



# CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk  
200 East Santa Clara Street,  
14th Floor  
San José, California 95113  
Telephone 1 (408) 535-1260  
FAX 1 (408) 292-6207

## ANNUAL FAMILY GIFT REPORTING FORM

Pursuant to the City's Gift Ordinance, Chapter 12.08 of the San Jose Municipal Code, all officers and designated employees of the City and its Successor Agency to the Redevelopment Agency must file this form with the City, together with the annual Statement of Economic Interests (Form 700).

You must list below any reportable gifts known to have been accepted by your domestic partner, spouse and any dependent child (Section 12.08.210) during the previous calendar year. Gifts that must be reported are those that would be prohibited had they been given to you. Refer to Chapter 12.08 to determine whether a particular gift must be reported. Section 12.08.110 lists the gifts that are not prohibited and do not need to be reported.

PLEASE TYPE OR PRINT IN INK

Name of Filer \_\_\_\_\_ Phone \_\_\_\_\_

Name of Agency \_\_\_\_\_

### CHECK ONE

To my knowledge there are no reportable gifts.

The following are reportable gifts:

### PLEASE LIST EACH GIFT SEPARATELY

DATE	RECIPIENT	GIFT	DONOR	VALUE

### VERIFICATION

I have used all reasonable diligence in preparing this form, and to the best of my knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_, at \_\_\_\_\_.  
(Date) (City, State)

\_\_\_\_\_  
(Signature)

## **Annual Family Gift Reporting Form Instructions & Chapter 12.08 of the San José Municipal Code**

### **INSTRUCTIONS**

Chapter 12.08 of the San José Municipal Code requires all officers and designated employees of the City of San José and its Successor Agency to the Redevelopment Agency to file this form with the City Clerk, together with the annual Statement of Economic Interests (SEI) (Form 700).

#### **Reporting/Filing Requirements**

The Family Gift Reporting Form (FGRF) becomes a public record as does the Statement of Economic Interest (Form 700). The FGRF is filed no later than April 1<sup>st</sup> with the SEI Annual Statement. This form must be completed whether or not you have any Gifts to report. **If you have nothing to report check the appropriate box on the form, enter the date executed, and sign the form.**

### **Chapter 12.08**

#### **Section 12.08.010 Title.**

This Chapter will be known as the San José Gift Ordinance.

#### **Section 12.08.020 Definitions.**

The definitions in this Part govern the application and interpretation of this Chapter.

#### **Section 12.08.030 Gift.**

"Gift" has the same meaning as under the Political Reform Act.

#### **Section 12.08.040 Restricted Source.**

"Restricted Source" means any individual, firm or entity whose interest or whose employer's or client's interest:

- A. Has been materially affected by the work of such officer or employee of the City or Successor Agency within the two years prior to the time the gift is given; or
- B. In the future could reasonably be foreseen to be materially affected by the work of such officer or employee of the City or Successor Agency.

#### **Section 12.08.100 Gifts Prohibited.**

No officer or designated employee of the City or the Successor Agency may accept any gift, directly or indirectly, from a Restricted Source, except as provided in this Chapter.

#### **Section 12.08.110 Gifts Not Prohibited.**

This Chapter does not prohibit the acceptance or receipt of:

- A. Any gift that meets one of the exceptions under the Political Reform Act.
- B. Any gift, including meals and beverages, provided to an officer or employee in a business or social setting that has a value of fifty dollars or less, as long as the total value of all such gifts received from any one Restricted Source does not exceed fifty dollars in any calendar year.

#### **Section 12.08.120 Receipt, Promise, Acceptance, and Return of Gifts.**

For purposes of this Chapter, the promise, receipt, acceptance, and return of gifts are governed by the Political Reform Act. In addition, a gift is not considered accepted or received under this Chapter if:

- A. It is treated as and remains the property of the City or the Successor Agency.
- B. It is received by an officer or designated employee in his or her official capacity or as a representative of the City or the Successor Agency, it is reported to the City Council or Successor Agency board, and the City Council or Successor Agency board, as applicable, approves of the official or designated employee retaining the gift.

#### **Section 12.08.200 Reporting Requirements.**

- A. The reporting and disclosure of gifts must be done in accordance with the requirements of the Political Reform Act and the requirements in this Chapter.
- B. The gift limitations and disqualification requirements under the Political Reform Act are applicable to gifts which are not prohibited by this Chapter.

#### **Section 12.08.210 Reporting Gifts to Domestic Partner, Spouse and Children.**

- A. At the time of filing the annual disclosure statement required by the Political Reform Act or any applicable conflict-of-interest code, each City officer, officer of the Successor Agency, or designated employee shall file a family gift report on a form provided by the City Clerk.
- B. The officer or designated employee shall indicate on such report any gifts known to have been accepted during the relevant reporting period by such officer's or employee's domestic partner, spouse, and any dependent child where such gifts would have been prohibited to the officer or employee. The value of any such gift and the donor must be disclosed. If the officer or employee has no knowledge of any such gift having been received, the report must so state.
- C. For purposes of this section, "domestic partner" means any person registered as a domestic partner by an employee with the City of San José. (Ord. 30016)