



Levine Act Disclosure Statement

(The completed form submitted to the City of Lincoln is a public record.)

California Government Code Section 84308 (the "Levine Act") prohibits any officer of the City of Lincoln (defined as an elected or appointed officer, alternate, and any candidate for elected office) from participating in any consideration or action related to a proceeding if they receive political contribution(s) from a party or its agent(s) totaling more than \$500 within the previous 12 months, while a proceeding is pending, and for 12 months following the date of a final decision in a proceeding concerning a license, permit, other entitlement for use, franchise, or contract (collectively, "proposal or application").

City officers are listed here:

- Members of the City Council: <https://www.lincolncalifornia.gov/en/our-government/council.aspx>
- Boards and Commission Members: <https://www.lincolncalifornia.gov/en/our-government/boards-commissions-and-committees.aspx>

Parties and their agent(s) are responsible for reviewing and disclosing their applicable contributions to City officers on the record of a proceeding.

1. Have you or your entity, or any agent on behalf of you or your entity, made any political contributions totaling more than \$500 to any City officer in the 12 months preceding the date of the submission of your proposal or application, or the anticipated date of any action of any City Council, Board or Commission consideration or action related to this proposal or application?

☐ YES If yes, please identify the City officer(s):

☐ NO

2. Do you or your entity, or any agent on behalf of you or your company, anticipate or plan to make any political contribution(s) of more than \$500 to any City officer in the 12 months following any City Council, Board or Commission consideration or action related to this proposal or application?

☐ YES If yes, please identify the City officer(s):

☐ NO

Answering 'yes' to either of the two questions above does not preclude the City of Lincoln from considering or taking action on a proposal or application. It does, however, potentially preclude the identified officer(s) from participating in consideration of and taking any action related to the proposal or application.

I declare under penalty of perjury of the laws of the State of California the foregoing information is true and correct.

Dated: _____

Name of entity: _____

By: _____
(signature)

(print name and title)

You must submit a supplemental form if you make any new reportable contribution(s) while the proposal or application is being considered and is pending. If this form has not been previously submitted in connection with a contracting, licensing, entitlement or permitting process, please provide the completed form to the Office of the City Clerk for appropriate departmental routing at: City Clerk, City Hall, 600 6th Street, Lincoln, CA 95648, CityClerk@lincolncalifornia.gov.

Levine Act Table of Terms and Legal Authority

Term	Definition	Legal Citation
Covered “proceedings”	A proceeding to grant, deny, revoke, restrict, or modify a license, permit or other entitlement for use, that does not solely involve purpose ministerial decisions and is: (1) Applied for by the party; (2) Formally or informally requested by the party; or (3) A contract between the agency and the party or a franchise granted by the agency to the party, other than a contract that is competitively bid, a labor contract, or a personal employment contract. (Emphasis added.)	FPPC Reg 18438.2(a)
Party	Any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.	Gov. Code § 84308(a)(1)
Participant	Any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.	Gov. Code § 84308(a)(2) FPPC Reg. 18438.4
Agent	A person who represents a party or participant for compensation and appears before or otherwise communicates with the governmental agency for the purposes of influencing the pending proceedings. See FPPC Reg. 18438.3 for exceptions for certain consultants.	FPPC Reg. 18438.3
Competitively Bid	A contract required by law to be awarded to the lowest responsible bidder with a responsive bid, or, if the successful bidder refuses or fails to execute the contract, to the next lowest bidder with a responsive bid.	FPPC Reg. 18438.2(a)(3)(A)
Labor Contract	A contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, include a project labor agreement entered under Public Contract Code § 2500.	FPPC Reg. 18438.2(a)(3)(B)
Personal Employment Contract	A contract for employment, including the terms and conditions of employment, between the agency and an agency employee. A contract with an independent contractor is NOT a personal employment contract.	FPPC Reg. 18438.2(a)(3)(C)-(D)

A **party** to a proceeding before an agency involving a license, permit, or other entitlement for use **shall disclose on the record of the proceeding** any contribution in an amount of more than five hundred dollars (\$500) made within the preceding 12 months by the party or the party’s agent.

A **party, or agent to a party**, to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding **shall not make a contribution** of more than five hundred dollars (\$500) to any officer of that agency during the proceeding and for 12 months following the date of a final decision is rendered by the agency in the proceeding.

(Gov. Code § 84308, emphasis added.)