

City Council A Session

June 21, 2018

Item 32

Ethics Code
Municipal Campaign Finance Code

Dr. Adriana Rocha Garcia, ERB Chair

Ethics Code

- o Define client to include any business, financial or professional relationship to which a duty of care, confidence, trust or privilege applies (2-43)
- o Add entertainment with existing limitations (2-45)
 - o Currently gifts and meals are limited at \$50 per occurrence with \$500 annual max from single source

Ethics Code

- o Add self-reporting of potential violation after occurrence (2-54)
- o Provide ERB options on past action of city employee, not just prospective action (2-54)
- o Remove option to report violations to the City Attorney's Office in order to honor the attorney/client confidentiality privilege (2-54)

Ethics Code

- o The City Clerk shall notify the respondent(s) of a complaint filed (2-83)
- o Require all complaints to be forwarded to the Chair and Vice-Chair of the ERB, Compliance Auditor, and City Attorney whom shall independently review the complaint (2-83)
- o Request for waiver can only be made by City Council after recommendation from ERB (2-88)

Ethics Code

Require disclosure of campaign contributions for parties seeking:

- o Resolution of support or no objection for multi-family housing tax credits
- o Approval of revenue bonds through Housing Trust
- o Economic development incentives by/through City created entities

(2-59)

Ethics Code

Zoning Change Requests

Currently, any owner or officer of entity applying are prohibited from contributing during zoning change process (2-309)

Proposing the disclosure of campaign contributions from lobbyists, attorneys or consultants retained related to zoning changes (2-59)

Municipal Campaign Finance Code

Filing of campaign finance reports

- o Add a reporting period in April and October of each non-election year, and in October of election years (2-307)
 - o Currently, campaign finance reports are submitted in January and July each year, and in April of election years
- o Remove 3-day reporting requirement

Total campaign finance reports would increase from 7 to 9 over 2 year election cycle.

Municipal Campaign Finance Code

- o Add subcontractors to the list of persons and entities prohibited from making contributions during the high profile solicitation process (2-309)
- o Add any first degree member of household for contribution prohibitions (2-309)

Implementation

Pending Council approval:

“Housekeeping” changes and those only involving internal processes

Effective July 1, 2018

Examples include:

- o Distribution and notification of filed complaints
- o Self reporting of possible violations
- o Request for waiver

Implementation

Pending Council approval:

All changes requiring:

- o Outreach to stakeholders
- o Update forms in procurement process and zoning applications
- o IT changes for contribution reporting

Effective January 1, 2019

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Additional slides for clarification on select items

Related to Non-Profit Entities

Currently, prohibitions related to non-profit entities exist in relation to high profile contract solicitations.

“the following individuals shall not make a political contributions.....” Sec 2-309 (a)

“Any owner or officer of an entity seeking a high profile contract” Sec 2-309 (a) (2)

Municipal Campaign Finance Code

Related to Non-Profit Entities

The added language is intended to clarify

Current

“Any owner or officer of an entity seeking a high profile contract”

Proposed

“Any owner, officer, **officer of the board, and executive committee member** of an entity seeking a high profile contract”

Sec 2-309 (a) (2)