



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of July 28, 2015
Second Reading Ordinance for the City Council Meeting of August 11, 2015

DATE: July 22, 2015
TO: Ronald L. Olson, City Manager
FROM: Ethics Commission
Via Legal Department, Miles Risley, City Attorney
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826-3360

Amendments to City Code of Ethics complaint procedures

CAPTION:

Ordinance amending Sections 2-330 and 2-334 of the City Code to amend the City's Code of Ethics regarding the complaint form and procedures; and providing for publication.

PURPOSE:

To amend the City Code of Ethics regarding complaint form and procedures as recommended by the Ethics Commission.

BACKGROUND AND FINDINGS:

These amendments are proposed and recommended by the City Ethics Commission. The following five amendments were previously presented to City Council on March 10, 2015 and on July 21, 2015 as part of an Ethics Code presentation to:

- 1) Amend complaint process to include unsworn (un-notarized) declarations under the Unsworn Declaration Act that are signed under penalty of perjury.
- 2) Clarify that "rules" of conduct in the complaint section is referring to the Rules of Conduct at Section 2-311 of the Ethics Code.
- 3) Clarify that person complained against has 10 calendar days to submit a written response to the complaint.
- 4) Reduce the number of votes required to find a violation from majority of the Commission (5 votes) to a majority of quorum present at the meeting.
- 5) To clarify that the Ethics Commission provides notice to the City Council of any violations regarding Council appointees, and provides notice to the City Manager of any other violations.

The proposed ordinance also includes one additional clarification amendment as recommended by the Ethics Commission:

- 1) To clarify the language regarding the procedures once a complaint is filed.

ALTERNATIVES: None; leave ordinance as is.

OTHER CONSIDERATIONS: Not applicable

CONFORMITY TO CITY POLICY:

The proposed ordinance conforms to City policies.

EMERGENCY / NON-EMERGENCY: Non-emergency; two reading ordinance.

DEPARTMENTAL CLEARANCES:

Legal

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

RECOMMENDATION:

Staff recommends approval of the Ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance