

**WEST HOLLYWOOD
ETHICS REFORM TASK FORCE
SPECIAL MEETING
AGENDA**

**WEDNESDAY, MAY 23, 2018
6:30 P.M.**

**Plummer Park
Rooms 1 & 2
7377 Santa Monica Boulevard
West Hollywood, CA 90046**

If you require special assistance to participate in this meeting (e.g., a signer for the hearing impaired), you must call, or submit your request in writing to the Office of the City Clerk at (323) 848-6409 at least 48 hours prior to the meeting. The City TDD line for the hearing impaired is (323) 848-6496.

Special meeting related accommodations (e.g., transportation) may be provided upon written request to the Office of the City Clerk at least 48 hours prior to the meeting. For information on public transportation, call 1-323-GO-METRO (323/466-3876) or go to www.mta.net

This agenda was posted at: City Hall, the West Hollywood Library on San Vicente Boulevard, and the West Hollywood Sheriff's Station.

If you would like additional information on any item appearing on this agenda, please contact Melissa Crowder at (323) 848-6356; or via email at mcrowder@weho.org. Also, a special email address has been set-up for the Ethics Reform Task Force please email any questions, concerns, or suggestions to EthicsTaskForce@weho.org.

- 1. CALL TO ORDER**
- 2. ROLL CALL & INTRODUCTIONS**
- 3. SELECTION OF A CHAIR FOR THE PURPOSE OF CONDUCTING MEETINGS**
Options: rotate for each meeting among three members; choose one member.
- 4. COMMENTS FROM THE PUBLIC**
This time is set aside for members of the public to address the Task Force on matters related to ethics reform (the Task Force's subject matter jurisdiction).

5. TOPICS FOR DISCUSSION

A. Government Ethics

- Campaign Donations from City Contractors and/or those in the RFP/BID Process
- Financial Conflicts of Interest
- Recusals

B. Lobbyist Regulation

- Additional Disclosure Requirements
- Reporting Requirements
- Best Practices

C. Enforcement

- What is the enforcement mechanism?
- Who enforces it?

6. REFERENCE DOCUMENTS

- Final Staff Report to City Council June 5, 2017 (Attachment A)
- Code Of Conduct For Elected Officials Revised August, 2016 (Attachment B)
- Administrative Regulation 414 – Political Activity (Attachment C)
- Municipal Code Section 2.72 – Lobbying (Attachment D)

7. FUTURE MEETING DATES

Discuss Task Force Members availability for possible future meetings of the Task Force.

8. COMMENTS FROM STAFF

This time is set aside for staff to provide any announcements or updates relevant to the Task Force's business and to confirm the next meeting agenda.

9. ADJOURNMENT

ETHICS REFORM TASK FORCE MEMBERS

Joseph Guardarrama
Max Kanin
Elizabeth Ralston

STAFF

Melissa Crowder, Assistant City Clerk
Yvonne Quarker, City Clerk
Lauren Langer, Assistant City Attorney

MAILING ADDRESS

City of West Hollywood
Office of the City Clerk
8300 Santa Monica Boulevard
West Hollywood, CA 90069-4314
323.848.6400 (main)

ATTACHMENT A

City Council Staff Report – June 5, 2017

Reconvening the Ethics Reform Task
Force

SUBJECT: **ETHICS REFORM TASK FORCE**

INITIATED BY: **ADMINISTRATIVE SERVICES DEPARTMENT**
(Yvonne Quarker, City Clerk's Division, City Clerk ,
(Melissa Crowder, City Clerk's Division, Assistant City Clerk) )

CITY ATTORNEY
(Mike Jenkins, City Attorney)

STATEMENT ON THE SUBJECT:

As part of the final recommendations from the Ethics Reform Task Force in November 2015, Council directed staff to reconvene an Ethics Reform Task Force ("Task Force") after each election cycle. The newly convened Task Force will consider additional recommendations based on ethical challenges arising during the March 2017 election.

RECOMMENDATIONS:

- 1) Convene a new Ethics Reform Task Force consisting of members of the public and staff.
- 2) Provide additional feedback and direction to staff.

BACKGROUND / ANALYSIS:

At the April 20, 2015 City Council meeting, the City Council authorized the formation of an Ethics Reform Task Force consisting of the following subject matter experts: Joseph Guardarrama, Elizabeth Ralston, and Bob Stern. The Council directed the Task Force to review the City's current ethics laws and regulations, seek input from the community, and recommend any revisions or reforms the Task Force deemed warranted or desirable. Further, the Council directed the Task Force to report back to them by early 2016.

The Task Force conducted a total of six meetings. The meetings were held at City Hall, Council Chambers, and Plummer Park. The Task Force received input from the community on various topics including government ethics, campaign finance, lobbyists' regulation, and enforcement. The recommendations to Council were provided at the November 18, 2015 City Council meeting.

At that Council meeting, Council approved the recommendations of the Task Force. Staff returned to Council at various meetings so that Council could consider and approve the Task Force's recommendations including:

- Codifying the City's Gift Policy as an Ordinance (*Ordinance #16-981*)

- Require Disclosure of Behested Payments over \$1,000 (*Ordinance #16-993*)
- Convene an Ethics Reform Task Force after each election cycle
- Electronic filing systems for campaign finance reports (*Approved on 8/15/16 and implemented for the March 2017 election*)
- Independent Expenditure and Ballot Measure Advertisement Disclosures (*Ordinance #16-981*)
- Cost of Living Increase to Campaign Contribution Limit (*At the April 4, 2016 City Council meeting, Council elected not to increase the Campaign Contribution Limit*)
- Require those making Lobbying Expenditures of Over \$5,000 to File Quarterly Reports (*Council considered this item with no formal action taken*)
- Voter Education and Participation (*Ordinance #16-986 consolidates elections with the County beginning 2020.*)

Council is now being asked to reconvene the Ethics Reform Task Force as approved in 2015, to consider additional recommendations following the March 7, 2017 Election cycle.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-2: Institutional Integrity.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-2: Maintain transparency and integrity in West Hollywood’s decision-making process.

EVALUATION PROCESSES:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

COMMUNITY ENGAGEMENT:

The Ethics Reform Task Force will conduct public meetings to encourage constituent participation. The City's website has a page dedicated to the Task Force: <http://www.weho.org/city-hall/boards-commissions/committees-and-task-forces/ethics-reform-task-force>. Staff will work with the Communications Department to ensure that information about Task Force meetings is also posted on social media.

OFFICE OF PRIMARY RESPONSIBILITY:

ADMINISTRATIVE SERVICES DEPARTMENT / CITY CLERK DIVISION

FISCAL IMPACT:

None at this time. Anticipated expenditures related to the Task Force can be accommodated within the City Clerk's approved FY 17-18 budget.

ATTACHMENTS:

None.

ATTACHMENT B

Code of Conduct for Elected and Appointed
Officials (Revised August 2016)

CITY OF WEST HOLLYWOOD

CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS

(Revised August 2016)

I. Introduction

The purpose of this Code of Conduct (“Code”) is to define the role of elected and appointed officials (members of the City Council and its subsidiary Commissions and Boards, collectively “City officials” or “officials”) in the governance of the City. This Code consists of policies and implementing rules intended to advance the City’s goals of providing efficient and high quality services to its residents and providing a safe and productive work environment for its employees.

II. Background

West Hollywood is a general law city governed by the council/manager form of government. The City Council, with the assistance of its advisory commissions and boards makes policies and fundamental governmental decisions; the City Manager is charged with implementing those policies and decisions and administering the day-to-day affairs of the City with the assistance of his/her staff. The City Council has direct authority over the City Manager and the City Attorney; all other employees of the City are under the direct authority of the City Manager. This Code establishes rules that contribute to the success of this basic structure and to maintaining positive and effective working relationships between officials and employees.

III. Limitations

This Code addresses selective aspects of the governance of the City and supplements, but does not supplant, other laws and rules that prescribe the legal responsibilities of City officials. Those include, among others, the California Constitution, various provisions of the California Government Code (including the Brown Act and the Political Reform Act) and Labor Code, federal laws prohibiting discrimination and harassment, and the provisions of the City’s own Municipal Code. Elected and appointed officials should be familiar with these laws to assure that they exercise their responsibilities

properly; to that end, the City provides periodic training and education programs which should be attended by all City officials. In addition, the City Attorney is available to respond to questions about these matters.

It is not possible for a code of this kind to anticipate and provide a rule of conduct for all situations. At bottom, it is expected that officials will manage their behavior in a manner consistent with the rules that follow, respect the chain of command and behave within the bounds of their authority. It is also expected that officials will treat each other, City employees, residents and business-people with courtesy and respect in a manner that reflects well on the City.

IV. Policies and Rules

What follows are general policies governing the conduct of City officials. Following each policy is a set of rules that give specific application to the policy. In *italics* following each rule, is an explanation of the rule and guidance for interpreting and applying the rule.

Policy 1. City officials shall deal with the administrative service solely through the City Manager or his/her delegee.

Rules:

1.1 Officials shall not direct, order or make demands on any City employee, other than inquiries that can be answered routinely and without research and support requested in accordance with a protocol established by the City Manager.

City staff is organized in a hierarchical structure, and City employees work under the direction and control of several layers of management culminating with the City Manager. Individual officials are not part of that management structure and have no authority to direct employees. When an official attempts to give an employee direction, the employee is put in an awkward position and the management structure is undermined. In some cases such actions have the potential for liability. Officials are not authorized directly to give work assignments to Employees, except that City Councilmembers may seek the assistance of employees designated by the City Manager in accordance

with a support protocol promulgated by the City Manager. Employees are instructed not to take directions or work assignments from officials and to report any such attempts to their Department Director. An official may ask a routine question of staff; beyond that, concerns about work assignment should be addressed to the City Manager or to the appropriate Department Director.

1.2 Officials shall not attempt to reorganize an employee's priorities or influence the manner by which City staff perform their assigned functions or duties.

City employees are directed in their everyday tasks by their immediate supervisor in accordance with approved work plans. Interference with an employee's work routine, priorities or decisionmaking processes by an official creates confusion and stress and places the employee in the difficult position of either disregarding his or her assigned work or appearing to disrespect the official's wishes. All requests for work or research should be directed to the appropriate Department Director. From time to time an official may believe that a problem must be looked into immediately, and is tempted to direct an employee to drop everything and focus on that problem. Officials must, however, communicate their concern to the appropriate Department Director or the City Manager.

1.3 Officials shall not retaliate or threaten to retaliate against employees as a result of disagreements over policy recommendations.

It is critical to the success of the City that its employees enjoy a workplace free of the fear of retaliation. The City takes great pride in its creativity and its receptivity to new and different ideas; creativity is fostered by an open and nonjudgmental atmosphere where candor is not penalized. City employees are hired to offer their professional judgments and opinions. Officials are certainly free to disagree with those judgments; indeed, those officials ultimately may have the final word. But, those disagreements must not extend to threats or generate fear of reprisal. Officials enjoy substantial authority within City Hall; this authority must not be exercised in a manner that intimidates staff and degrades morale with resulting damage to the fabric of the organization.

1.4 Officials shall not threaten a City employee with disciplinary action.

If an official is concerned about the performance of a City employee, that concern should be expressed privately to the City Manager or to the employee's Department Director. Such criticisms can then be addressed in accordance with the City's personnel rules, in a manner that protects the employee's rights and protects the City's authority properly to discipline its employees. It is never acceptable for an official directly to threaten disciplinary action of any kind. And, rarely, if ever, is it appropriate to criticize publicly a non-managerial employee. Officials should certainly have high expectations of employees' work performance; but, there is no room in the City organization for public humiliation of any person.

Policy 2. City officials shall act collectively in a properly noticed and constituted meeting; officials have no authority to make decisions or take actions on behalf of the body unless expressly authorized to do so.

Rules:

2.1 Officials shall not make representations or promises to any third party regarding the future actions of the City or of the body of which they are a member, unless such representation or promise has been duly authorized by the appropriate body.

When officials engage in conversations with residents, applicants, developers, lobbyists and officials of other governmental agencies, they should be cautious not to make representations or promises that they cannot legally make or keep. Future actions of a legislative body cannot be promised or predicted with certainty. Individual officials do not have authority to make commitments on behalf of the City unless expressly authorized to do so by the body of which they are a member.

2.2 When making public utterances, officials shall make it clear whether they are authorized to speak on behalf of the body of which they are a member, or whether they are presenting their own views.

Officials occasionally speak before other public bodies, neighborhood groups or to the press. When doing so, they should always make it clear whether they are presenting their own point of view or whether they have been authorized by the body of which they are a member to present a particular view.

They should be clear in all oral and written utterances whether they are using their title for identification purposes or because they are speaking in an official capacity. Use of City letterhead shall comply with Rule 4.1 herein. The actions and recommendations of subsidiary bodies are presented to the City Council as part of the staff report, and often memorialized in a resolution. If a subsidiary body feels it necessary to supplement these written transmittals, it should expressly authorize one of its members to speak on its behalf. Seldom should an individual member of a commission or board feel it necessary to explain his or her votes at a City Council meeting.

2.3 Officials shall not interfere with the manner by which the City Manager performs his or her duties.

The City Manager takes direction from the Council acting as a body, not from individual members. And, while the Council as a body may offer its views on matters within the Manager's area of authority (such as hiring subordinates), it is the Manager, as chief executive officer of the organization, that makes the final decisions on such matters. The Manager cannot function effectively if he or she receives inconsistent direction from individual Councilmembers or is not given the support and independence necessary to administer the City.

2.4 City officials shall not interfere with the implementation by City staff of approved projects and programs.

The City Manager is charged with the implementation of approved projects or programs. City Councilmembers must avoid interfering with or directing the Manager's method of carrying out the City Council's decisions, even if the project or program was conceived and initiated by an individual Councilmember. Once a project or program receives Council approval, it is an official activity of the City, not of any individual Councilmember. City officials do not have authority and should refrain from giving directions or instructions to City contractors or consultants working on City projects or programs.

2.5 Officials representing the City on regional bodies shall vote in a manner that is consistent with Council direction and/or policy.

City officials, primarily Councilmembers, represent the City on various regional and multi-agency bodies. When serving in that capacity, officials shall vote in a manner that is consistent with direction provided by the City Council or with articulated City policy; if no direction exists, officials should endeavor

to place the matter on a City Council agenda early enough to obtain direction. Officials should routinely report their activities on regional bodies under the Council Comments agenda item.

Policy 3. Appointed bodies shall limit their activities to matters within their subject matter jurisdiction.

Rules:

3.1 Commissions and Boards shall address only those matters determined by the Municipal Code or by the Council to be within their subject matter jurisdiction; staff need not place on an agenda, provide resources for or implement requests, directions or actions outside that jurisdiction. Unless directed otherwise by the City Council, Commissions and Boards shall refrain from consideration of policy issues that are under active consideration by the Council.

The Municipal Code sets forth the subject area jurisdiction of the City's Commissions. The City Council establishes the duties of its advisory boards. These subsidiary bodies are limited to acting and/or making recommendations within the area of their jurisdiction, and in accordance with by-laws approved by the City Council.

3.2 The City Council as a whole shall provide direction and guidance to its subsidiary bodies.

There may be times when the Council perceives that an advisory body is straying from its mission or making decisions or recommendations inconsistent with the Council's vision for the City. It is preferable for the Council to communicate its concerns to such bodies in a joint study session.

Policy 4. City resources shall be used solely for proper governmental purposes, and only with proper authorization.

Rules:

4.1 City letterhead may be used by City Councilmembers for official City business.

City letterhead must be used with care to avoid misunderstandings. Letterhead may be used to communicate official City policy or actions. It is also routinely used by Councilmembers to respond to inquiries or communicate their individual opinions, in which event the author should be clear about whose view is being presented. Letterhead shall only be used for communications that relate directly to City business; if a Councilmember has any doubt about whether the communication is appropriate for use of City letterhead and an appropriate use of City resources (for example, where the same communication on letterhead is being mailed to multiple recipients in accordance with FPPC regulations governing mass mailings), inquiry should be made to the City Manager or the City Attorney. Appointed City officials are not authorized to use City letterhead.

4.2 City employees shall not be asked or directed to spend time on non-City business.

It is improper to ask or require a City employee to engage in non-City related activities. Non-City activities include, among other things, election campaign-related activities and personal errands. Further, City employees should not be solicited to engage in political activity on behalf of a City official; they may, of course, choose to do so when off-duty and away from City Hall.

4.3 When traveling on City business, officials shall adhere to the City's AB 1234 Policy.

The City Council has adopted an AB 1234 Policy governing reimbursements for city-related business expenses. It is expected that all officials will adhere strictly to this policy.

4.4 Officials shall not use or disclose information obtained through City service for improper purposes.

Officials often acquire information in performing their duties that is not generally available to the public, including information received in closed sessions. Sometimes this information is confidential

or highly sensitive. Information that is not generally available to the public must remain confidential and be used only for the purposes for which it was divulged. In particular, this information can never be used for personal gain.

Policy 5. When representing the City, officials shall conduct themselves in a dignified manner and in accordance with all legal requirements.

Rules:

5.1 When representing the City on official business, officials shall behave responsibly and in a manner as to project a positive image for the City.

Whenever an official is representing the City, in or out-of-town, the official is "on-duty" and should behave in a manner that will reflect well on the City. When out-of-town or at social events there is a temptation to behave more informally than one might in City Hall, which can lead to awkward or embarrassing situations, and in extreme cases to improper or illegal behavior. When at official functions, officials should avoid drinking alcohol to excess.

5.2 Officials shall exercise best efforts to avoid the appearance of impropriety in the performance of their official duties.

The public's confidence in the integrity and fairness of City government often hinges on the behavior of City officials. Real or perceived ethical lapses by City officials undermine the effectiveness of the City and cast a shadow on the decisions of its legislative bodies. Often, ethical considerations extend beyond the legal requirements of conflict of interest law.

5.3 Officials shall identify themselves by their titles only in those circumstances when it is directly relevant.

Officials must avoid creating the perception that they are abusing their authority or attempting to obtain special consideration or favors by identifying themselves by their title (i.e. "Mayor," "Mayor Pro Tem," "Councilmember," or "Commissioner") in circumstances where their City position has no relevance. When representing themselves as City officials in appropriate situations, officials should do so accurately and not misrepresent their authority.

Policy 6. Officials should conduct themselves in a professional and businesslike manner during the meetings of the bodies of which they are members.

Rules:

6.1 Officials shall treat each other, members of the public and staff with respect.

Public meetings are the place where City officials and staff most often interact. The public has a right to participate in meetings in accordance with the structure and rules of the body. Public participation is a foundational element of participatory democracy. Officials should make a point of paying attention to public testimony and treating speakers courteously. Commentary should focus on issues, not personalities; ad hominem attacks should be avoided.

6.2 Officials should be engaged and attentive during public meetings. To avoid disruptions, electronic devices shall be set to silent or vibrate mode during public meetings. The use of electronic devices during official City meetings (except during recesses or breaks) for any purpose aside from reading agenda materials and related resources and taking notes shall be kept to a minimum. Officials shall not use electronic devices to communicate either directly or through social media with other members of the body or with any other person regarding a public hearing item during the hearing.

Use of smartphones, laptops, etc. during meetings can be distracting, create the appearance that officials are not paying attention and can compromise the rights of those with business before the City. In particular, surreptitious communications regarding public hearing items undermines the integrity and fairness of a public hearing.

V. Enforcement

The City is committed to maintaining a healthy, fulfilling and humane workplace. To that end, every City official is expected to observe the foregoing policies and rules when engaged in City business.

Complaints alleging a violation of this Code of Conduct by a City official should be directed to the City Manager or the City Attorney. Upon receipt of a complaint of a minor nature, the City Manager and the City Attorney shall together determine a course of action. The City Manager and the City Attorney shall, should they fail to resolve the complaint or should the complaint be of a serious nature, consult with the Mayor (unless the Mayor is the subject of the complaint, in which event they shall consult with the Mayor Pro Tem or other Councilmember, in order of seniority, as is appropriate under the circumstances) in order to determine an appropriate course of action.

The goal of enforcement of this Code of Conduct is corrective, rather than penal, and a progressive approach to curing violations shall be employed, beginning with informal methods and proceeding to more formal methods as necessary. If appropriate, informal counseling and instruction (including referral to the Employee Assistance Program if appropriate) shall be utilized to correct the official's behavior prior to recommending imposition of sanctions.

Should less drastic measures fail, the City Council may in a public meeting impose one or more of the following sanctions:

Reprimand

Censure

Travel or expense reimbursement restrictions

Loss of committee or liaison assignments

Removal from an appointed commission or board

Loss of staff support or use of City resources

Restrictions on access to City facilities

Other penalties as may be applicable under the circumstances

ATTACHMENT C

Political Activity – Admin Reg 414

CITY OF WEST HOLLYWOOD
ADMINISTRATIVE REGULATION

No. 414

Effective Date: 03-24-97

SUBJECT: POLITICAL ACTIVITY

Purpose

The City of West Hollywood encourages its employees to participate in the political and government process and be informed on public issues and candidates for public office. However, the City has established guidelines relating to political activities of City employees based upon federal, state, and local laws and prohibits political activity that is illegal.

Application

The City's Administrative Regulation applies to all City employees (including City Manager, Assistant City Manger, Department Directors and Division Managers). Other City representatives such as City officials, Members of City Commissions, Boards, and Task-Forces, contractors, or consultants may also be prohibited from using their official relationship with the City to endorse or oppose political candidates or activities.

Policy

1. It is unlawful for the City of West Hollywood or its employees to expend City funds on partisan and/or political matters and on other issues that are on a ballot for an election. Additionally, this policy prohibits the use of employees' time, City equipment and supplies, and the payment of expenses for City officials who travel for the purpose of promoting a particular view on political matters.
2. The City may also prohibit or limit the solicitation or receipt of political funds or contributions to promote the passage or defeat of a ballot measure concerning working conditions during the working hours of its officers and employees. The City also has the right to limit entry into City offices for such purposes during working hours.
3. California Government Code prohibits officers and employees of the City from directly or indirectly soliciting political funds or contributions from other officers or employees of the City unless the solicitation is done through the mail and is part of a solicitation directed to a large segment of the public which may incidentally include officers and employees of the City of West Hollywood. This is designed to protect employees from feeling pressured into contributing to political causes or for fear that if they fail to do so, their job will be affected.

4. No City employee or official shall participate in political activities of any kind while in a uniform or other clothing that is issued by the City.
5. City employees and officials are prohibited from engaging in political activity or solicitation during working hours and on the City's property.
6. The Hatch Act applies to all employees whose positions are funded by federal funds. According to this Act, the following acts or activities are prohibited:
 - a) Use of an employee's official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.
 - b) Direct or indirect coercion, attempts at coercion, commanding or advising a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.
 - c) Candidacy for a partisan elective office.
 - d) Participation in partisan or non-partisan political activities during working hours.

Employees who are on sick leave, vacation or other leave are governed by the provisions of the Hatch Act while on the leave.

Responsibilities

1. The City expects all employees, City officials, Members of City Commissions, Boards, and Task-Forces to be responsible for adhering to the City's policy regarding political activities. Additionally, contractors, consultants, or others doing business for or with the City will be required to abide by the City's policy regarding political activities while engaged in City business or activities.
2. It is the responsibility of the City Manager, all Department Directors, Division Managers and any other supervisory employee to use their best efforts to take the necessary and proper steps, including disciplinary action, to prevent improper or illegal political activities by City employees.
3. Supervisors should promptly investigate any complaint or report of improper or illegal political activities and notify the Human Resources Division or City Manager of any findings or suspected findings.
4. Any employee who feels that improper political activities are occurring on City property is strongly encouraged to bring the issue up to his/her supervisor, the Human Resources Manager, or the City Manager.
5. The Human Resources Manager is responsible for promptly initiating an investigation after receiving a complaint or report of suspected illegal political activity.

Procedures

1. In determining whether a reported political activity is improper, the totality of circumstances, the nature of the act or behavior, and the context in which the reported incident occurred will be investigated.
2. Individuals found to have engaged in any form of improper or illegal political activity, as defined by this policy, will be subject to disciplinary action, according to the City's disciplinary procedures, which will be based on a number of factors including the severity of the conduct and the past history of the individual's conduct.
3. Statement of findings and disciplinary action taken will be included in the offending party's permanent personnel file and in his/her performance evaluation, unless the investigation discloses no misconduct.
4. An employee or individual working for or representing the City who knowingly makes a false claim against another employee of improper or illegal political activity will be subject to disciplinary action up to and including termination.

ATTACHMENT D

Lobbying – West Hollywood Municipal
Code Section 2.721

[West Hollywood Municipal Code](#)[Up](#) [Previous](#) [Next](#) [Main](#) [Collapse](#) [Search](#) [Print](#) [No Frames](#)[Title 2 Administration and Personnel](#)[Article 4 – Miscellaneous](#)**Chapter 2.72 Lobbying**

2.72.010 Lobbyist – Defined.

“Lobbyist” shall mean any individual who is employed, retained or contracts for economic consideration to communicate with any elective official or any officer or employee of the City of West Hollywood for the purpose of influencing a legislative or administrative action.

(Ord. 85-44, 1985; prior code § 21000)

2.72.020 Registration.

Prior to conducting any activities for the purpose of influencing any action by the City of West Hollywood, any lobbyist shall register with the City Clerk by filing a written statement containing:

- a. The lobbyist’s full name, business address and telephone number;
- b. The name, business address and telephone number of any individual or entity by whom the lobbyist is employed or with whom he or she contracts to perform lobbying services in the city; and
- c. A description of the subject matter of the lobbyist’s engagement.

(Ord. 97-491 § 1, 1997; Ord. 85-44, 1985; prior code § 21001)

2.72.030 Registration Equivalentents.

A lobbyist is deemed to be registered with the City Clerk if he or she has otherwise provided the City of West Hollywood in writing with the information required by Section 2.72.020 or has appeared at a public meeting of the City of West Hollywood and has stated the required information for the record.

(Ord. 85-44, 1985; prior code § 21002)

2.72.040 Registration Fee.

The City Clerk may charge a fee for filing, amending and/or renewal of a registration, the amount of which shall be determined by resolution of the City Council.

(Ord. 97-491 § 2, 1997; prior code § 21003)

2.72.050 Registration – Time.

Every lobbyist required to file a registration statement under this chapter shall register with the City Clerk no later than ten days after being engaged as a lobbyist, and shall renew the registration annually as required in Section 2.72.060.

(Ord. 97-491 § 3, 1997; prior code § 21004)

2.72.060 Registration – Duration.

Registration shall be renewed with the City Clerk on an annual basis between May 21st and June 1st of each year. Registration shall be valid for one year.

(Ord. 97-491 § 3, 1997; prior code § 21005)

2.72.070 Amendment of Registration Information.

If any change occurs concerning any of the information required by Section 2.72.020, the lobbyist shall file an amendment reflecting the change within ten days of the change.

(Ord. 97-491 § 2, 1997; Ord. 85-44, 1985; prior code § 21006)

2.72.080 Notice of Termination.

Lobbyists may file a notice of termination with the City Clerk within ten days after ceasing all activity which required registration.

(Ord. 97-491 § 2, 1997; prior code § 21007)

2.72.090 Post-Employment Lobbying.

a. Members of the City Council and their deputies, members of the Planning Commission, department heads, and division managers are “designated employees and officials” for purposes of this section.

b. Designated employees and officials shall not, for a period of one year after leaving that office or employment, act as agent or attorney for, or otherwise represent, for compensation, any other person, by making any formal or informal appearance before, or by making any oral or written communication to, the City Council or any committee, subcommittee, Board, Commission, or present member thereof, or any officer or employee of the City, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property.

c. Subsection (b) shall not apply to any individual who is, at the time of the appearance or communication, a board member, officer, employee, or representative of another local government agency, a public agency, or a nonprofit organization, and is appearing or communicating on behalf of that agency or organization.

(Ord. 14-941 § 1, 2014)

View the [mobile version](#).