



CITY OF BOSTON

IN THE YEAR NINETEEN HUNDRED AND EIGHTY-SIX

AN ORDINANCE AMENDING THE BOSTON EMPLOYMENT COMMISSION

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

1. SECTION ONE: The Ordinance establishing the Boston Employment
2. Commission is hereby amended in section one (v) by striking the last
3. sentence as it appears and inserting the following in place thereof
4. "If the construction of a the Covered Project is subject to any union
5. collective bargaining agreements, it shall be required that the employee
6. complies with any lawful union security clauses contained in such agreement."
7. SECTION TWO: This Ordinance shall take effect upon passage.

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In City Council September 10, 1986. Passed.
Approved by the Mayor September 26, 1986.

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Attest:

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[Signature]
City Clerk

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CITY OF BOSTON

IN THE YEAR NINETEEN HUNDRED AND EIGHTY-SIX

AN ORDINANCE ESTABLISHING THE BOSTON EMPLOYMENT COMMISSION

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

1. Preamble: Policy of the City of Boston

2. WHEREAS there is a need to ensure that Boston residents
3. receive maximum benefits from the growing private economy of
4. their city and the economic resurgence of office, hotel,
5. retail, institutional, and unsubsidized residential
6. development, including the permanent jobs which emanate from
7. this economic expansion; and

8. WHEREAS there is unemployment and underemployment in the
9. City of Boston, both among majority and minority residents; and

10. WHEREAS Boston is experiencing a resurgence in its economy
11. that is creating the potential for unprecedented economic
12. opportunity; and

13. WHEREAS Boston has fully established itself as the economic
14. center for the entire New England region and is generating
15. wealth and revenues for people throughout the region; and

16. WHEREAS one principal aspect of a strong and vibrant city
17. is the ability of its breadwinners to gain access to secure
18. jobs that pay a living wage; and

19. WHEREAS Black, Hispanic, Asian and Native American
20. residents of the City of Boston, as well as women residents

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1. have historically been underrepresented in the workforce; and

2. WHEREAS an Ordinance establishing the Boston Residents Jobs
3. Policy, Ordinances of 1983, Chapter 30, was promulgated to
4. insure that Boston residents, minorities, and women receive job
5. preference in projects that have city funds or state or federal
6. funds administered by the city; and

7. WHEREAS the Mayor issued an Executive Order relating to the
8. Boston Residents Jobs Policy, dated July 12, 1985, which
9. established Resident Construction Employment Standards to
10. further ensure employment for Boston residents, minorities, and
11. women; and

12. WHEREAS under the Boston Residents Jobs Policy, Boston
13. residents are enjoying greatly improved access to jobs in the
14. downtown construction industry; and

15. WHEREAS it is the policy of this City government to ensure
16. that all people enjoy fair and open access to employment in
17. permanent jobs in the private sector; and

18. WHEREAS it can be shown that broader cooperation from the
19. private sector can produce meaningful employment opportunities
20. for Boston residents who want and need them; and

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1. WHEREAS job placement is contingent upon proper job training
2. and without necessary skills some Boston residents cannot
3. secure permanent jobs; and

4. WHEREAS it is essential to the success of the 1983 Boston
5. Residents Jobs Policy Ordinance and the 1985 Mayor's Executive
6. Order that projects and employment plans be monitored, that
7. findings be made with respect to compliance, and that
8. recommendations for sanctions be determined, and that all this
9. be done in a manner that provides for the due process rights of
10. all parties; and

11. WHEREAS it is essential to engender an atmosphere of
12. cooperation between the public and private sectors with respect
13. to permanent jobs for Boston residents, minorities, and women;
14. and

15. WHEREAS the following is declared to be in the public
16. interest; now

17. THEREFORE, be it ordained as follows:

18. SECTION ONE: Definitions

19. For the purposes of this Ordinance, the following
20. definitions shall apply, unless the context otherwise requires:

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1. (1) "Best Efforts." Developers and contractors may rely on
2. traditional referral methods in the hiring of journeymen,
3. apprentices, advanced trainees and helpers. Developers and
4. contractors also shall implement affirmative action steps which
5. include the following to the extent that such steps do not
6. conflict with any applicable collective bargaining agreements:

7. As to Contractors:

8. (i) The contractor shall designate and shall require
9. each subcontractor to designate an individual to
10. serve as a compliance officer for the purpose of
11. pursuing the Boston Residents Construction
12. Employment Standards ("Standards").

13. (ii) Prior to the start of construction, the contractor
14. and each subcontractor then selected shall meet
15. with appropriate representatives of the
16. construction trade unions, representatives from the
17. Mayor's Office of Jobs and Community Services, and
18. the awarding or contracting authority for the
19. purpose of reviewing the Standards and the
20. estimated employment requirements for construction

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activity over the construction period of the Covered Project.

(iii) Whenever any person involved in the construction of a Covered Project makes a request to a union hiring hall, business agent or contractor's association for qualified construction workers, the request shall ask that those qualified applicants referred for construction positions be referred in the proportions specified in the Boston Resident Construction Employment Standards and shall, further, contain a recitation of such Standards. However, if the requesting party's workforce composition at any time falls short of any one or more of the proportions specified in the Standards, the requesting party shall adjust his or her request so as to seek to more fully achieve the proportions specified in the Standards. If the union hiring hall, business agent or contractor's association to whom a request for qualified employees has been made fails to fully comply with such request, the requesting party's compliance

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1. officer shall seek written confirmation from the hall, agent or
2. association that there are insufficient employees in the
3. categories specified in the request and that such insufficiency
4. is documented on the unemployed list maintained by the hall,
5. agent or association. Copies of any confirmation so obtained
6. shall be forwarded to the Commission. Copies of any requests
7. for qualified employees made at a time that the requesting
8. party's workforce composition falls short of any one or more of
9. such Standards shall be forwarded contemporaneously to the
10. Skills Bank.

11. (iv) All persons applying directly to the Contractor or
12. any subcontractor for employment in construction on
13. a Covered Project who are not employed by the party
14. to whom application is made shall be referred by
15. said party to the Mayor's Office of Jobs and
16. Community Services, and a written record of such
17. referral shall be made by said party, a copy of
18. which shall be sent to such Office of Jobs and
19. Community Services.

20. (v) Contractors shall maintain a current file of the

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1. names, addresses, and telephone numbers of each Boston
2. resident, minority, and woman who has sought employment with
3. respect to a Covered Project, or who was referred to the
4. contractor by the Mayor's Office of Jobs and Community Service
5. but was not hired. The contractor shall maintain a record of
6. the reason any such person was not hired. If the construction
7. of the Covered Project is subject to any union collective
8. bargaining agreements, it shall be deemed a sufficient reason
9. for failure to hire that the applicant for employment was not
10. union member.

11. (vi) The contractor shall in a timely manner complete
12. and submit to the Commission a projection of
13. workforce needs over the course of the construction
14. of the Covered Project. Such a submission shall
15. reflect needs by trade for each month of the
16. construction process.

17. (vii) The contractor shall obtain from each worker
18. employed in the construction of the Covered Project
19. a sworn statement containing the worker's name and
20. place of residence.

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1. (viii) One week following the commencement of construction
2. of the project, and each week thereafter until such
3. work is completed, the contractor shall complete
4. and submit to the Mayor's Office of Jobs and
5. Community Services for the week just ended a report
6. which reflects (a) for each employee, the
7. employee's name, place of residence, race, gender,
8. trade and the total number of worker hours he or
9. she worked, and (b) the total worker hours of its
10. total workforce.

11. (ix) The contractor and each subcontractor shall
12. maintain records reasonably necessary to ascertain
13. compliance with the steps detailed in clauses (i)
14. through (viii) hereof for at least one year after
15. the issuance of a Certificate of Occupancy for the
16. Covered Project. In its review of records of a
17. construction project submitted to demonstrate
18. compliance with these steps, the Commission shall
19. take into consideration any affirmative action
20. outreach programs and affirmative action job

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1. training programs of the particular trades participating in the
2. Covered Project.

3. As to Developers:

4. (x) Developers of Covered Projects shall incorporate in
5. every general construction contract or construction
6. management agreement an enumeration of the
7. Standards and shall impose a responsibility upon
8. any such general contractor or construction manager
9. to take all steps enumerated in clauses (i) - (ix)
10. in Section One (1) and to incorporate such
11. Standards in all subcontracts and impose upon all
12. subcontractors the obligation to take such steps.

13. (xi) The developer shall meet with the contractor no
14. less frequently than weekly throughout the period
15. of construction of the Covered Project to review
16. the contractor's compliance with such Standards and
17. steps. The developer shall maintain minutes of
18. such meetings and shall forward a copy of such
19. minutes to the Mayor's Office of Jobs and Community
20. Services within ten (10) days of each such meeting.

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1. (xii) The developer shall comply with the escrow deposit
2. requirements of Section Eight hereof.

3. (2) "Boston Employment Commission", hereinafter
4. "Commission." There shall be in the City a Commission known as
5. the Boston Employment Commission, consisting of seven (7)
6. members, all appointed by the Mayor. The Commission shall have
7. the powers and duties set forth in Section Three herein. The
8. members of the Commission shall be deemed special municipal
9. employees for purposes of Chapter 268A of the Massachusetts
10. General Laws.

11. (3) "Boston Resident." Any person for whom the principal
12. place where that person normally eats and sleeps and maintains
13. his or her normal personal and household effects is within the
14. city limits of the City of Boston.

15. (4) "Boston Residents Construction Employment Standards."
16. The standards as contained below:

17. (i) At least fifty percent (50%) of all Worker-Hours on
18. a craft-by-craft basis in Covered Projects shall be
19. worked by Boston Residents;

20. (ii) At least twenty-five percent (25%) of all

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1. Worker-Hours on a craft-by-craft basis in Covered Projects
2. shall be worked by Minority Persons;

3. (iii) At least ten percent (10%) of all Worker-Hours on a
4. craft-by-craft basis in Covered Projects shall be
5. worked by women.

6. (5) "Boston Resident New Hire Goals" The Commission will
7. determine baseline hiring goals for Boston residents,
8. minorities and women, such determination to be based upon a
9. consideration of:

10. (i) current workforce composition;

11. (ii) the composition of the workforce that is unemployed

12. (iii) numbers and categories of new job opportunities
13. being created in Boston; and

14. (iv) an examination of employment trends in Boston over
15. the last 5 years.

16. The Commission shall reevaluate annually, and modify if
17. appropriate, such goals based upon the number of permanent
18. full-time equivalent new hires of Boston residents, minorities
19. and women during the previous calendar year.

20. (6) "Covered Projects." All projects, contracts, or

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1. agreements within the jurisdiction of:

2. (i) the Boston Residents Jobs Policy, Ordinances of
3. 1983, Chapter 30 (hereinafter referred to as "Jobs
4. Ordinance") and for which the contract or agreement
5. is executed after the effective date of this
6. ordinance; and

7. (ii) any new construction or substantial rehabilitation
8. project in the city to which any partial or full
9. building permit has not already been issued for
10. this specific construction or rehabilitation,
11. dedicated to a retail, restaurant, and/or
12. institutional use as defined in the Boston Zoning
13. Code, which requires approval by the Zoning Board
14. of Appeals and in which it is proposed to erect a
15. structure or structures having a total gross floor
16. area (exclusive of all accessory parking garage
17. space) in excess of one hundred thousand (100,000)
18. square feet or to enlarge or extend a structure or
19. structures so as to increase its (or their) gross
20. floor area (exclusive of all accessory parking

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1. garage space) by more than one hundred thousand (100,000)
2. square feet or to substantially rehabilitate a structure or
3. structures having, or to have, after rehabilitation, a gross
4. floor area (exclusive of accessory parking garage space) of .
5. more than one hundred thousand (100,000) square feet.

6. (7) "Major Employer." Any corporation, partnership,
7. individual, or institution which employs more than five hundred
8. people to work within the City of Boston.

9. (8) "Mayor's Office of Jobs and Community Services,"
10. hereinafter "OJCS". The agency within the City of Boston
11. government responsible for compiling compliance information in
12. accordance with the Boston Residents Construction Employment
13. Standards and the Minority Business Enterprise/Women's Business
14. Enterprise Programs.

15. (9) "Minority Business Enterprise" ("MBE") A business
16. organization in which 51% in the aggregate of the beneficial
17. ownership is held by one or more minority persons.

18. (10) "Womens Business Enterprise" ("WBE") A business
19. organization in which 51% in the aggregate of the beneficial
20. ownership is held by one or more women.

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1. (11) "Minority Person" or "Minority". Any person who is
2. Black, Hispanic, Asian, or Native American, as these terms are
3. defined by the United States Census Bureau.

4. (12) "Permanent Job." Any full-time position, or its
5. equivalent, that an employer would fill year-round and continue
6. to fill indefinitely in a particular location.

7. (13) "Skills Bank." A job screening and referral bank
8. maintained by OJCS, which shall refer residents to available
9. jobs and/or to appropriate training programs, including but not
10. limited to, programs offered at the Hubert Humphrey
11. Occupational Resource Center.

12. (14) "Voluntary Employment Plan." Any plan to promote
13. hiring for jobs in Boston of Boston residents, minorities,
14. and/or women developed by a Major Employer or a group of Major
15. Employers.

16. (15) "Worker-Hours." The sum total of all hours worked by
17. all persons performing construction work.

18. SECTION TWO: Scope of Jurisdiction

19. The Commission's jurisdiction shall extend to: (1) Covered
20. Projects and (2) assistance in the formulation and monitoring

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of Voluntary Employment Plans.

SECTION THREE: Powers and Duties

A. Covered Projects

(1) The Commission shall make determinations as to compliance by developers and contractors with the Boston Residents Construction Employment Standards. The Commission shall gather and receive compliance information from OJCS, investigate noncompliance complaints, make compliance determinations and, where appropriate, shall recommend sanctions to the awarding or contracting authority. The Commission may gather compliance information at any time and shall make compliance determinations in phases for each Covered Project in accordance with Sections Five, Six and Seven herein. For projects under construction upon the passage of this ordinance, all existing contracts and agreements shall remain in full force and effect and the provisions of this ordinance shall not otherwise apply.

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1. (2) The Commission shall have the authority to
2. require developers of Covered Projects to submit:
3. (i) detailed plans which show how the developer
4. intends to meet the Boston Residents Construction
5. Employment Standards; and (ii) detailed plans
6. which show how the developer intends to meet
7. MBE/WBE goals contained in or applicable to City
8. contracts.

9. (3) In the review of such detailed plans, the
10. Commission shall consider any affirmative action
11. outreach programs and affirmative action job
12. training programs of the particular trades
13. participating in the Covered Project and
14. participation, if any, of the developer or the
15. contractor in any such program.

16. (4) The Commission shall monitor MBE/WBE goals
17. contained in or applicable to City contracts. The
18. Commission shall receive compliance information
19. from OJCS and shall recommend to the awarding or
20. contracting authority appropriate remedies for

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1. noncompliance.

2. (5) The Commission shall monitor Davis-Bacon Act
3. requirements contained in City agency or authority
4. contracts. The Commission shall receive
5. compliance information and shall forward any
6. information concerning apparent noncompliance to
7. appropriate federal agencies.

8. B. Voluntary Employment Plans

9. (1) The Commission shall meet with a group of
10. representatives of Major Employers to review
11. voluntary aggregate hiring goals set by said
12. employers.

13. (2) The Commission shall receive information
14. concerning the success in meeting the voluntary
15. aggregate hiring goals.

16. The Commission shall encourage a group representing
17. the Major Employers to issue an annual public
18. report on the success of this effort and of
19. voluntary business programs such as Boston Summer
20. Jobs Program, the Boston Compact and BostonWorks.

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1. (3) The Commission shall encourage Major Employer
2. to adopt Voluntary Employment Plans, which promote
3. a collaboration between the public and private
4. sectors to expand employment opportunities for
5. Boston residents, minorities and women. The
6. Commission shall encourage Major Employers to
7. incorporate the Boston Resident New Hire Goals in
8. their Voluntary Employment Plans. The Commission
9. shall advise OJCS and other City agencies of the
10. amounts and types of assistance identified by Major
11. Employers as being necessary to achieve the goals
12. included in their Voluntary Employment Plans. Such
13. assistance may include, but is not limited to, job
14. training, adult literacy and referral services.
15. The Commission may conduct surveys to assess the
16. progress made toward hiring goals as to Boston
17. residents, minorities and women.

18. C. General

19. (1) The Commission shall have the authority to
20. promulgate regulations as to matters within the

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Commission's purview after public notice and hearing and upon majority vote of all members.

(2) The Commission shall cause to be created, in conjunction with the Mayor's Office of Jobs and Community Services, a job training program. Said job training program shall be conducted at the appropriate sites which may include the Hubert Humphrey Occupational Resource Center, or its successor, or other appropriate skills training facilities. The purpose of said training program is to provide skills training to any Boston Resident in order to be fully qualified for entry into existing apprenticeship programs or jobs. Subject to appropriation by the Mayor and the City Council, any fines levied against the escrow fund set out in Section Eight shall be for the benefit of this jobs training program and no other.

SECTION FOUR: Composition

The Commission shall be composed of seven (7) members, all of whom shall be appointed by the Mayor. The Commission shall

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1. be representative of the interests of business, minorities,
2. women, organized labor, Boston Building Trades Council, and the
3. Mayor's Jobs Liaison Committee. Members of the Commission
4. shall have demonstrated commitment to equal employment
5. opportunity. All members of the Commission shall be Boston
6. residents or shall maintain their principal place of business
7. in Boston.

8. (1) Term of Office

9. Commission members shall be appointed to two-year terms,
10. and members shall serve until their successors are duly
11. appointed. If a vacancy on the Commission occurs before a term
12. expires, that vacancy shall be filled by appointment by the
13. Mayor for the balance of the unexpired term.

14. (2) Removal

15. The Mayor may remove a member for just cause by filing a
16. written statement to that effect with the City Clerk. Reasons
17. for just cause shall include but not be limited to a pattern of
18. nonattendance, lack of residency or employment in the City of
19. Boston, noncompliance with the procedures established under
20. Section Five herein, failure to disclose conflicts of interest,

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1. incapacity due to illness, or conviction of a crime. The
2. Mayor's determination that just cause for removal exists shall
3. be conclusive.

4. (3) Chair

5. The Chairperson of the Commission shall be designated by
6. the Mayor and shall serve in that capacity for a term of two
7. years.

8. (4) Quorum

9. In no event shall a quorum be fewer than four members of
10. the Commission.

11. (5) Voting

12. Every vote of the Commission shall require an affirmative
13. vote of no fewer than four (4) members of the Commission.

14. SECTION FIVE: Procedures

15. Actions or determinations under Section Seven, Eight or
16. Nine herein shall be taken or made in accordance with the
17. following administrative procedures:

18. (1) Hearings and Notice to Parties. A party subject to
19. the jurisdiction and recommendation power of the
20. Commission shall be entitled to a hearing and shall

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1. be given at least fourteen (14) calendar days notice of any
2. such hearing directly affecting his or her interests, such
3. notice to be in writing to the party and sent by mail, postage
4. prepaid, first class, to the party's usual place of business.

5. (2) Method. Decisions to recommend sanctioning a party
6. shall require a majority vote of the Commission.
7. The Commission shall adopt procedures, voted by a
8. majority of all members, to establish the time,
9. place, and manner for its members to meet and vote
10. and for making determinations of compliance and
11. recommendations to awarding authorities or
12. agencies. All protections necessary to fulfill
13. due process requirements shall be incorporated in
14. the aforementioned procedures. Such procedures and
15. any revisions to such procedures shall be submitted
16. in writing to the Mayor and OJCS within twenty-one
17. (21) calendar days of their scheduled adoption.

18. (3) Public Meetings. The Commission shall be subject
19. to the requirements of the Massachusetts Open
20. Meetings Law, G.L. c.39, §23A-C.

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(4) Records.

The Commission shall keep records of its meetings and shall record no less than the following: the time and place of the meeting; the topic(s) discussed at the meeting; members in attendance at the meeting; any votes taken; and any disclosure by members of conflicts of interest. The Chairperson or his or her designee shall maintain such records in a good and legible condition. The records shall be available for inspection by any member of the public upon reasonable notice.

SECTION SIX. Standards for Compliance

The Commission shall use the Boston Residents Construction Employment Standards to monitor compliance of Covered Projects with this ordinance. A Covered Project shall be deemed to be in compliance if (1) the statistical monitoring data at the relevant determination date, as set forth in Section Seven hereof shows compliance with the Boston Residents Construction Employment Standards; or (2) if the Commission determines that Best Efforts have been made to comply with the Boston Residents

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1. Construction Employment Standards.

2. SECTION SEVEN: Determination of Compliance

3. The Commission shall make determinations as to compliance
4. by developers and contractors of Covered Projects with the
5. Boston Resident Construction Employment Standards at time
6. intervals as set out in one of the following two schedules,
7. whichever allows for more frequent determinations:

8. (1) When the Covered Project is 25, 50, 75 and 100 percent
9. complete, or,

10. (2) Every three months from the date of commencement of
11. the Covered Project.

12. "Percent complete" shall be measured by the percentage of
13. the total worker hours expected to be worked on the project.
14. The Commission shall monitor that percentage and shall include
15. it in its monitoring reports.

16. SECTION EIGHT: Establishment of Escrow Fund

17. An escrow fund shall be established for each project which
18. is a Covered Project, as defined in Section One (6)(ii)
19. herein. Payment into the escrow fund shall be made by the
20. developer when the developer secures permanent financing for

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1. the Covered Project. The developer shall pay into the escrow
2. fund an amount equal to one-tenth of one percent (.1%) of the
3. total construction cost of the project as stated in the
4. building permit application for the Covered Project; provided,
5. however, that if either the developer or contractor has been
6. subject to a determination of noncompliance at more than two
7. determination dates in any prior Covered Project in which they
8. have participated in the preceeding twenty-four months, the
9. amount of the escrow fund required for the Covered Project
10. shall be two-tenths of one percent (.2%) of such construction
11. cost. The developer shall deposit these funds with an escrow
12. agent agreed upon by the parties pursuant to an escrow
13. agreement to which the Commission, the awarding or contracting
14. agency and the developer are parties, who shall hold said fund
15. for the purpose of satisfying any accrued fines levied in
16. relation to a project.

17. The escrow agent, at the time of deposit into the escrow
18. account, shall deduct all fines which have accrued against the
19. fund to that date. There shall be a written escrow agreement
20. detailing the terms under which the escrow funds are held.

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1. Such agreement shall provide, at a minimum, that any demand for
2. payment from the escrow account which is made upon the escrow
3. agent by the awarding or contracting authority shall be made in
4. writing and shall be accompanied by a written statement of the
5. reason for such demand, including any factual findings
6. supporting such reason. The demand shall further instruct the
7. escrow agent that he/she is to take no action on the demand for
8. at least forty-eight (48) hours after receipt. A copy of the
9. demand shall be simultaneously served upon all other parties to
10. the escrow agreement.

1. Interest, if any, accrued by the fund, shall remain in and
2. become a part of the escrow fund until such time as the fund
3. shall be released. When all necessary permits for the use of
4. the building have been issued to the developer, including but
5. not limited to an occupancy permit and a finding of compliance
6. has been made by the Commission, all monies in the escrow fund,
7. including any accrued interest, shall be released and returned
8. to the developer.

19. SECTION NINE: Sanctions

20. The Commission shall have the authority to recommend to the

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1. awarding or contracting agency that sanctions against the
2. developers and contractors of Covered Projects be imposed for
3. noncompliance with the Boston Residents Construction Employment
4. Standards and/or for non-compliance with section Three (A)(2)
5. of this ordinance. The Commission shall recommend the
6. imposition of any or all three of the following sanctions:

7. (1) Fines to a maximum of three hundred dollars
8. (\$300.00) for each violation as determined by the
9. Commission when such developer or contractor was
10. not in compliance, as defined in Section Six, each
11. day of non-compliance to be considered as a
12. separate violation, to be levied
13. against the escrow fund as established by Section
14. Eight herein, provided that fines may still be
15. levied and will still be due if the escrow account
16. is exhausted;

17. (2) Preclusions from the award of municipal contracts
18. and competitions for public development rights for
19. a period of up to three (3) years, provided that
20. this sanction may only be recommended at the

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1. completion of the Covered Project; or

2. (3) Sanctions as authorized by the Jobs Ordinance or
3. incorporated in contracts.

4. The recommendation of sanctions under this section shall
5. not preclude and shall be in addition to any action or sanction
6. authorized by contract or agreement or otherwise authorized by
7. law.

8. SECTION TEN: Staffing

9. The Commission shall have staff consistent with the
10. Commission's purpose. The Director of OJCS shall be the
11. Executive Director of the Commission, provided, however, that
12. said Director shall be wholly compensated for his/her duties as
13. Director from the budget of OJCS.

14. SECTION ELEVEN: Conflicts of Interest

15. No member shall appear before the Commission or represent
16. any person, firm, corporation or other entity in any matter
17. pending before the Commission. Members shall not participate
18. in a discussion or a decision of the Commission on any matter
19. in which they are directly or indirectly interested in a
20. personal or a financial sense. Any disclosure of conflict of

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1. interest shall be entered into the records of the Commission.

2. SECTION TWELVE: Severability

3. The provisions of this ordinance are severable, and if any
4. provision shall be held invalid or unconstitutional by a
5. decision of any court of competent jurisdiction such invalidity
6. shall not impair, or otherwise affect, any other provisions of
7. this ordinance.

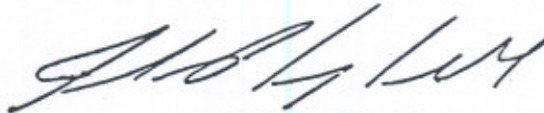
8. SECTION THIRTEEN: Effective Date

9. This ordinance shall take effect 30 days after enactment.
10.
11.

In City Council July 30, 1986. Passed.

Approved by the Mayor August 12, 1986.

Attest:



City Clerk