



Los Angeles City Ethics Commission

January 6, 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 13-1614
Appointment of Nikki Mark to the
Commission on the Status of Women**

FOR COUNCIL CONSIDERATION

Dear Councilmembers:

On December 2, 2013, the Mayor transmitted to the City Clerk a letter indicating his appointment of Ms. Nikki Mark to the Commission on the Status of Women. The Ethics Commission received Ms. Mark's pre-confirmation statement of economic interests (SEI) on December 18, 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. Mark to help her avoid potential conflicts of interests that may arise in the course of her tenure as a member of Commission on the Status of Women.

Ms. Mark reports on her SEI holding investment interests in Apple Inc., General Electric, and the Royal Bank of Scotland. She also reports an ownership interest in Chamois, Inc., and income of \$10,000 or more to Chamois Inc. from sbe Holdings and Umami Restaurant Group. Ms. Mark reports her spouse's income from Mark Music & Media Law Inc. Finally, she reports owning property located in the City of Los Angeles and a personal loan from sbe Holdings, LLC.

If a matter involving any of these interests comes before the Commission on the Status of Women, Ms. Mark 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. Mark 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.

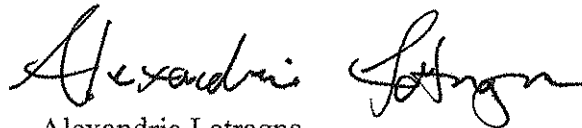
If a matter raises a potential conflict of interests, we encourage Ms. Mark to seek the advice of the City Attorney before acting. If Ms. Mark is required to disqualify herself from acting on a matter, Los Angeles Municipal Code § 49.5.6(J) and Executive Directive 2005-1

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. Mark, 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 the most prominent.

Alexandria Latragna
Ethics Program Analyst

cc: Mayor Eric Garcetti
Ms. Nikki Mark