



Los Angeles City Ethics Commission

October 21, 2013

The Honorable City Council  
c/o Holly Wolcott, Interim City Clerk  
200 North Spring Street  
City Hall – 3rd Floor  
Los Angeles CA 90012

**Re: Council File Number 13-1290  
Appointment of Maria Guadalupe Cabildo to the  
City Planning Commission**

***FOR COUNCIL CONSIDERATION***

Dear Councilmembers:

On September 30, 2013, the Mayor transmitted to the City Clerk a letter indicating his appointment of Ms. Maria Guadalupe Cabildo to the City Planning Commission. The Ethics Commission received Ms. Cabildo's pre-confirmation statement of economic interests (SEI) on October 16, 2013, and this letter is provided for your consideration as part of the confirmation process. A copy of this letter is also being provided to Ms. Cabildo to help her avoid potential conflicts of interests that may arise in the course of her tenure as a member of the City Planning Commission.

Ms. Cabildo reports on her SEI an investment interest in and income from Wells Fargo, where she is a Community Advisory Board Member. She also discloses income for her position as president of the East Los Angeles Community Corporation. If a matter involving either of these interests comes before the City Planning Commission, Ms. Cabildo should, before acting, seek the advice of the City Attorney regarding whether she should disqualify herself. We are unable to assess if or how frequently Ms. Cabildo would be in a position of having to recuse herself.

Interests disclosed on an SEI are not the only interests that can give rise to a conflict of interests. For example, state law may require recusal by a board or commission member due to certain business activities of the clients of that member's employer. Additionally, recusal may be required under City Charter § 222, which states that the City Attorney may provide a written opinion concerning the obligation of a City official to refrain from acting on a matter when it may violate state law or when action may not be in the public interest.

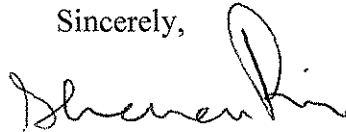
If a matter raises a potential conflict of interests, we encourage Ms. Cabildo to seek the advice of the City Attorney before acting. If Ms. Cabildo is required to disqualify herself from acting on a matter, Los Angeles Municipal Code § 49.5.6(J) and Executive Directive 2005-1 require her to file a Recusal Notification Form (CEC Form 51) with the Ethics Commission and the Mayor's office. If a board or commission member is disqualified from acting on three or

more agenda items in a year because of a conflict caused by the same interest, the Ethics Commission is required by City Charter § 707 to review the conflict. If the Ethics Commission determines that the member has a significant and continuing conflict of interests, it must order divestment of the interest that is causing the conflict.

In addition to filing SEIs, nominees also file Residence Verification Forms. We have received a completed form from Ms. Cabildo, which states that she is registered to vote in the City.

If you have questions, please feel free to contact me at (213) 978-1960.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Prior". The signature is fluid and cursive, with a large initial "S" and "P".

Shannon Prior  
Ethics Program Manager

cc: Mayor Eric Garcetti  
Ms. Maria Guadalupe Cabildo