

CITY OF WEST HOLLYWOOD
ADMINISTRATIVE REGULATION

No. 102

Effective Date: 12/13/85

Revised: 09/01/99

SUBJECT: RECEIPT OF GIFTS

PURPOSE:

To establish a uniform policy regarding receipt of gifts by City officials and employees.

APPLICATION:

This Regulation shall apply to all City elected officials, appointed officials and employees (hereinafter "City official or employee").

Compliance with this Regulation does not ensure compliance with or excuse non-compliance with the California Political Reform Act of 1974, as amended, and as implemented by the Fair Political Practices Commission.

DEFINITIONS:

Business before the City: A person or entity has "business before the City" for purposes of this Regulation if within twelve (12) months of offering a gift to a City official or employee, the person or entity: i) has or will submit a bid or proposal to the City to perform services or provide supplies or equipment; or ii) has or will submit an application to the City for a permit, license or regulatory approval of any kind.

Gift: A "gift" for purposes of this Regulation is any bestowal of money or anything of value, or provision of a discount or rebate, to any City official or employee for which nothing of equal or greater value is exchanged, or which is not required by law to be given, or which is given in appreciation of service rendered or perceived rendered by a City official or employee in the course and scope of his/her duties. "Gift" does not include: i) any discount or rebate made in the regular course of business and offered to the general public without regard to official status; ii) receipt of something of value from those who do not have business before the City; iii) inheritances; iv) plaques and trophies; and v) campaign contributions.

POLICY:

No City official or employee shall accept a gift from any person or entity with business before the City unless: (i) it is edible and can be shared with other employees (such as candy), (ii) it is something that can be displayed publicly in City Hall (such as flowers or art) and is conveyed immediately upon receipt to the City Manager, or his/her designee, for such purpose, or (iii) it is turned over immediately upon receipt to the City Manager, or his/her designee, and used as a raffle prize, the proceeds from which shall be donated to charity or deposited in the City's general fund. Under no circumstances shall a City official or employee accept a gift of cash from any person or entity with business before the City.

Any City official or employee who is offered or receives a gift shall advise the offeror of this policy and of the ultimate disposition of the proffered gift, and shall provide the offeror an opportunity to withdraw or reclaim the gift.

Nothing herein shall prohibit a gift or donation to the City in furtherance of its governmental purposes.