

ORDINANCE NO. NS-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 2 OF THE SANTA ANA MUNICIPAL CODE BY ADDING A NEW SECTION 2-112 CONCERNING THE PROHIBITION AGAINST AWARDING OF AGREEMENTS, CONTRACTS OR GRANTS TO ANY IMMEDIATE FAMILY MEMBER OF THE MAYOR, CITY COUNCIL MEMBERS, OR CITY OFFICIALS

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2 of the Santa Ana Municipal Code is hereby amended by adding a new section, Section 2-112 to read as follows:

“Sec. 2-112. – Prohibition Against Awarding Agreements, Contracts or Grants to Immediate Family Members of Mayor, Council Members, or City Officials

- a. “The City, and any person authorized to act on behalf of the City, is prohibited from awarding any agreement, contract, grant, or any amendment(s) to said awards, for the purpose or receipt of any financial benefit or interest, to an immediate family member of the Mayor, Council Member, or City officials, including appointed board and commission members, as defined under Article IV – Officers, Departments, Boards, and Commissions (Sec. 2-300 to 2-699).
- b. For purposes of this section 2-112, the term immediate family member shall include, but is not limited to, spouse, domestic partner, romantic cohabitant, child, stepchild, grandchild, step grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, and sister-in-law.
- c. For purposes of this section 2-112, the term financial benefit or interest shall include any direct or indirect financial interest in the specific contract, agreement, or grant, including any commissions, fees, share of the proceeds, prospect of a promotion or future employment, a profit, or any other form of financial award.
- d. The City shall incorporate into all agreements, contracts, or grants, a non-collusion provision reflecting the prohibitions detailed in Section 2-112 herein, including the requirement that any awarded Vendor, Contractor, Entity, or Grantee shall also comply with Section 2-112, and such compliance shall also involve the awarding of any subcontract for the purchase of goods or services with any funds from stemming from the contract, agreement, or grant.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court

of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

ADOPTED this ____ day of _____, 2025.

Valerie Amezcua
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho
City Attorney

By: *Sonia R. Carvalho*

AYES: Councilmembers: _____
NOES: Councilmembers: _____
ABSTAIN: Councilmembers: _____
NOT PRESENT: Councilmembers: _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Jennifer L. Hall, City Clerk, do hereby attest to and certify the attached Ordinance No. NS-XXXX to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, 2025.

Date: _____

City Clerk
City of Santa Ana