



City of Glendale Information Sheet- Campaign Finance Ordinance Applicants Seeking Entitlement

Submit to Permit Services Center, 633 E. Broadway, Rm. 101. For more information call 818-548-3200.

In August 2011, the Glendale City Council adopted Ordinance No. 5744, which becomes effective on September 9, 2011 ("Ordinance"). The Ordinance prohibits campaign contributions from "applicants seeking entitlement," certain of their contractors and subcontractors (including their architects, engineers, and design professionals) while the application is "pending" and for 12 months thereafter. An application is deemed pending when: an application or letter is filed and the City Council, Redevelopment Agency, or Housing Authority has original jurisdiction over approval of the entitlement, or when the application is formally appealed to the City Council. The Ordinance also prohibits any member of the City Council, Redevelopment Agency, or Housing Authority from voting on any matter pertaining to an entitlement if that member has received a campaign contribution from the applicant seeking the entitlement, or certain contractors or subcontractors of the applicant, within the 12-month period preceding the consideration of the matter.

I. What acts does the Ordinance prohibit?

With respect to an "applicant seeking entitlement" before the Glendale City Council ("Council"), the Glendale Redevelopment Agency ("GRA"), or the Housing Authority of the City of Glendale ("HA"), the Ordinance does the following:

1. Prohibition No. 1 – **Ban on contributions while application is pending and for 12 months thereafter.** The Ordinance prohibits (a) an "applicant seeking entitlement", (b) a "contractor of an applicant seeking an entitlement," or (c) a "subcontractor of an applicant seeking an entitlement" from making a contribution to a member of City Council while an application is "pending" before the Council, GRA, or HA and for a period of 12 months after the last and final approval of the Council, GRA or HA.
2. Prohibition No. 2 – **Ban on voting if contribution received during 12-month period preceding consideration of the matter.** Prohibits any Council Member, Redevelopment Agency Member, or Housing Authority Member who has received a contribution from an applicant seeking entitlement, a contractor of an applicant seeking entitlement, or a subcontractor seeking entitlement within a period of 12 months prior to consideration of an entitlement from voting on the matter.

II. Who is an applicant seeking entitlement?

- Person who files an application or letter with the City, GRA, or HA, or
- Person who is an owner or lessee of property on whose behalf an application or letter is filed

III. What is an entitlement?

An entitlement is any land use or similar entitlement including:

Permit	License	Conditional Use Permit	Variance	Architectural/Design Review (any stage)
Franchise	Administrative Exception	Parking Reduction Permit	Review of Plans	Development Agreement
Disposition and Development Agreement	Exclusive Negotiation Agreement	Owner Participation Agreement	Affordable Housing Agreement	Financial Assistance to a Project

IV. When is an entitlement “pending?”

- For items that require approval of the Council, Redevelopment Agency or Housing Authority and thus must be set for review or hearing before that body, the application is deemed “pending” at the time the application or letter is filed.
- For items where the Council, GRA, or HA is the appellate body, the application is “pending” when the notice of appeal has been filed.
- The three examples set forth below are intended to provide interpretive guidance:

- (1) An application for a zone change is filed. Since a zone change can only be effectuated by the City Council, upon filing the application it would be pending before the City Council.
- (2) An application for a Conditional Use Permit is filed. Only at such time as the grant or denial of a Conditional Use Permit is appealed to the Council would it be pending before the City Council;
- (3) An application for a variance in the Downtown Specific Plan (“DSP”) Area is filed. Since the Council has original jurisdiction over variances in the DSP, the variance application would be pending before the Council when filed.

V. Which contractors and subcontractors does the Ordinance apply to?

- Contractor of applicant seeking entitlement – A person who has, or has been promised, a **contract** as an **architect, design professional, engineer, or general or prime contractor** with an applicant seeking entitlement.
- Subcontractor of applicant seeking entitlement – A person who has, or has been promised, a **subcontract** as an **architect, design professional, engineer, or perform other work** with a contractor of applicant seeking entitlement.
- For the contractors of applicant seeking entitlement and the subcontractors of applicant seeking entitlement, the prohibitions on campaign contributions and voting on matters related to contributors applies not only to the entity that is the contractor or subcontractor but also to the following individuals or entities of the contractor or subcontractors: CEO/President, Chairperson, Chief Operations Officer, Chief Financial Officer, any member of the Board of Directors, and any individual or entity that owns 10% or more the contractor or subcontractor of applicant seeking entitlement, as well as any campaign committee that is sponsored and controlled by the contractor or subcontractor.