



Los Angeles City Ethics Commission

February 21, 2014

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 14-0130  
Appointment of Irma Beserra Nunez to the  
Commission for Community and Family Services**

***FOR COUNCIL CONSIDERATION***

Dear Councilmembers:

On January 28, 2014, the Mayor transmitted to the City Clerk a letter indicating his appointment of Ms. Irma Beserra Nunez to the Commission for Community and Family Services. The Ethics Commission received Ms. Beserra Nunez's pre-confirmation statement of economic interests (SEI) on February 20, 2014, 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. Beserra Nunez to help her avoid potential conflicts of interests that may arise in the course of her tenure as a member of the Commission for Community and Family Services.

Ms. Beserra Nunez reports on her SEI her interest in the Nunez Family Trust which holds real property located within two miles of Los Angeles. If a matter involving this interest comes before the Commission on Community and Family Services, Ms. Beserra Nunez 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. Beserra Nunez 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. Beserra Nunez to seek the advice of the City Attorney before acting. If Ms. Beserra Nunez 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. Beserra Nunez, 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,



Alexandria Latragna  
Ethics Program Analyst

cc: Mayor Eric Garcetti  
Ms. Irma Beserra Nunez