



## Legislation Text

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**File #: 24-0343, Version: 1**

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Consider and take action on Ordinance 2024-24 amending Division 2, entitled "Code of Ethics", of Article II, entitled "City Council", of Chapter 2, entitled "Administration" to clarify and consolidate several sections of the City's Ethics Code - Second Reading (Council Member Tressler, Council Member Chadwell and Council Member Saunders)

Council postponed 5-3-0 on June 11, 2024.  
Council approved first reading 8-0-0 on June 25, 2024.

Approval of this item will authorize various amendments to the City's Ethics Code.

On March 26, 2024, through Ordinance 2024-11, the City Council established a City Council subcommittee to review and make recommendations regarding possible updates to the City's Ethics Code. After concluding its review, the subcommittee is making the following recommended changes.

### **Summary of Changes:**

- Clarify Intent of Ethics Code
- Eliminate provisions regulated and enforced by state law
  - o Local Government Code Ch171 addresses conflicts of interests related to real property and business interests
  - o Local Government Code Ch176 addresses conflicts of interest related to vendor relationships
  - o Texas Penal Code Ch36 addresses bribery situations
  - o Texas Penal Code Ch37 addresses falsification and perjury situations
  - o Texas Penal Code Ch39 addresses abuse of office situations
- Eliminate Ethics Complaint Review Process
  - o Any citizen may file a criminal complaint with the district attorney, a civil complaint with the Ethics Commission, or a civil action against a candidate or officeholder for violations
- Clarify that all City Officials (not just Members of Council) must comply with ethics rules

### **Companion Agenda item:**

Staff is also bringing a companion agenda item (ordinance) to re-designate and re-constitute the Texas Ethics Review Board as the Ethics and Mediation Board, which will be charged with handling certain disputes involving the Volunteer Fire Department.

### Attachments:

1. Proposed Ordinance
2. Redline Changes
3. TML Summary - Ethics provisions enforced by state law

### FUNDING

- { } Funds are available from Account # \_\_\_\_\_  
{ } Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_  
{x} NOT APPLICABLE

STRATEGIC PLANNING

{ } Addresses Strategic Planning Critical Success Factor # \_\_\_\_\_

{x} NOT APPLICABLE