

Council Member Luke:

Pursuant to SLCC Section 2.44.210, I hereby provide the following advisory opinion in response to your attached request.

I see nothing in your past representation of Reagan Outdoor Signs that constitutes a violation the City's conflict of interest ordinance (City Code Chapter 2.44) or that would create a prohibited conflict going forward under the facts as you have presented them.

Specifically, City Code Section 2.44.030 prohibits you from participating in governmental action when your financial or professional interests will be materially affected by that governmental action in a way that is different than its effect on the public generally. However, in this case you have no financial interest in Reagan Outdoor. Considering that you do not currently represent Reagan Outdoor and have no intention of representing Reagan Outdoor in the future, I see no risk of an individualized material effect on your professional interests either.

The ordinance also contains restrictions on outside employment (Section 2.44.060), owning a financial interest in a certain private business entities (Section 2.44.050), being involved in a City contract when you have an interests in the other party to the contract (Section 2.44.130), and corruptly using your City position either to further the financial or professional interests or yourself or others or to secure special privileges for yourself or others (Section 2.44.040). Because you do not have a financial interest in or employment with Reagan Outdoor, and will not represent Reagan Outdoor in any contracting situations involving the City, those restrictions are not applicable in this case. I merely caution you that any corrupt use of your official position to further the financial or professional interests of or secure special privileges or exemptions for any person, including Reagan Outdoor, would violate Section 2.44.040. I have no information leading me to believe that that is the case in your situation.

Ed Rutan

From: "Luke, Charlie" <Charlie.Luke@slcgov.com>

Date: January 10, 2012 5:55:48 PM MST

To: "Rutan, Ed" <Ed.Rutan@slcgov.com>

Cc: "Lindberg, Neil" <Neil.Lindberg@slcgov.com>

Subject: Reagan Outdoor Disclosure

Ed,

As a matter for the record, I would like to formally declare that prior to joining the City Council, my firm, Luke Strategies Inc., represented Reagan Outdoor during the 2011 Utah State Legislative Session which ended March 2011. I monitored a non-sign related piece of legislation.

I also represented them with the Utah State Legislature several years ago while employed by R&R Partners. I don't have an ongoing business relationship with the company, I don't have intentions to represent them in the future, nor do I have any other financial investment in the company. Please let me know if you have any questions.

Thanks,

Charlie

Charlie Luke
Council Member - District 6
Salt Lake City Council

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