

PROFESSIONAL EXPENSE COMMITTEE DISCLOSURE OF PENDING MATTERS

San Diego Municipal Code § 27.2965(e)

Each individual who makes a contribution to a professional expense committee established by an elected City Official or candidate for elective City office must accompany the contribution with this disclosure form, identifying any financial interests that the individual has in matters pending before the official or candidate.

If you've made your contribution electronically or over the telephone, provide the completed form to the committee within one day of making the contribution, either by personal delivery, e-mail, facsimile, or by depositing it in the mail.

Refer to the following page for assistance determining whether you have a financial interest in a matter pending before an elected official or candidate. You may also refer to the Ethics Commission's fact sheet on Professional Expense Committees – Disclosure of Pending Matters for more information. Contact the Ethics Commission at (619) 533-3476 for additional guidance.

DISCLOSURE

Name of Official/Candidate: _____ Office Held/Sought: _____

Check only one box. Include a description if applicable.

- I do not have a reportable financial interest in any matters pending before the above-named official/candidate.
- I have a financial interest in one or more matters pending before the above-named official/candidate, described as follows:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: _____ By: _____
(Signature of Contributor)

Print Name: _____

GIVE THE ORIGINAL TO THE OFFICIAL/CANDIDATE; KEEP A COPY FOR YOURSELF

How to Determine Whether You Have Pending Matters to Report

By following the basic steps below, you can determine whether or not you have a matter pending before the officeholder/candidate receiving your contribution.

Step One: Do you have a financial interest in a City decision?

You have a financial interest in a municipal decision if:

- (a) you or any member of your immediate family is a claimant, applicant, respondent, contracting party, or is otherwise named as a party to the decision; or
- (b) you or any member of your immediate family holds a managerial level position, or has a 10% or greater ownership interest, in a business entity that is a claimant, applicant, respondent, contracting party, or is otherwise named as a party to the decision; or
- (c) you or any member of your immediate family has an ownership interest in real property that is the subject of the decision; or
- (d) it is reasonably foreseeable that the decision will have a direct or substantial financial impact on real property in which you or any member of your immediate family has an ownership interest.

Note that you do not have a financial interest in a City decision that will have only a nominal, inconsequential, or insignificant financial effect on your financial interests or those of your immediate family.

If you do not have a financial interest in any City decisions, check the first box on the form indicating that fact and then sign and date the form and submit it with your contribution. Otherwise, go to step two.

Step Two: Is the City decision pending before the officeholder/candidate?

A decision is pending before the officeholder/candidate if there is a realistic possibility that the officeholder/candidate will act on the decision. For example, if an individual making a contribution to the Mayor's professional expense committee has a financial interest in a City ordinance, the answer will be yes because the Mayor will either be approving or vetoing the ordinance. Similarly, an individual who has a land use matter coming before the Planning Commission will have to disclose that matter when making a contribution to a Councilmember's professional expense committee if there is a realistic possibility that the Planning Commission decision will be appealed to City Council.

If you have a financial interest in a City decision that is (or may become) pending before the officeholder/candidate whose professional expense committee you are making a contribution to, check the second box on the form, provide a description of the matter (be specific), and then sign and date the form and submit it with your contribution.

Special Consideration for Lobbyists: Lobbyists need not disclose their clients' matters on this form. Lobbyists also need not disclose any of their own personal financial matters on this form (they may check the first box) if they have already disclosed these matters on a lobbyist registration form or quarterly lobbying report in connection with their lobbying activities. (Note that lobbyists are required to disclose all contributions to professional expense committees on their quarterly lobbying reports.)