









# LEVINE ACT DISCLOSURE STATEMENT

## DEFINITIONS

| Term                                | Definition   | Law   |
|-------------------------------------|--|---|
| <b>Covered "proceedings"</b>        | A proceeding to grant, deny, revoke, restrict, or modify a license, permit or other entitlement for use, that does not solely involve purely ministerial decisions and is:<br>(1) Applied for by the party;<br>(2) Formally or informally requested by the party;<br>or<br>(3) A contract between the agency and the party or a franchisee granted by the agency to the party, other than a contract that is <b>competitively bid</b> , a <b>labor contract</b> , or a <b>personal employment contract</b> . | <a href="#">FPPC Reg 18438.2(a)</a>                                       |
| <b>Party</b>                        | Any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.   | <a href="#">Gov. Code 4308(a)(1)</a>                                      |
| <b>Participant</b>                  | Any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.                                     | <a href="#">Gov. Code 84308(a)(2)</a><br><a href="#">FPPC Reg 18438.4</a> |
| <b>Agent</b>                        | A person who represents a party or participant for compensation and appears before or otherwise communicates with the governmental agency for the purpose of influencing the pending proceeding. See FPPC Reg 18438.3 for exceptions for certain consultants.  | <a href="#">FPPC Reg 18438.3</a>  |
| <b>Competitively Bid</b>            | A contract required by law to be awarded to the lowest responsible bidder with a responsive bid, or, if the successful bidder refuses or fails to execute the contract, to the next lowest bidder with a responsive bid.   | <a href="#">FPPC Reg 18438.2(a)(3)(A)</a>                                 |
| <b>Labor Contract</b>               | A contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, including a project labor agreement entered under Public Contract Code Section 2500.  | <a href="#">FPPC Reg 18438.2(a)(3)(B)</a>                                 |
| <b>Personal Employment Contract</b> | A contract for employment, including the terms and conditions of employment, between the agency and an agency employee. A contract with an independent contractor is NOT a personal employment contract.   | <a href="#">FPPC Reg 18438.2(a)(3)(C)-(D)</a>                             |





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