



City Council B Session
Ethics Code
&
Municipal Campaign Finance Code

Dr. Adriana Rocha Garcia
Ethics Review Board Chair
June 13, 2018

ERB Members

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Rodney “Ron” Van Kirk

Mayoral

District 1

District 2

District 3

District 4

District 5

District 6

District 7

District 8

District 9

District 10

ERB Tasks

- o Review Ethics Code
- o Review Municipal Campaign Finance Code
- o Review CCRs forwarded from Governance Committee
- o Study possibility of an independent Ethics Office
- o Review requests from Governance Committee
- o Recommend Proposed Changes to City Council

Goal

Improve

- o Transparency
- o Clarity
- o Consistency
- o Accountability
- o Gain in Public Trust
- o Codify current practices

Process

ERB met over 24 times

- o Consulted ethics research expert (2 meetings)
- o Researched more than 26 cities

Topics

- o Education / Training
- o Use of Outside Counsel
- o Fines
- o ERB appointment process
- o Campaign contribution disclosures

Process

Communication

- o Governance Committee on September 20
- o Council B Session on November 8
- o Governance Committee on February 28
- o Individual meetings with Mayor and Council

Recommended Code Revisions

Two categories of changes:

- o Housekeeping changes
- o Substantive discussion points

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, individual applying, property owner, or owner or officer of entity applying are prohibited from contributing
(2-309)

Proposing the disclosure of campaign contributions from lobbyist, 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

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

Next Steps

Final revisions approved by ERB taken to City Council A Session for discussion and approval

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