

PART V. MISCELLANEOUS

§ 6-36. Prestige of office.

(a) *In general.*

A public servant may not intentionally use the prestige of his or her office or position for his or her own private gain or that of another.

(b) *Constituent services.*

The performance of usual and customary constituent services, without additional compensation, is not prohibited by this section.

(Ord. 04-795.)

Defined terms:

<i>Compensation</i>	§2-7	<i>Public servant</i>	§2-23
<i>May not</i>	<i>cf. §2-36</i>		

§ 6-37. Disclosing confidential information.

Except in the discharge of an official duty, a public servant may not disclose or use, for his or her own economic benefit or that of another, confidential information that the public servant acquired by reason of his or her public position and that is not available to the public.

(Ord. 04-795.)

Defined terms:

<i>May not</i>	<i>cf. §2-36</i>	<i>Public servant</i>	§2-23
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§ 6-38. Participation in procurement.

(a) *Scope of section.*

This section applies to:

(1) any individual who, for a proposed City procurement, assists a City agency in the drafting, development, or issuance of specifications, an invitation for bids, a request for proposals, a request for qualifications, or any other document related to the procurement; and

(2) any person who employs that individual.

(b) *Prohibited conduct.*

A person described in subsection (a) of this section may not:

(1) submit a response for that procurement; or

- (2) directly or indirectly, assist or represent another person in submitting a response for that procurement.

(c) *Exemptions.*

For purposes of this section, the following transactions do not constitute assisting in the drafting of specifications, an invitation for bids, a request for proposals, or a request for qualifications:

- (1) providing descriptive literature, such as catalogue sheets, brochures, technical data sheets, or standard specification “samples”, whether solicited by the City agency or unsolicited;
- (2) submitting written comments on a specification prepared by an agency or on a solicitation for a bid or proposal, if comments have been solicited from 2 or more persons as part of a request for information or a prebid or preproposal process; or
- (3) providing specifications for a sole-source or selected-source procurement authorized by law.

(Ord. 04-795; Ord. 16-503.)

Defined terms:

Agency
May not

§2-2 *Person*
cf. §2-36

§2-22

§ 6-39. Employment of relatives by elected officials.

(a) *“Relative” defined.*

In this section, “relative” means:

- (1) spouse;
- (2) parent or stepparent;
- (3) sibling or step sibling;
- (4) child, stepchild, foster child, or ward;
- (5) mother-in-law or father-in-law;
- (6) son-in-law or daughter-in-law;
- (7) grandparent; or
- (8) grandchild.

(b) *Prohibited employment.*

No elected official may use public funds to employ a relative of that elected official or of any other elected official.

(Ord. 04-795.)

EDITOR’S NOTE

Section 8 of Ordinance 04-795 provides that the preceding § 6-39 “do[es] not prohibit the continued employment of a relative of a public servant if:

- (1) the employment was entered into prior to the enactment of this Ordinance; and
- (2) immediately prior to the enactment of this Ordinance, the employment and the public servant’s participation in the employment conformed to all then-applicable laws, rules, and other standards of conduct.”

The Ordinance was enacted on July 8, 2004.

Defined terms:

<i>Child</i>	§2-6	<i>No ... may</i>	<i>cf. §2-36</i>
<i>Elected official</i>	§2-8		