Ethics Training for City Officials

Ryan O'Connor, Education Program Manager
Megan Curran, Legislative Program Manager
Victoria Bermudez, Administration & Training Compliance Program Manager
San Diego Ethics Commission

The City of SAN DIEGO

Jurisdiction of the Ethics Commission

The Ethics Commission has jurisdiction to enforce the City's governmental ethics laws, which include the:

- Ethics Ordinance
- Election Campaign Control Ordinance
- Lobbying Ordinance

This training covers the provisions of the Ethics Ordinance.

This training does not cover other provisions of the Municipal Code, Administrative Regulations, or Council Policies that also address the conduct of City Officials.

The Ethics Ordinance

The City's Ethics Ordinance is based primarily on state laws that govern all public officials in California.

- It applies to elected officials (and staff), unclassified employees, members of boards/commissions and consultants who file personal financial disclosures.
- It is focused on financial disclosure and conflicts.
- It creates transparency and prevents the appearance of corruption.
- It does not regulate values or morality.

These rules may not be intuitive, which is why our office conducts trainings and provides advice.

Roadmap of Today's Training

Today, we will discuss:

- Disclosure of Economic Interests
- Disqualification
- Financial Interest in a Contract
- Incompatible Activities
- Misuse of Position
- Political Influence and Contributions
- Gifts
- Future Employment
- Post-Employment Activities
- How Our Office Can Help

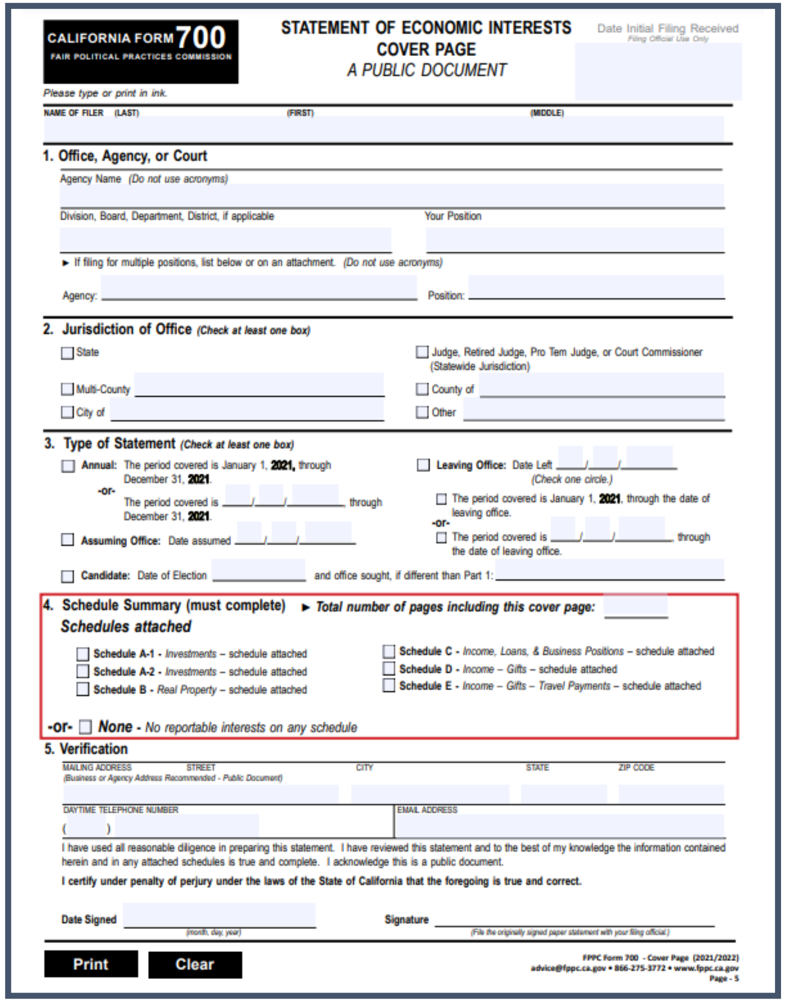
What you should be thinking about in the context of these topics:

- What are your personal assets, activities, and gifts?
- What do you work on at the City?

DISCLOSURE OF ECONOMIC INTERESTS

Disclosure of Economic Interests

- Disclosures are made on Fair Political Practices Commission Form 700 - Statement of Economic Interests (SEI).
- Disclosure categories: stocks/ownership in business entities, real property, income, gifts over $50, and travel payments.
- Timing:
  - You must file assuming/leaving office statement within 30 days of assuming/leaving office.
  - You must file annual statements by April 1 of each year.
- SEIs are e-filed with the City Clerk.
- See "Completing your Form 700" Fact Sheet on our website.



CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS
COVER PAGE
A PUBLIC DOCUMENT

Date Initial Filing Received
Filing Official Use Only

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*

Division, Board, Department, District, if applicable — Your Position

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: ____ Position: ____

2. Jurisdiction of Office *(Check at least one box)*

☐ State
☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner (Statewide Jurisdiction)
☐ Multi-County ____
☐ County of ____
☐ City of ____
☐ Other ____

3. Type of Statement *(Check at least one box)*

☐ **Annual:** The period covered is January 1, **2021,** through December 31, **2021**.
-or-
The period covered is ___/___/_____, through December 31, **2021**.

☐ **Leaving Office:** Date Left ___/___/_____
(Check one circle.)
☐ The period covered is January 1, **2021**, through the date of leaving office.
-or-
☐ The period covered is ___/___/_____, through the date of leaving office.

☐ **Assuming Office:** Date assumed ___/___/_____

☐ **Candidate:** Date of Election ____ and office sought, if different than Part 1: ____

4. Schedule Summary (must complete) ► ***Total number of pages including this cover page:*** ____

Schedules attached

☐ **Schedule A-1** - *Investments* – schedule attached
☐ **Schedule A-2** - *Investments* – schedule attached
☐ **Schedule B** - *Real Property* – schedule attached
☐ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
☐ **Schedule D** - *Income – Gifts* – schedule attached
☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or- ☐ ***None*** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER ( ) — EMAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

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

Date Signed ____ *(month, day, year)* — Signature ____ *(File the originally signed paper statement with your filing official.)*

Print Clear

FPPC Form 700 - Cover Page (2021/2022)
advice@fppc.ca.gov • 866-275-3772 • www.fppc.ca.gov
Page - 5

Disclosure Guidelines

- High level filers (state law) vs. local code filers (conflict of interest code)
- Filers must disclose interests for immediate family (spouse, registered domestic partner, and in some cases dependent children).
- Salary and reimbursement for expenses from another government agency are not reportable.
- Links to instructions and reference pamphlet are available on each page of electronic filing system.

More Disclosure Guidelines: Schedule A

- Reportable investments are ownership interests in companies which take two forms:
  - less than 10% ownership valued at $2,000 or more (usually taking the form of stocks or bonds) (Schedule A-1); and
  - 10% ownership or more (usually taking the form of a management position at a business entity) (Schedule A-2).
- If you have a 10% or more ownership interest in a business, you must disclose each source of income to the business if your pro rata share of the income is $10,000 or more.
- You are not required to disclose a loan from a bank made in the regular course of business on terms available to the public.

More Disclosure Guidelines: Schedule B

You do not need to report your personal residence (but you do need to consider it for potential conflicts) unless:

- You rent a bedroom in your San Diego residence or use the residence as a short-term vacation rental.
  - If so, report the fair market value of the portion of the house used for rental purposes, the total amount of rent received, and the names of any renters (if they are a reportable source) who paid you $10,000 or more.
- You claim a business deduction for a portion of your personal residence (e.g., a home office).
  - If so, report the fair market value of the portion claimed as a deduction.

Case Vignette – Economic Interests

You generally must report financial interests held by your spouse. Your spouse and his 50% business partner own a real estate consulting firm. During your Form 700 reporting period, the firm's three high paying clients were the following:

- San Diego Contractors: $60,000 – You must report this because: (1) your pro rata share (1/4 or $15,000) is over $10,000; and (2) San Diego Contractors is likely located in or doing business with the City.
- Point Loma Developers: $20,000 – You do not need to report this because your pro rata share (1/4 or $5,000) is less than the $10,000 required for reporting.
- Del Mar RE Investment: $75,000 – You do not need to report this because Del Mar RE Investment is unlikely to be located in or doing business with the City.

Your conflict code requires you to disclose income from entities located in or doing business with the City.

Do you have to disclose your pro rata share of the income of any of your spouse's clients?

Case Vignette – Economic Interests

You decide to invest in the tech industry, specifically you think Microsoft is a safe bet to continue its growth. So, you buy six shares for $2,300 at the beginning of the year. However, by the end of the year, the total value fell to $1,500.

Since the City contracts with Microsoft, do you have to report these shares of your annual SEI? Yes, you must report these shares because at some point during the year their value exceeded $2,000.

What if you were not personally involved in picking your investment portfolio and used a fund manager instead? You must report these shares even if a fund manager manages your portfolio.

What if the shares were held in your IRA account? Assets held in retirement accounts must be disclosed if the assets are reportable items. Please call the Ethics Commission if you would like to discuss nuances relevant to your situation.

Case Vignette – Economic Interests

You are the sole owner of a rental property in the City. Rocket Mortgage has a mortgage on your property, but the investment is starting to turn a profit, and it brought in $42,000 in income last year from a tenant.

Are you required to disclose your ownership of the property? Yes, you must disclose your ownership of the property because it is not your primary residence.

How about the mortgage? You do not need to disclose the mortgage because loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.

The income from the tenant? You must disclose the income from the tenant because the tenant lives in the City and the tenant paid you more than $10,000 within the year.

What if your family trust owns the property? You must disclose your ownership even if your family trust owns the property.

DISQUALIFICATION

Overview of Disqualification

- You may not influence a government decision if there is a realistic possibility that the decision will have a financial impact on you (including your immediate family), or one of your personal financial interests.

- Influencing a decision includes providing information, analysis, or studies to another City Official.

- The "public generally" exception may allow you to participate in decisions even if the decision involves your personal financial interests – contact the Ethics Commission for details.

Disqualification

You are not permitted to participate in decisions that might affect your financial interests, or those of your immediate family, including:

- investments in business entities (including ownership);
- management positions in for-profit businesses, even if unpaid (e.g., board of directors);
- investments or leaseholds in real property;
- sources of income of $500 or more within the past 12 months (including income received through a business entity if you own 10% or more);
- the donor of any gifts if the aggregate value equals $630 or more within the past 12 months; and
- your personal expenses, income, assets, or liabilities.

Case Vignette – Disqualification

After thoroughly reviewing an environmental impact report, you are presenting your findings to a City board regarding the proposed development of the latest high rise luxury apartment complex overlooking the bay. You own a condo several blocks away from the proposed project site. Since you do not believe that this proposed development will impact you any differently from other San Diego residents, you go forward with the presentation.

Does the Ethics Ordinance require your recusal if you own your condo? It depends! See the next slide for the factors to consider if you own your condo. Please call the Ethics Commission to discuss your specific facts.

What if you rent the condo from your landlord? It depends! See the next slide for the factors to consider if you rent your condo. Please call the Ethics Commission to discuss your specific facts.

Disqualification – Interests in Real Property

OWNERSHIP

- A City Official may not participate in a municipal decision if it will have a material financial effect on property <u>owned</u> by the City Official.

  - 0-500 feet from the property: The financial effect is *presumed* to be material.

  - 500-1,000 feet from the property: The determination of the financial effect will depend on the impact of the decision on: (1) the development potential; (2) the income producing potential; (3) the highest and best use; (4) the character; and (5) the market value of the property.

  - 1,000 feet or more from the property: The financial effect is *presumed* not to be material.

RENTAL

- A City Official may not participate in a municipal decision if the decision will impact property <u>leased</u> by the City Official by changing: (1) the lease termination date; (2) the property's rental value; (3) legally allowable use; or (4) the use and enjoyment of the property.

Case Vignette – Disqualification

As a Deputy Director in the Office of the City Treasurer, you are asked to weigh in on an amended business tax schedule for rental units. You decide that you may work on the project because the proposed schedule applies equally throughout the jurisdiction.

Have you violated the Ethics Ordinance? On only these facts, it is possible that the “public generally” applies to permit you to work on the amended business tax schedule for rental units.

What if your spouse owns a rental property that will be exempt from the new rates? When you add these facts, you no longer fall within the “public generally” exception. If your spouse’s property is exempt and you have any ownership interest in that rental property, that decision is now affecting your finances differently from others in the City and you may need to recuse from that work. Please call the Ethics Commission to discuss your specific facts.

FINANCIAL INTEREST IN A CONTRACT

Financial Interest in a Contract

Conflicts of interest involving City contracts have additional restrictions:

- You may not participate in a contract in which you have a financial interest.
- If you participate in creating or approving a City contract, you may not obtain a financial interest in the contract in the future.
- This law is designed to ensure that City contracting is conducted in the best interest of the public.
- It has historically been subject to criminal penalties (if the violation is willful).

Financial Interest in a Contract – Continued

- The statutes codify the long-standing common law prohibition against self dealing.
- You are involved in making a contract if you are involved in any stage of contract preparation.
- The fact that a contract might be fair or advantageous to the City is not relevant.

There are 31 exceptions for less significant financial interests. Contact the Ethics Commission for advice on their application.

Financial Interest in a Contract – Application

- This law applies to virtually all City employees and Board members.
- When an employee of an agency (as opposed to a board member) has a financial conflict, the employee's agency *may* contract if the employee plays no role in the contracting process.
- However, if a member of a City body (like a Councilperson) has a conflict of interest involving a contract, disqualification is not sufficient; the remainder of the City body may not vote on the contract.
- If a member is financially interested, he or she can remedy the prohibition by disposing of the interest or resigning from the City body.

Financial Interest in a Contract – Exception

- A City Official involved in setting rates that will affect the official is not violating the Ethics Ordinance if the official is a recipient of the public services provided by the City.
- On the other hand, a City Official may not participate in the making of a contract that will create a government salary or provide benefits that are unique to the City Official (or a member of his/her immediate family) or a limited group of City employees.

Financial Interest in a Contract – City Consultants

- The law also applies to "outside advisors (independent contractors, including corporate consultants) with responsibilities for public contracting."
- So, liability extends only to independent contractors who can be said to have been entrusted with "transact[ing] on behalf of the government."
- A new Government Code statute addresses when a consultant becomes an "officer" of the City such that the prohibition applies to the consultant.

Case Vignette – Financial Interest in a Contract

You and other officials hire an outside firm called Urban Consulting for the design phase of a new bayfront park. Once that phase is complete, your team seeks Urban Consulting's input on drafting an RFP for the build phase of the park. Urban Consulting submits a bid to the City to construct the park.

Are you permitted to hire Urban Consulting again to complete the project?
No, you cannot hire Urban Consulting again to complete the project.

Case Vignette – Financial Interest in a Contract

You work in Purchasing and Contracting and have been tasked with drafting a report for potential City vendors to provide landscaping services. You invest in New Leaf, one of the five companies that you recommend as a vendor to the City. You own less than 1% of New Leaf and derive 2% of your annual income from your investment in New Leaf.

Does your financial interest in New Leaf disqualify you from participating in the City's contracting process? No, your financial interest in New Leaf does not disqualify you from participating because you do not own 3% of New Leaf and do not derive 5% of your annual income from your investment.

Case Vignette – Financial Interest in a Contract

As a Director in the Parks and Recreation Department, you participate in a decision to contract with a firm to provide drinking water at the fountains in Mission Bay Park. Your spouse works for the potential City vendor but does not have an ownership interest in the company.

Does the Ethics Ordinance require your recusal? Yes, you must recuse because you have a financial interest in your spouse's private sector employment.

What if you are a member of the Mission Bay Park Committee? If you are a member of the Mission Bay Park Committee, the entire multi-member body cannot participate in the contracting process, even with your recusal.

INCOMPATIBLE ACTIVITIES

Incompatible Activities

- City Officials may not perform any activity *for compensation* which is inconsistent or in conflict with their official duties.

- City Officials may not receive outside compensation if it involves:

  - City time or equipment;

  - the influence of the City Official's position; or

  - work the City Official is required to perform as part of his/her official duties.

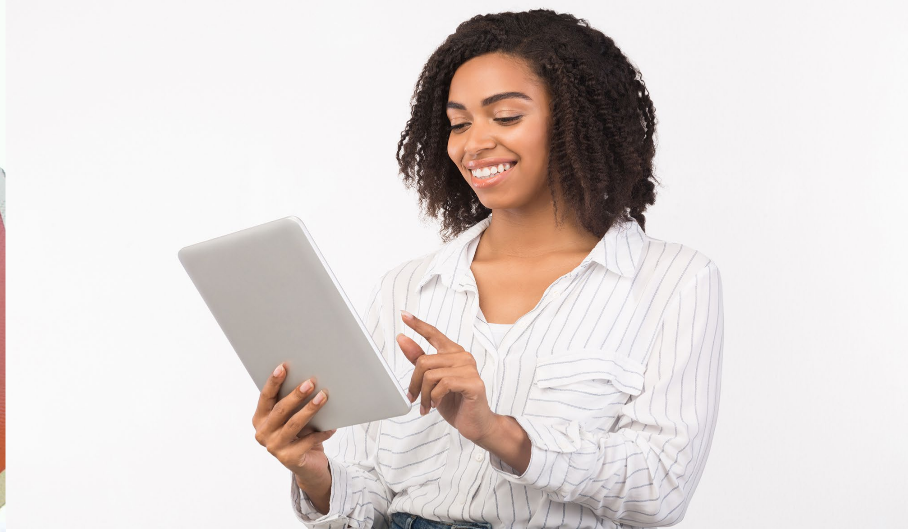
- This does not apply to uncompensated volunteers.

Case Vignette – Incompatible Activities

You work in the Homelessness Strategies and Solutions Department. As a lifelong Tierrasanta resident, you frequently hike in Mission Trails on the weekends and are passionate about preserving the area. The Vice President of the Mission Trails Regional Park Foundation asks if you would be interested in joining its Board of Directors.

Does the Ethics Ordinance prohibit you from serving on the Board of Directors of the Mission Trails Regional Park Foundation? No, the Ethics Ordinance does not prohibit you from serving on a volunteer basis on the Board of Directors of the Mission Trails Regional Park Foundation.

Five Minute Break



MISUSE OF POSITION

Misuse of Position

- City Officials may not use their positions to induce someone to provide them with something of value.

- City Officials may not support or oppose any candidate for elective office using City facilities, equipment, supplies, or resources.

- This law does not prohibit City Officials from using their personal time to support a candidate.

Misuse of Position

- City Officials may not engage in outside employment during the time they are receiving compensation from the City.
- City Officials may not disclose confidential information acquired during work for the City.

Case Vignette – Misuse of Position

You are an official in the Development Services Department reviewing zoning requirements for a business tax certificate for a local coffee shop called Buzzy. Given your role, you are aware of the lengthy timeline involved in the process, so you suggest to Buzzy's owner that the paperwork could be accelerated if they agreed to patronize and recommend your spouse's bookstore to Buzzy's customers.

Have you violated the Ethics Ordinance in making this request? Yes, you have violated the Ethics Ordinance by making this request.

Case Vignette – Misuse of Position

You have worked for the City for decades as an unclassified, Form 700-filing official in the Economic Development Department. With your institutional knowledge, you decide to run for a Council seat. Several coworkers wish to support your candidacy, and you ask them to research potential contributors and campaign ad vendors in your district if they have free time at the office.

Is this campaign-related activity permitted? No, this campaign-related activity is not permitted.

POLITICAL INFLUENCE AND CONTRIBUTIONS

Political Influence and Contributions

- City Officials may not use their influence to appoint someone to a paid or unpaid City position in return for personal or political services.
- City Officials and candidates may not knowingly solicit campaign contributions from City employees.
    - Inadvertent solicitation of City employees is permitted if the solicitation is directed to a large segment of the public and there is no reason to believe that a City employee is receiving the solicitation.
    - Under no circumstances should the City's Outlook address book or a list of City employees be used to target potential contributors.

Case Vignette – Political Influence and Contributions

Your childhood friend decided to run for City Council and seeks your support in her candidacy. You agree to help and canvas the neighborhood over the weekend knocking on doors and speaking with constituents. To your surprise, a coworker in DSD opens the door, and you ask this person to contribute to your friend.

Have you violated the Ethics Ordinance? Yes, you have violated the Ethics Ordinance by asking the City employee to contribute to your friend.

GIFTS

Gifts Generally

- There are three concepts to keep in mind with gifts:
  - Disclosure on SEI: Gifts from a reportable source with an aggregate value of $50 or more must be disclosed on your SEI.
  - Gift Limits: Gifts are limited to a value of $630 from any one reportable source within a calendar year.
  - Disqualification: Gifts valued at $630 or more received over a 12-month period will trigger your disqualification in decisions impacting the source of the gifts.
- Exception: gifts do not include rebates or discounts offered to the general public (e.g., AAA discount) or all City employees (e.g., Verizon discount).

Gifts – Continued

- A gift is reportable even if you discard it (unless it is a ticket to a one-time event) or give it to someone else.
- A gift is <u>not</u> reportable if, within 30 days, it is returned unused, paid for, or delivered to a 501(c)(3) charity or a governmental agency.
- Some gifts have unique rules, such as wedding gifts, which are reportable but not subject to the annual limit.
- There are many exceptions to the gift rules, including gifts from family, free or discounted admission to local seminars, hospitality in a friend's home, and gifts received in a bona fide dating relationship.

Gifts – Personal Relationships

- <u>Reciprocal Exchanges</u>. If a City Official is in an ongoing social relationship in which both parties alternate paying for each others' lunches, movie tickets, greens fees, etc., there is no reportable gift if the City Official has substantially paid for what he or she received over the course of the reporting period.

- <u>Long Term Friendships</u>. Items received from a long-term personal friend are not gifts if the friend has not engaged in any type of City business involving the City Official during the past 12 months and it is not foreseeable that the friend will engage in City business involving the City Official within the next 12 months.

NOTE: these exceptions do not apply to gifts from lobbyists!

Gifts – Exceptions

- Ceremonial Role. "Ceremonial role" means throwing out the first pitch, cutting ribbons, and presenting keys to the City. The ceremonial role exemption applies only to admission; tangible items, such as food and beverages, are gifts. (File Form 802 with City Clerk for ticketed events.)

- Staffing Events. If a staffer assists an official performing a ceremonial role, the staffer's admission to the event is not a gift. This exemption does not cover food, beverages, or other tangible items.

- Home Hospitality. Hospitality provided by someone in their "home" (which includes an owned or leased vacation home, timeshare, motorhome, yacht, etc.) is not a gift when the host is present, as long as the City Official has a relationship with the host unrelated to his or her City position.

Gifts – Reportable Value

- The reportable value of a ticket is its face value.
- The reportable value of other gifts is generally the fair market value as of the date of receipt.
- If you cannot determine the fair market value, you must make a reasonable approximation taking into account the price of similar items.
- It is your responsibility to obtain information concerning the value of a gift before it is accepted and/or used.

Gifts – Tickets to Invitations and Events

- If you receive a ticket to an event, and tickets are available for purchase by the general public, the value of the gift is the face value printed on the ticket.

- If you attend an invitation-only event such as a banquet, party, or gala, the value of the gift is your pro rata share of the catering services (food, beverages, etc.), feature entertainment, and other items given to all attendees.

- Tickets to fundraisers for political campaigns and 501(c)(3) charities are exempt for you and one guest if the host has provided you with the tickets.

- See the Ethics Commission Fact Sheet entitled "Tickets and Invitations to Events."

Case Vignette – Gifts

You are an Assistant Deputy Director in the Stormwater Department. You receive three tickets to the Padres home opener from your boss, who will be out of town that weekend. You and a friend use two of the tickets, and you give the other ticket to a coworker. The face value of each ticket is $100.

What is the value of the gift that you must report? You must report $300, the value of all three tickets over which you had control.

Case Vignette – Gifts

You are invited to a three-course dinner at The Lodge at Torrey Pines for a City colleague's retirement party. You are told that the cost of food and beverages at the event is $150 per person. However, you only briefly attend and leave before the main meal is served.

Have you received a reportable gift? No, you have not received a reportable gift. California created a drop-in exception that applies here; if you attend an invitation-only event without staying for the meal or feature entertainment, the value of the event is any items received aside from food and drink.

What if you ate a few appetizers before you left? If you attend an invitation-only event without staying for the meal or feature entertainment, the value of the event is any items received aside from food and drink.

What if you stayed for the whole event? If you stayed for the whole event, you would have to disclose the full value of your share of the event.

What if you brought a guest with you? If your guest attended the event as well, you would have to report double the value of your share of the event.

Gifts – Family Members

- A gift given to a family member is <u>not</u> a gift to you if:
  - There is an established working or social relationship between the donor and your family member; <u>and</u>
  - There is no evidence suggesting an intent to influence your actions as a City Official (e.g., the donor is not a lobbyist or the subject of a City decision you could influence).
- If you and any other member of your immediate family receive a gift jointly (e.g., a television for the family, weekend at timeshare, etc.), the reportable value of the gift is the gift's full value.

***NOTE**: your "family" includes children between 18 and 23 years of age who are full-time or part-time students and do not provide over one-half of their own support.*

Gifts – Honoraria and Travel Expenses

- Honoraria (payments for speeches, articles, or attending events) are severely restricted. Contact the Commission for advice before accepting.
- Travel expenses (transportation, lodging, meals) paid by a federal, state, or local government entity are not a gift if the travel is related to your City job.
- Travel expenses paid by a 501(c)(3) organization for a legislative or governmental purpose are not subject to gift limits but are reportable and may trigger disqualification.
- Travel expenses paid by other entities will generally be treated as a gift, subject to limits, reporting, and disqualification.
- Travel rules can be complicated. You are encouraged to contact the Ethics Commission for assistance before accepting travel expenses.

Case Vignette – Gifts

You are an Assistant Director in the Economic Development Department. A local firm is hosting an educational seminar on small business development in the City. The firm offers you free admission.

Can you accept? Yes, you can accept the free admission.

Have you received a reportable gift? No, you qualify for a gift exception if the seminar furthers your City duties.

What if you receive lunch at the seminar? If you receive lunch at the seminar, you will have to report its value as a gift if the source of the lunch is reportable and the value of the lunch is $50 or more.

What is the seminar is in Hawaii and the offer includes subsidy for travel and hotel expenses? If the seminar is in Hawaii and travel expenses are involved, then the analysis gets more complicated. We will have to look at factors including whether the local firm is a 501(c)(3), the purpose of the seminar, what role you would play at the seminar. Please call the Ethics Commission to discuss your specific facts.

FUTURE EMPLOYMENT

Future Employment

A City Official may not use his or her position to influence a decision that involves the interests of a person with whom the City Official or an immediate family member is seeking or negotiating for future employment.

This prohibition does not prevent you from seeking future employment; it just requires you to recuse from matters that involve your prospective employer’s interests.

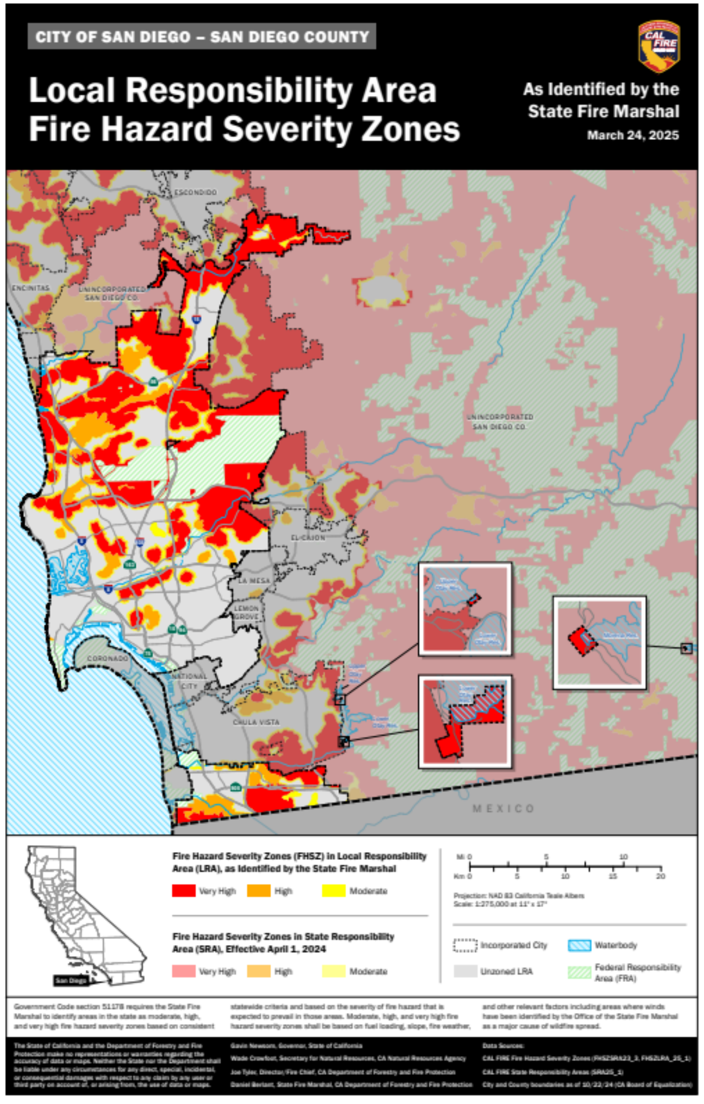
The law does not apply if your prospective employer is another public agency.

Case Vignette – Future Employment

You work on a City Council report regarding the adequacy of the City's emergency services. After being placed on the agenda, your report becomes a public document.

Several weeks later, you are approached by a recruiter for a fire insurance company. The recruiter explains that her boss was impressed by your knowledge of the risks of the local topography. The recruiter mentions that the company is looking to hire someone with your expertise. You express your mutual interest and anticipate hearing more in the coming days. Meanwhile, you continue to address the Council's questions and draft responses for another presentation regarding the emergency services.

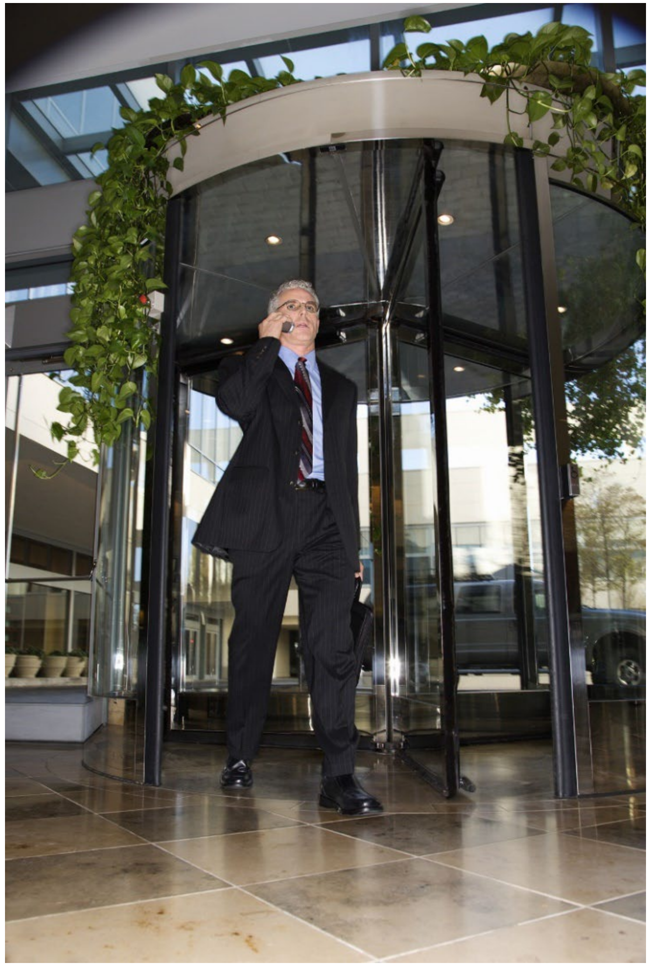
Have you violated the Ethics Ordinance? Yes, you violated the Ethics Ordinance as soon as you told the recruiter that you were interested in the job with the fire insurance company and then continued to work on the emergency services project at the City.



POST-EMPLOYMENT ACTIVITIES

Post-Employment Activities

- "Cooling off period"
  - One-year ban on City Officials directly lobbying City employees on behalf of a private employer.
- "Project ban"
  - One-year ban on City Officials directly or indirectly lobbying (assisting employer behind the scenes) if you worked on a particular project.
  - A "project" is a matter pending before the City concerning an application for discretionary funding or the award of a lease, agreement, or contract.



Post-Employment Activities

The post-employment restrictions do not apply to former City Officials who:

- received no compensation from the City for their City service;
- do not receive any compensation for communicating with current City Officials;
- are representing themselves or their immediate family members;
- are employed by or representing another public agency; or
- are communicating with regard to a ministerial action (an action that does not require a City Official to exercise discretion).

HOW OUR OFFICE CAN HELP

Advice

The Ethics Commission provides verbal and written advice to City Officials:

- Verbal and written advice is only provided for specific contemplated future action.
- Advice from another department or agency will not provide immunity from the Ethics Commission.

Additional Information

Our website: www.sandiego.gov/ethics

Our website contains links to:
- The Ethics Ordinance
- Fact Sheets
- Frequently Asked Questions

<u>Need future advice? Contact:</u>

- **Ryan O’Connor**, Education Program Manager
  - Email: roconnor@sandiego.gov
  - Office Phone: (619) 533-3470
  - Cell Phone: (508) 523-3297
- **Bryn Kirvin**, Executive Director
  - Email: bkirvin@sandiego.gov
  - Office Phone: 619-533-3423
- **Megan Curran**, Legislative Program Manager
  - Email: mcurran@sandiego.gov
  - Office Phone: (619) 533-3494

<u>Need help with ethics training compliance? Contact:</u>

- **Victoria Bermudez**, Administration & Training Compliance Program Manager
  - Email: vbermudez@sandiego.gov
  - Office Phone: (619) 533-3417

- **You will receive an email with a link to a short survey. Your confidential feedback is important to us and is not tied to your identity. Please help us improve future programs. Thank you!**