



Code of Ethics Requested Changes

Ethics Commission Request Presented by Dane Fuller, 12 Dec 2023

Overview

- **Administrative Changes**
 - **Add definition for City Official**
 - **Change 'all' to 'any' persons**
 - **Delete duplicative function**
 - **Emphasize electronic publishing**
 - **Correct autocorrect error**
- **Substantive Changes**
 - **Add deadline to info requests**
 - **Remove 'no changes' report option**
 - **Delete vague reason for non-disclosure**



Administrative Changes

Add definition for City Official

- Reason: clarity
- Add definition of City Official to 2-312
 - Borrow text from 2-311(8)(d)5



City Official: The mayor; members of the city council; municipal court judges and magistrates; city manager; deputy city manager; assistant city managers; assistants to the city manager; city secretary; deputy city secretary; assistant to the city secretary; municipal court clerk, deputy court clerks; all department heads and assistant department heads; internal auditor and all assistant internal auditors; assistant to mayor; executive secretaries; and members of all boards, commissions (except the youth commission whose members are minors), committees, and other bodies created by the city council pursuant to federal or state law or city ordinance, including entities that may be advisory only in nature, who are appointed by the mayor, the city council, or who are designated in the by-laws or organization papers of the entity to serve on behalf of the city; and board members of any entity who are appointed by the mayor or city Council to such board membership. This list is updated and posted to the city website annually by the city manager.

Emphasize electronic publishing

- Reason: modernize
- Change 'publish pamphlets' to 'publish electronic information online' in 2-326(a)(2)



2-326(a)(2). Prepare and publish **electronic information online** and other materials explaining the duties of individuals subject to the code of ethics. Such materials shall include instructions to the public about how to obtain information such as financial disclosures, campaign reports, and the like from the city.

Delete duplicative function

- Reason: redundant
- Delete paragraph 2-326(a)(6)



~~2-326(a)(6). Prepare and disseminate a report listing all campaign contributions and expenditures for each candidate within thirty (30) days following the deadline for filing the last campaign finance reports for each city council election. For the purposes of this provision, a general election and run-off election shall be considered as a single city council election.~~

Change 'all' to 'any' persons

- Reason: accuracy
- Change 'all' to 'any' in 2-342(k)



2-342(k). The names and addresses of **any** persons from whom the reporting official received gifts or favors, including but not limited to trips, excursions, food, lodging, money, commodities or services, cumulatively exceeding two hundred dollars (\$200.00) in value. The nature and date of each gift received shall be specified. Provided, however, campaign contributions reported as required by state law and gifts or favors from relatives need not be reported hereunder.

Correct autocorrect error

- Reason: clerical
- Change 'into best' to 'interest' in the first sentence of 2-349(b)



2-349(b). In the case of any business desiring to sell goods or services to the city (except when the value of the goods or services is not reasonably anticipated to exceed one hundred dollars (\$100.00) per calendar year), but which does not require city council, board, commission or committee consideration or action, the business shall file with the city's purchasing agent a statement specifically naming any city employee, official and board member having any ownership **interest** in the business constituting three (3) per cent or more of the ownership, or having any pecuniary interest in the transaction. This provision does not apply to or include the purchase of magazine subscriptions and memberships in professional or trade organizations related to municipal operations.

Substantive Changes

Add Deadline to Info Requests

- Reason: statutory
- Add sentence to end of 2-326(a)(3)



2-349(a)(3). Review all financial disclosure reports which are filed with the city pursuant to this article. If the commission identifies a possible conflict of interest or needs further disclosure from its review of the financial disclosure report, the commission shall notify the filing official to request additional information regarding the possible conflict of interest.

The Ethics Commission will provide a definitive deadline, not to exceed sixty (60) days from date of request, for the filing official to respond.

Remove 'no changes' report option

- Reason: effectiveness
 - Annual reminder
 - Public access
- Strike third sentence from 2-340



2-340. On or before the last Friday of March of each year, reporting officials shall file with the city secretary an annual report of financial information covering January 1 through December 31 of the previous year. Council members and planning commission members shall also file with the city secretary a supplemental report of financial information by the last Friday of July of each year covering the most recent January 1 through June 30. ~~Those reporting officials who have no changes to report since their most recent complete report may, in lieu of filing a complete report, file a short form annual report stating no changes, provided they have filed a complete financial disclosure form within the previous five (5) years.~~ Each reporting official shall utilize a form provided by the city secretary, which shall be signed and submitted in hard copy, or submitted electronically, as may be provided for by the city.

Delete vague reason for non-disclosure

- Reason: transparency
- Delete subordinate clause at end of first sentence of 2-349(d)



2-349(d). If a person who requests official action on a matter knows that the requested action will confer an economic benefit on any city official or employee that is distinguishable from the effect that the action will have on members of the public in general or a substantial segment thereof, he or she shall disclose that fact in a signed writing to the city official, employee, or body that has been requested to act in the matter, ~~unless the interest of the city official or employee in the matter is apparent.~~ The disclosure shall also be made in a signed writing filed with the city secretary.