



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-1814

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**Agenda Item Number:** 3.

**Agenda Date:** 2/17/2016

**In Control:** Governance Committee

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**DEPARTMENT:** City Attorney's Office

**DEPARTMENT HEAD:** Martha G. Sepeda, Acting City Attorney

**SUBJECT:** CCR from Council members Rey Saldaña, District 4, and Ron Nirenberg, District 8, for amendments to the Ethics Code relating to waivers

### **SUMMARY:**

Council members Rey Saldaña, District 4, and Ron Nirenberg, District 8, submitted a Council Consideration Request seeking amendments to the Ethics Code to limit the authority of City Council to waive a provision of the Ethics Code.

### **BACKGROUND:**

On January 26, 2016, Council members Rey Saldaña and Ron Nirenberg submitted a Council Consideration Request, signed by Council members Roberto C. Treviño, Shirley Gonzales, and Ray Lopez, seeking amendments to the Ethics Code to limit the City Council's authority to waive a provision of the Ethics Code. Specifically, the Council members seek amendments to the Ethics Code to ensure that only the Ethics Review Board may address an alleged violation of the Ethics Code if a complaint is filed; that all waivers sought by a City official, employee, or candidate that are recommended by the Office of the City Attorney may only be considered and authorized by the Ethics Review Board; and recommendations by the Office of the City Attorney to provide a waiver must be considered and found prudent by the Ethics Review Board.

### **ISSUE:**

The Ethics Code is adopted by Ordinance, and may be amended by a vote of a quorum of the City Council.

**RECOMMENDATION:**

The Governance Committee may assign the matter to a subcommittee or to staff to research and bring draft amendments back to the Committee for further review and possible action. The Governance Committee may also submit the matter to the Ethics Review Board for review and recommendations.

Alternatively, the Governance Committee may forward the amendment to the full Council for consideration.