

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING  
TITLE 12 OF THE SAN JOSE MUNICIPAL CODE TO  
AMEND SECTIONS 12.10.020 AND 12.10.030 OF  
CHAPTER 12.10 TO REDEFINE EXCEPTIONS TO THE  
REVOLVING DOOR ORDINANCE AND REDUCE THE  
PROHIBITION FROM TWO YEARS TO ONE YEAR**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 12.10.020 of Chapter 12.10 of Title 12 of the San José Municipal Code is amended to read as follows:

**12.10.020 Definitions**

For purposes of this Chapter, the terms below have the following meaning:

- A. "Agency **e**O**ff**icial" means the chairperson and members of the **b**B**o**ard of **d**D**i**rectors of the **r**R**e**development **a**A**g**ency of the City of San José.
- B. "City **e**O**ff**icial" means the **m**M**a**yor and **e**C**i**ty **e**C**o**uncilmembers.
- C. "Commission" means any body created by the **e**C**i**ty **e**C**o**uncil or **a**A**g**ency **b**B**o**ard whose members are required to file statements of economic interest pursuant to the Political Reform Act of 1974 as amended (Gov. Code §§ 81000 et seq.).
- D. "Employee" has the same meaning as set out in Title 20 of the Code of Federal Regulations § 404.1007(b).

- E. "Nonprofit organization" means ~~an entity which would qualify as such a tax-exempt organization under section 501(c)(3) of the federal Internal Revenue Code and has engaged in programs or projects which have received financial or other formal support from the city council or redevelopment agency board within the past five years.~~
- F. "Transitional services" means services involving technical or specialized knowledge required to complete a project or to provide temporary consulting services to the eCity or the aAgency.
- G. "Work" means any activity for which compensation is received from any source, including compensation received as an independent contractor. Work includes the supervision or direction of others performing work, except as provided in Section 12.10.050. Work for the eCity or aAgency also includes any action of any sort whatsoever taken in one's official capacity. Service by a eCity or aAgency eOfficial or designated employee on any type of board, committee or similar body as a representative of the eCity or aAgency is deemed to be work for the eCity or aAgency.

SECTION 2. Section 12.10.030 of Chapter 12.10 of Title 12 of the San José Municipal Code is amended to read as follows:

**12.10.030 Prohibitions for former officials and designated employees**

No city or agency official or designated employee, for ~~two~~one years after terminating city or agency office or employment, may:

- A. Work on any legislative or administrative matter on which the official or employee worked on behalf of the city or agency during the twelve months prior to

termination of service, or which was within the former city or agency official's or designated employee's area of job responsibility. "work on any legislative or administrative matter" includes, but is not limited to, providing advice or recommending any action with regard to a city or agency legislative or administrative matter such as a project involving land use, development, or public works. Legislative matters include city council, agency board and city board or commission actions related to ordinances, resolutions, agreements, permits or licenses.

- B. Represent anyone else on any matter, whether or not for compensation, before the city council, redevelopment agency board, any commission thereof, any individual member of the city council, redevelopment agency board, or commission, or any staff of the city or agency.
  
- C. Receive any gift or payment which would be prohibited under Chapter 12.08 from any person who was, in any way, involved in or affected by the work of the official or employee during the twelve months prior to the termination of service.

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PASSED FOR PUBLICATION of title this \_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI TABER  
City Clerk