

ATTACHMENT A

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California Government Code Section 8314

(a) It is unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to use or permit others to use public resources for a campaign activity, or personal or other purposes which are not authorized by law.

(b) For purposes of this section:

(1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to state business. "Personal purpose" does not include the incidental and minimal use of public resources, such as equipment or office space, for personal purposes, including an occasional telephone call.

(2) "Campaign activity" means an activity constituting a contribution as defined in Section 82015 or an expenditure as defined in Section 82025. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes, including the referral of unsolicited political mail, telephone calls, and visitors to private political entities.

(3) "Public resources" means any property or asset owned by the state or any local agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and state-compensated time.

(4) "Use" means a use of public resources which is substantial enough to result in a gain or advantage to the user or a loss to the state or any local agency for which a monetary value may be estimated.

(c) (1) Any person who intentionally or negligently violates this section is liable for a civil penalty not to exceed one thousand dollars (\$1,000) for each day on which a violation occurs, plus three times the value of the unlawful use of public resources. The penalty shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General or by any district attorney or any city attorney of a city having a population in excess of 750,000. If two or more persons are responsible for any violation, they shall be jointly and severally liable for the penalty.

(2) If the action is brought by the Attorney General, the moneys recovered shall be paid into the General Fund. If the action is brought by a district attorney, the moneys recovered shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney, the moneys recovered shall be paid to the treasurer of that city.

(3) No civil action alleging a violation of this section may be commenced more than four years after the date the alleged violation occurred.

(d) Nothing in this section shall prohibit the use of public resources for providing information to the public about the possible effects of any bond issue or other ballot measure on state activities, operations, or policies, provided that (1) the informational activities are otherwise authorized by the constitution or laws of this state, and (2) the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

(e) The incidental and minimal use of public resources by an elected state or local officer, including any state or local appointee, employee, or consultant, pursuant to this section shall not be subject to prosecution under Section 424 of the Penal Code.

(Amended by Stats. 2003, Ch. 62, Sec. 109. Effective January 1, 2004.)

Victorville Municipal Code - Chapter 1.06.010 – 1.06.030

- **1.06.010 - City endorsement of event or activity.**

Prior written authorization of the city council is required for an event or activity organizer to use the words "The City of Victorville" or "City of Victorville" or to use the city seal, logo, slogan or flag or any similar combination or facsimile thereof, in the title or advertisement of an event or activity that would reasonably imply an official endorsement of the event or activity by the city.

(Ord. 2033 § 1 (part), 2004)

- **1.06.020 - City seal.**

(a) The city seal for the city of Victorville is adopted and approved. The seal shall contain the name of the city and date of incorporation and shall appear as approved by the ordinance codified in this chapter and as maintained on file in the office of the city clerk.

(b) The city clerk shall have custody and charge of the city seal. Except as provided by this chapter, the city seal shall not be affixed to any instrument without the special warrant of the city clerk.

(c) The city seal is the property of the city. It shall be unlawful for any person to use or allow to be used the city seal, or any cut, facsimile or reproduction of the design thereof, or which may be mistaken for the city seal or the design thereof, for malicious or commercial purposes, or for any purpose other than for city purposes or for the purposes of any officer, board or department thereof, without the express written consent of the city council of the city of Victorville.

(Ord. 2033 § 1 (part), 2004)

- **1.06.030 - City logo.**

- (a) The city logo for the city of Victorville is adopted and approved.
- (b) There shall be three official color versions of the city logo: black and white, blue and white and multi-colored. Each version shall appear as approved by this chapter and as maintained in the office of the city clerk.
- (c) No person shall use or allow to be used the city logo, or any cut, facsimile or reproduction of the logo, or make or use any design which is an imitation of the logo or of the design thereof, or which may be mistaken for the city logo or the design thereof, for commercial purposes, or for any purpose other than for city purposes or for the purposes of any officer, board or department thereof, without the express consent of the city manager in accordance with this chapter.

Victorville City Council Policy Manual - Chapter 8, Section II, Subdivision B. 1

B. Prohibitions on Use of Public Resources for Personal or /Campaign Purposes.

- 1. **Letterhead and Staff.** City letterhead and staff support cannot be utilized for personal or political purposes. Any use of the City's logo, flag, seal, slogan, or name shall further be subject to the provisions of Chapter 1.06 of the Victorville Municipal Code and applicable State laws. The use of the City Seal, logo, or other insignia on personal matters and correspondence is not permitted.

Victorville City Council Policy Manual - Chapter 8, Section III, Subsection I

I. SPEAKING FOR "THE CITY"

- B. **Business Cards.** City Councilmembers will be provided with City Manager approved business cards in increments of 500. No more than one order will be processed within a 12-month period unless approved in advance by the City

Manager. City business cards may not be used for personal or financial gain, for obtaining privileges not otherwise available to a Councilmember, or for soliciting political contributions. Councilmembers are prohibited from using any other form of non-approved business cards that contain the City logo, the City seal, the City flag, or the City slogan.