

DEFINITIONS

Key definitions in the Code of Ethics are found in Section 2-52:

Sec. 2-52. Definitions.

(a) *Employee* means any person in the employ of the city or of any of its agencies or departments and any person employed without compensation under the terms and provisions of chapter 18, article II, division 19 of this Code.

(b) *Direct official action* means any action which involves:

- (1) Negotiating, approving, disapproving, administering, enforcing, or recommending for or against a contract, purchase order, lease, concession, franchise, grant, or other similar instrument in which the city is a party. With regard to "recommending," direct official action occurs only if the person making the recommendation is in the formal line of decision making.
- (2) Enforcing laws or regulations or issuing, enforcing, or regulating permits;
- (3) Selecting or recommending vendors, concessionaires, or other types of entities to do business with the city;
- (4) Appointing and terminating employees, temporary workers, and independent contractors.
- (5) Doing research for, representing, or scheduling appointments for an officer, official, or employee, provided that these activities are provided in connection with that officer's, official's, or employee's performance of (1) through (4) above.

Direct official action does not include acts that are purely ministerial (that is, acts which do not affect the disposition or decision with respect to the matter). With regard to the approval of contracts, direct official action does not include the signing by the mayor, the auditor, or the clerk, as required by Charter, unless the mayor, auditor, or clerk initiated the contract or is involved in selecting the contractor or negotiating or administering the contract. A person who abstains from a vote is not exercising direct official action.

(c) *Immediate family* means husband, wife, son, daughter, mother, father, step-son, step-daughter, step-mother, step-father, grandmother, grandfather, grandchildren, brother, sister, and domestic partner. The term includes any minor children for whom the person or his or her domestic partner provides day-to-day care and

financial support. A "domestic partner" is an unmarried adult, unrelated by blood, with whom an unmarried officer, official, or employee has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.

(d) *Officer* means any of the following: the mayor, the auditor, the members of city council, the two (2) elected election commissioners, the manager of public works, the manager of parks and recreation, the manager of revenue, the manager of environmental health, the manager of general services, the manager of safety, the city attorney, the manager of human services, the clerk and recorder, the manager of aviation, and the manager of community planning and development.

(e) *Official* means a member of a city board or commission.