



Los Angeles City Ethics Commission

December 10, 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 13-1575
Appointment of Rebecca Ninburg to the
Commission on the Status of Women**

FOR COUNCIL CONSIDERATION

Dear Councilmembers:

On November 22, 2013, the Mayor transmitted to the City Clerk a letter indicating his appointment of Ms. Rebecca Ninburg to the Commission on the Status of Women. The Ethics Commission received Ms. Ninburg's pre-confirmation statement of economic interests (SEI) today, 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. Ninburg to help her avoid potential conflicts of interests that may arise in the course of her tenure as a member of the Commission on the Status of Women.

Ms. Ninburg reports on her SEI an ownership interest in and income from the Derby Dolls, where she is the president. In addition, she reports income of \$10,000 or more to the Derby Dolls from Stila, Inc., Papst Blue Ribbon, Brown-Foreman, and Nine Live. She reports her spouse's income from 2253 Apparel, Inc. Finally, Ms. Ninburg reports several investments listed on Attachment A. If a matter involving any of these interests comes before the Commission on the Status of Women, Ms. Ninburg 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. Ninburg 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.

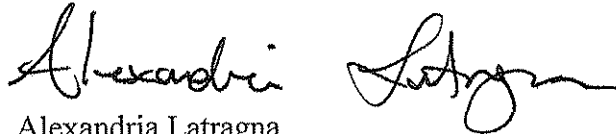
If a matter raises a potential conflict of interests, we encourage Ms. Ninburg to seek the advice of the City Attorney before acting. If Ms. Ninburg is required to disqualify herself from acting on a matter, Los Angeles Municipal Code § 49.5.6(J) and Executive Directive 2005-1 require her to file a Recusal 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. Ninburg, 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 "Alexandria Latragna". The signature is fluid and cursive, with the first name being more prominent.

Alexandria Latragna
Ethics Program Analyst

cc: Mayor Eric Garcetti
Ms. Rebecca Ninburg

Attachment A

Rebecca Ninburg

Pre-confirmation Form 700

December 2013

Schedule A-1

Stocks, Bonds, and Other Interests

(Ownership Interest is Less Than 10%)

AK STL HLDG Corporation

Exxon Mobil Corporation

Flowerserve Corporation

Hasbro, Inc.

Netapp, Inc.

Prudential FINL, Inc.

Salesforce Com, Inc.

Union PAC Corporation

Yum Brands, Inc.