



MEMORANDUM

DATE: July 8, 2024
TO: Board of Ethics
FROM: Madison Rorschach, City Auditor
SUBJECT: Ethics Ordinance Amendment Proposals Result

On June 4, 2024, the City Auditor and Board of Ethics Chair presented the 2024 Packet of Proposed Amendments to the Ethics Ordinance to the City Council. The following summarizes this discussion:

1. Repeal and replace Ethics Ordinance Sec. 2-273 (a) Conflicts of Interest.

This proposal was generally rejected by the City Council due to a lack of specificity and concern that this could allow the Ethics Complaint process to be misused by Complainants by requiring City Officials to withdrawal from participation in matters where a conflict of interest may not actually exist.

The City Council did give direction to amend the definition of Relative in accordance with the Boards recommendation. Staff is currently working on how to amend this language and plans to have an ordinance put before the City Council for potential adoption before the end of Fiscal Year 2023-24.

2. Eliminate Sec. 2-281 (c) (4) Burden of Proof, including amending the Board of Ethics' Rules of Procedure to adjust evidentiary Hearing procedures to reflect the elimination of the requirement for the Complainant to testify at an evidentiary hearing.

This proposal was rejected by the City Council. Concerns generally appeared to be due to misuse of the Ethics Complaint process to damage the reputation of City Officials without recourse and based on a person's right to face their accuser.