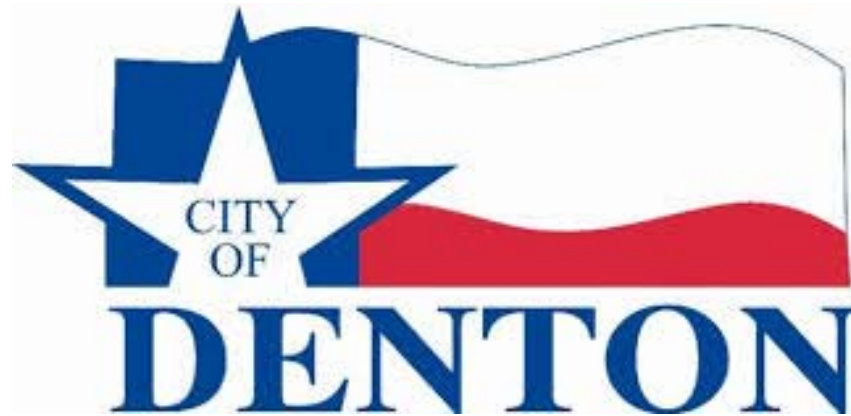


Ethics Ordinance: Crafting a Code



Module #2

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City Council Work Session
January 27, 2018



Fostering Integrity at City Hall

Leadership
Administration
Regulation
Instruction
Accountability
Transparency

Items for Discussion

1. Conflicts of Interest
2. Gifts, honoraria, travel, meals & entertainment
3. Outside Employment
4. Representation of Others
5. Improper Influence

§1: Conflicts of Interest

1. What amount of business interest will trigger the Code of Ethics?

- \$_____ value of ownership interest
- \$_____ annual income
- \$_____ value of land
- % of stock: _____
- % of ownership: _____

§1: Conflicts of Interest

2. Will there be exceptions (exclusions)?

- Mutual Funds
- Common Investment Funds
- Other: _____

§1: Conflicts of Interest

3. What level of membership in a nonprofit entity will trigger the Code of Ethics?

- Due Paying Members
- Officers
- None

§1: Conflicts of Interest

4. What degree of familial relationships will be covered?

- 2nd Degree by Affinity (Marriage)(Tex. Gov't Code Ch. 573)
- 3rd Degree by Consanguinity (Blood or Adoption)(Tex. Gov't Code Ch.573)
- Other: _____

§1: Conflicts of Interest

5. What's required if there's a prohibited interest?

- Disclosure
- Abstention

§2: Gifts....

1. Will the Code defer to the state law on gifts? ☐ YES or ☐ NO

§2: Gifts....

2. If no, and the Code will govern gifts, will the maximum value amount be:

- \$50 (Tex. Pen. Code §36.08)
- Lower: \$_____

§2: Gifts....

3. If the Code governs gifts, is there an annual maximum? ☐ YES or ☐ NO

§2: Gifts....

4. If the Code governs gifts, will there be a reporting requirement (disclosure)?

☐ YES or ☐ NO

§2: Gifts....

5. If an unsolicited gift is received, which you are prohibited from accepting, can you cure by donating it to a government agency or recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes?

☐ YES or ☐ NO

§2: Honoraria...

1. Does the Code prohibit payments for providing services (e.g., consulting or speaking engagements) if the services would not have been solicited but for the person's official position or duties with the City? (as per Tex. Pen. Code §36.07)

☐ YES or ☐ NO

§2: Travel

1. Will the Code allow transportation, lodging and travel related expenses to be paid by those seeking to do business with the City (as vendors or applicants for approvals)?
☐ YES or ☐ NO

§2: Travel

2. If so, is there a dollar limit?

☐ YES or ☐ NO

§2: Travel

3. If the receipt of expenses is allowed, must the donor be present? ☐ YES or ☐ NO

§2: Travel

4. If there is a dollar limit on travel paid for by those seeking to do business with the City, should the limit be: \$_____ per roundtrip, and \$_____ annually (cumulative of all travel in a fiscal year)? ☐ YES or ☐ NO

§2: Meals....

1. Can city officials accept a meal paid for by those seeking to do business with the City (as vendors or applicants for approvals)?
☐ YES or ☐ NO

§2: Meals

2. If yes, must the donor be present?

☐ YES or ☐ NO

§2: Meals

3. If so, is there a dollar limit?

☐ YES or ☐ NO

§2: Meals

4. If there is a dollar limit on meals paid for by those seeking to do business with the City, should the limit be: \$_____ per meal, and \$_____ annually (cumulative of all meals in a fiscal year)? ☐ YES or ☐ NO

§2: Entertainment

1. Are city officials allowed to attend civic, arts, sports, music or other entertainment events at the expense of those seeking to do business with the City (as vendors or applicants for approvals)? ☐ YES or ☐ NO

§2: Entertainment

2. If yes, must the donor be present?

☐ YES or ☐ NO

§2: Entertainment

3. If so, is there a dollar limit (per event, or annually)? ☐ YES or ☐ NO

§2: Entertainment

4. If there is a dollar limit in our Code on entertainment, should the limit be:
\$_____ per event, and \$_____ annually
(cumulative of all events in a fiscal year)?
☐ YES or ☐ NO

§2: Entertainment

5. If our Code addresses entertainment, will there be a reporting (disclosure) requirement? ☐ YES or ☐ NO

§3: Outside Employment

1. Should the Code restrict employment outside of City Hall? ☐ YES or ☐ NO

§3: Outside Employment

2. If yes, will those restrictions apply to:

- Employees
- Elected Officials

§3: Outside Employment

3. If yes, what functions do you anticipate them performing?

- Require pre-approval from Supervisor
- Cover only employment that is related to the public duties
- Cover any employment even if unrelated to public duties

§4: Representation of Others

1. Will the Code hinder the ability of City Officials to advocate on behalf of other persons before City Boards or Commissions? ☐ YES or ☐ NO

§4: Representation of Others

2. If the Code restricts the representation of others, will it apply to:

- Employees
- Electeds
- All Boards and Commission Members
- Certain Boards and Commissions, such as P&Z, Board of adjustment, _____ .

§4: Representation of Others

3. If the Code limits the representation of others, will it exempt representation:

- Before Boards the person does not serve on
- Without pay
- Of one's Self (regarding own property or business)
- Of one's Relatives

§5: Improper Influence

1. Will the Code preclude the use of one's official position to provide a benefit or impose a harm upon a person or business that would not otherwise be due to the same degree as the general public?

☐ YES or ☐ NO

§5: Improper Influence

2. Will the Code seek to prevent:

- Verbal or written representations of undue influence
- Conduct (acts or omissions) asserting undue influence
- Both

At our next meeting

- Abuse of Information
- Abuse of Resources
- Abuse of Position
- Hindrance
- Disclosures