



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

TO: Mayor and City Council

FROM: City Council Member Roberto C. Treviño and City Council Member Dr. Adriana Rocha Garcia

COPIES TO: Erik Walsh, City Manager; Leticia Vacek, City Clerk; Andy Segovia, City Attorney; John Peterek, Assistant to the City Manager; Emily McGinn, Interim Assistant to City Council

SUBJECT: Ethics Code Amendments

DATE: November 14, 2019

Issue Proposed for Consideration

We ask for your support for the inclusion of the following item on the agenda of the next scheduled meeting of the Governance Committee.

We ask that the City Attorney be directed to draft language for City Council consideration that would amend the City's Ethics Code as follows:

The strength of our City's Ethics Code depends on its provisions being amended from time to time to reflect best practices. In order to earn and keep the public trust, the Ethics Code must provide for fairness, transparency and independence. As much as possible, the City's ethics program must be administered by personnel who are not beholden to City staff or to elected officials in any way.

The City Code should be updated at this time to achieve a more independent ethics program (while still complying with our City Charter) by adding the following important revisions:

1. The independent ethics officer will continue to be designated as the Compliance Auditor and shall be selected and appointed by the Ethics Review Board, rather than the City Auditor.

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2. A committee of 9 people shall select 11 proposed members for the Ethics Review Board. There shall be one proposed member who is a resident of each of the 10 council districts. The 11<sup>th</sup> proposed member shall be proposed at large. The committee selecting the proposed nominees shall be comprised of people chosen by the following organizations:
  - a. League of Women Voters,
  - b. Mexican American Legal Defense and Education Fund,
  - c. San Antonio Chamber of Commerce,
  - d. San Antonio Hispanic Chamber of Commerce,
  - e. League of United Latin American Citizens,
  - f. A Local Institution of Higher Learning,
  - g. San Antonio Bar Association,
  - h. Interfaith Clergy Group, and
  - i. Non Profit Council.
3. After the committee has forwarded to the City Council a slate of proposed Ethics Review Board members, each City Council Member shall nominate the member proposed from his or her council district. The Mayor shall nominate the proposed member at large. At a subsequent council meeting, the Mayor and Council shall confirm the nominees by majority vote. Should any one or more proposed members not be nominated by a City Council Member nor confirmed by the City Council, the committee shall propose another candidate or candidates.
4. All ethics training and education for all elected officials, their staffs, and City employees shall be conducted by the Compliance Auditor and his or her staff, with such assistance from the City Attorney's office and other city employees as the Compliance Auditor may authorize.
5. The office of the Compliance Auditor shall be housed in a city facility. The operating budget for the ethics program shall be included in the City's annual budget. The initial budget shall support a staff of at least 3 employees, including the Compliance Auditor, who shall be a licensed member of the state Bar of Texas with at least 5 years of experience practicing law. All such employees shall have all benefits that other city employees have.

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6. The Compliance Auditor shall hire his or her own legal counsel for legal representation. Such counsel shall be employed either in-house in the Ethics Office, or hired by contract as outside counsel.
7. The annual budget of the Ethics Office shall be adjusted upward annually as needed to fully fund the ethics program.
8. The effective date of these revisions shall be November 1, 2020, after the City's annual budget has been adopted.

Submitted for Council consideration by:

Councilman Roberto C. Treviño  
District 1

Councilwoman Dr. Adriana Rocha Garcia  
District 4

Supporting Councilmembers' signatures (3 only)

- 1.
- 2.
- 3.

District

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6  
D7

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