exceptions to the Post-City Service Restrictions**

Exceptions to the restrictions occur under limited circumstances including if your communication is 1) made on behalf of a City of Los Angeles agency; or 2) made while you are acting in your official capacity as an elected or appointed officer or employee of another government agency. In addition, no City law prevents you from attending social or other events at which City officials may be present, regardless of the location. If you attend those functions as a representative of your employer, however, you should be aware that any attempts to influence the Neighborhood Council in those settings are subject to the City's post-service lobbying restrictions, just as are communications in any other setting.



# INFORMATION

## Getting Your Questions Answered!

### **The City Ethics Commission [213/978-1960]**

The City Ethics Commission will gladly assist you with any questions you have regarding the laws contained in this guide. During normal business hours, the staff can provide you with informal advice in person or by telephone. The Commission can also issue formal, written advice applying the law to your specific set of facts if you provide the facts in writing. No person who receives formal, written advice and acts in good faith based on that advice will be subject to administrative penalties. This immunity, however, does not apply to informal advice.

Please note that the City Ethics Commission does not have state law jurisdiction and therefore, cannot advise you about some matters. For questions you have regarding the following, our office may direct you to the Office of the City Attorney:

- ◆ conflicts of interests,
- ◆ Ralph M. Brown Act (California's "open meeting" law),
- ◆ Neighborhood Council as a nonprofit organization,
- ◆ Neighborhood Council by-laws or donations, or
- ◆ mass mailings at public expense.

If you are ever unsure about how to proceed, please feel free to use the City Ethics Commission as your first point of contact for assistance.

## Reporting Wrongdoing

The City Ethics Commission is authorized to investigate violations of the City's campaign, lobbying, conflict of interests and ethics laws. If you have information about a possible violation of these laws, you may file a confidential complaint. The complaint may be submitted in writing or by calling the toll free 24-hour Whistleblower Hotline at 1-800-824-4825. If you prefer, you may call the Commission office to discuss the matter with an investigator [213/978-1960]. Please be sure to provide as much specific detail as possible.

## Penalties for Violating the Governmental Ethics Ordinance

Any person who violates any provision of the City's Governmental Ethics Ordinance is subject to administrative enforcement action and monetary penalties for an amount of up to \$5,000 per violation, or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received, whichever is greater. Furthermore, any person who knowingly, willfully or negligently violates any provision of the Ordinance is also subject to civil and/or criminal penalties. Any appointed officer or employee who violates any provision of the Ordinance is subject to administrative discipline by his or her appointing authority.

# INFORMATION

## **A Note About Lobbying**

The citizens of the City of Los Angeles have a right to know the identity of interests that attempt to influence decisions of City government, as well as the means employed by those interests. The Municipal Lobbying Ordinance, therefore, requires complete public disclosure of the full range of activities by, and financing of, lobbyists and those who employ their services and states that this disclosure is essential to fostering public confidence in the integrity of City government decision-making.

### *You Can Help Keep the Public Informed*

Any person who contacts a City official in an attempt to influence “municipal legislation” on behalf of another person and is compensated at least \$4,000 in a calendar quarter for lobbying activity is required to register as a lobbyist and disclose their lobbying activity to the public. Attempting to influence includes, but is not limited to, promoting, supporting, opposing or seeking to modify or delay any action on a broad range of legislative and administrative decisions by providing or using persuasion, information, statistics, analyses or studies. If someone has attempted to influence you on behalf of a third party, you should check to see if the person is registered as a lobbyist with the City Ethics Commission. A list of all registered lobbyists is updated monthly and is available from the Commission and on the Commission's Web site at [ethics.lacity.org](http://ethics.lacity.org). If the person's name does not appear on this list and you believe that he or she may be required to register, please contact the Commission [213/978-1960]. Our office can provide the individual with information about registration and disclosure requirements .

*Also please note that gifts from registered lobbyists, lobbying firms, and their clients may be restricted or prohibited. Please see “Accepting Gifts.”*

