



Legislation Text

File #: 24-0313, **Version:** 1

Consider and take action on an ordinance 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 (Council Member Tressler, Council Member Chadwell and Council Member Saunders)

Council postponed 5-3-0 on June 11, 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:

If approved, staff will bring back 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