

1 Proposed Amendments - Commissioner Lee

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3 **AMENDMENT #1 - CONFLICT OF INTEREST**

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5 **SEC. 3.203. DEFINITIONS.**

6 Whenever in this Chapter 2 the following words or phrases are used, they shall mean:

7 "Anything of value" shall mean any money or property, private financial advantage, service,
8 payment, advance, forbearance, loan, or promise of future employment, but does not include
9 compensation and expenses paid by the City, contributions as defined herein, or gifts that qualify for
10 gift exceptions established by State or local law.

11 "Associated," when used in reference to an organization, shall mean any organization
12 in which an individual or a member of his or her immediate family is a director, officer, or
13 trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least
14 10% of the equity, or of which an individual or a member of his or her immediate family is an
15 authorized representative or agent.

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17 "Use of public position or office" shall mean using a City title, using City letterhead or
18 similar identifying insignia, identifying oneself as a City official, or any other use of City
19 resources, time, or property.

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22 **SEC. 3.207. ADDITIONAL CONFLICTS OF INTEREST FOR CITY ELECTIVE**

23 **OFFICERS AND MEMBERS OF BOARDS AND COMMISSIONS.** [File No. 180280 - page 25,
24 lines 20-21]

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1 (a) Prohibitions. In addition to the restrictions set forth in Section 3.206 and other provisions
2 of this Chapter 2, the following shall also constitute conflicts of interest for City elective officers and
3 members of boards and commissions:

4 (1) No City elective officer or member of a board or commission may use his or her
5 public position or office to seek or obtain anything of value for the private or professional benefit of
6 himself or herself, or his or her immediate family, or for an organization with which he or she is
7 associated.

8 (2) No City elective officer or member of a board or commission may, directly or by
9 means of an agent, give, offer, promise to give, withhold, or offer or promise to withhold his or her vote
10 or influence, or promise to take or refrain from taking official action with respect to any proposed or
11 pending matter in consideration of, or upon condition that, any other person make or refrain from
12 making a contribution.

13 (3) No person may offer or give to an officer, directly or indirectly, and no City elective
14 officer or member of a board or commission may solicit or accept from any person, directly or
15 indirectly, anything of value if it could reasonably be expected to influence the officer's vote, official
16 actions, or judgment, or could reasonably be considered as a reward for any official action or inaction
17 on the part of the officer. This subsection (a)(3) does not prohibit a City elective officer or member of a
18 board or commission from engaging in outside employment.

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21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 ATTORNEY'S NAME
25 Deputy City Attorney

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