

# **Ethics Ordinance Adoption**

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# Background:

- ▶ The City Council formed a Charter Review Committee (CRC) in Oct. 2016 to review a number of changes to the Charter including ethics. The CRC presented recommended changes to City Council in June 2017 and the voters approved Charter amendments on Nov. 7, 2017.
- ▶ City Council began working with attorney Alan Bojorquez to draft an ethics ordinance in Dec. 2017.

# Background:

- ▶ June 27, 2017- Charter Review Committee presented recommendation
- ▶ November 7, 2017- Election was held for propositions to revise Charter
- ▶ December 5, 2017- A training session was held
- ▶ December 19, 2017- The first substantive meeting was held
- ▶ January 27, 2018- The second substantive meeting was held
- ▶ February 6, 2018- The third substantive meeting was held
- ▶ February 20, 2018- The fourth substantive meeting was held
- ▶ March 6, 2018- Ethics Ordinance Draft “A”
- ▶ March 20, 2018- Ethics Ordinance Draft “B” and Public Hearing was held
- ▶ April 3, 2018- Ethics Ordinance Draft “C” and Public Hearing was held
- ▶ April 17, 2018- Ethics Ordinance Drafts “D”, “E” and “F”, and Public Hearing was held
- ▶ April 24, 2018- Ethics Ordinance Draft “G”

# Key Elements:

The following are key provisions of the Code of Ethics:

- ▶ Applies to Mayor, City Council, Planning and Zoning, Zoning Board of Adjustment, Public Utilities Board, Department Heads appointed by the City Council, and to a limited extent Former City Officials and vendors.
- ▶ Prohibits gifts of over \$50 and no more than \$200 from any source per fiscal year.
- ▶ Creates a seven member Board of Ethics to hear complaints of alleged violations of the Code of Ethics.
- ▶ Includes sanctions for violations of the Code of Ethics.

# Revisions:

The following revisions were made from the April 24, 2018 Council Meeting:

- ▶ The **effective date will be 14 days from the passage**, but the filing of complaints and issuance of advisory opinions will be delayed until the Board of Ethics is appointed and the rules and procedures have been confirmed by City Council.
- ▶ The gift limit for City Officials is \$200 per fiscal year from **any** source.
- ▶ The definition of vendor to exclude property owners from whom the City acquires public right-of-way or other real property interests for **public use**.
- ▶ Subpoena powers are reserved **only for the Board of Ethics by a majority vote** and are limited in scope to compel testimony, evidence, and/or documents that are **reasonably relevant to an actionable complaint**.

# Next Steps:

If the Council were to adopt the ethics ordinance, the following next steps would take place:

- ▶ Consider nominations for the Board of Ethics
- ▶ Develop and provide training on the Ordinance to City Official and the Board of Ethics
- ▶ Board of Ethics will develop rules and procedures that are subject to confirmation by Council
- ▶ Develop internal procedures for the receipt of complaints and maintain a conflict log

