

# Planning Commission Ethics Presentation

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**BY**

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# Applicable Laws and Regulations

- The laws and rules applicable to the Planning Commission include the Code of Ethics established by Chapter 2, Article 5 of the Corpus Christi Code, City Charter Article V, Unified Development Code Sec. 2.3, Chapters 171, 211, & 212 Texas Local Government Code, Open Meetings Act found under Chapter 551 of the Texas Government Code, and the Public Information Act found under Chapter 552 of the Texas Government Code.

# City Code of Ethics – Ethical Standards-General

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- Do not use your office for private advancement or to gain special privileges or exemptions for yourself or others
- Do not grant any special consideration to any group that is not generally available
- Do not use any City resources for purposes unrelated to the interests of the City except as are available to the public

# City Code of Ethics – Ethical Standards - Gifts

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- Do not accept or solicit any gift offered with intent to influence or reward official conduct
- Exceptions to Gift Prohibition:
  - Special occasions – weddings, holidays, anniversaries, graduations, births, illnesses, deaths
  - Reimbursement for travel – if disclosed on travel report
  - Award for service or achievement
  - Loan from lending institution-regular business
  - Scholarship awarded on terms applied to other applicant

# City Code of Ethics – Ethical Standards-Gift Exceptions (cont'd)

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- Solicitation for charity or civic cause
- Admission to event in connection with position
- Gifts accepted for City of Corpus Christi
- Admission to a widely attended event in official capacity as a City representative or w-ceremonial role
- Unsolicited admission to charity event by sponsor
- Training (including meals) related to official duties

# City Code of Ethics – Ethical Standards-Conflicts

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- City officials may apply for services or discuss personal services from City as long as they notify City Secretary & City Manager in writing of conflict & personal capacity
- Do not engage in outside activities or employment that can impair independent judgment in performing duties
- Do not represent defendants in Municipal Court
- Do not receive fees for official services from entities other than the City except as authorized by City Council or provided by law

# City Code of Ethics – Ethical Standards-Conflicts

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- If the Planning Commission or City Council is considering contract with entity with which you have interest:
  - Make written disclosure to City Secretary & City Manager
  - Abstain from vote or decision
  - Do not participate in discussion of matter with the Committee, City Council, City Manager, or City employees

# City Code of Ethics – Ethical Standards-Violations of Law

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- Do not knowingly act or refuse to act to thwart execution of federal, state or local laws or regulations
- Do not engage in:
  - felony crime,
  - misdemeanor of moral turpitude, or
  - other conduct that reflects discredit on City



# City Code of Ethics – Conflict of Interest

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- Shall not take any action or fail to take any action likely to affect the economic interests of:
  - Official
  - Official's outside client
  - Official's employer
  - Official's household
  - Official's Family member within the first and **second degree** of consanguinity or affinity (parent, child, spouse, sibling, grandparent, grandchild)(Spouse's parent, child, sibling, grandparent, grandchild)

# City Code of Ethics – Recusal and disclosure

- A city official with a conflict of interest must recuse himself or herself. From the time that the conflict is, or should have been recognized, he or she shall:
  - 1. Immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter; and
  - 2. Promptly file with the city secretary the appropriate form for disclosing the nature and extent of the prohibited conduct.
  - 3. A member of a board shall promptly disclose the conflict to other members of the board and shall not be present during the board's discussion of, or voting on, the matter.

# City Code of Ethics – Possible Sanctions

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- If Ethics Commission determines violation occurred, it may recommend reprimand, suspension, removal or other corrective action
- City Council will consider recommendation of Ethics Commission, but may exercise discretion in action against member

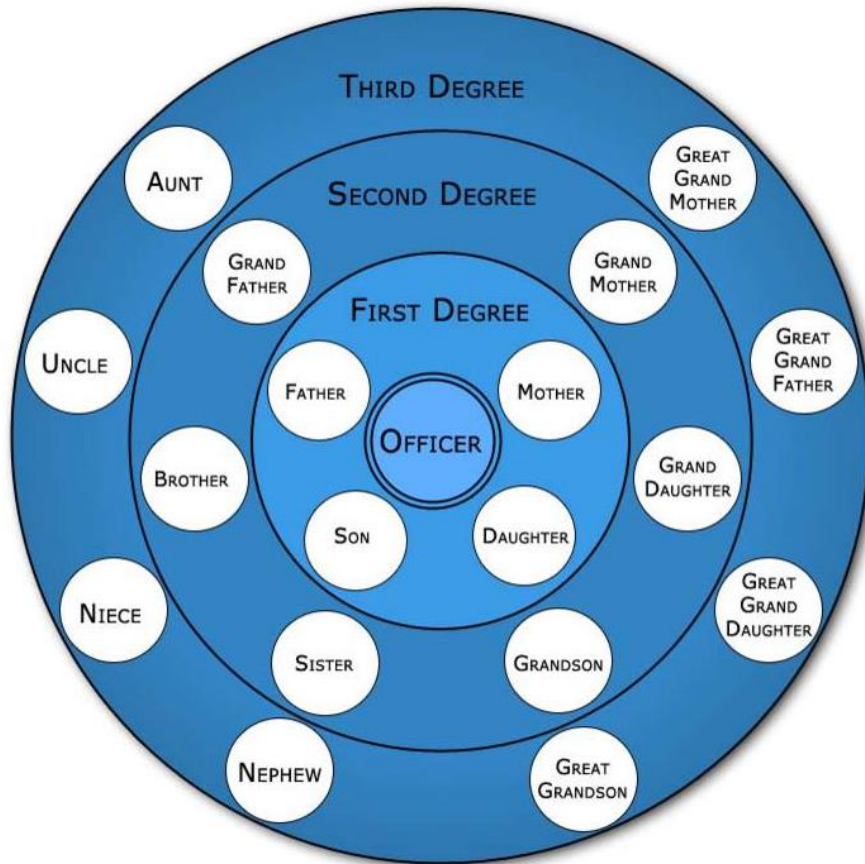
# Regulation of Conflicts of Interest – Texas Local Government Code Chapter 171

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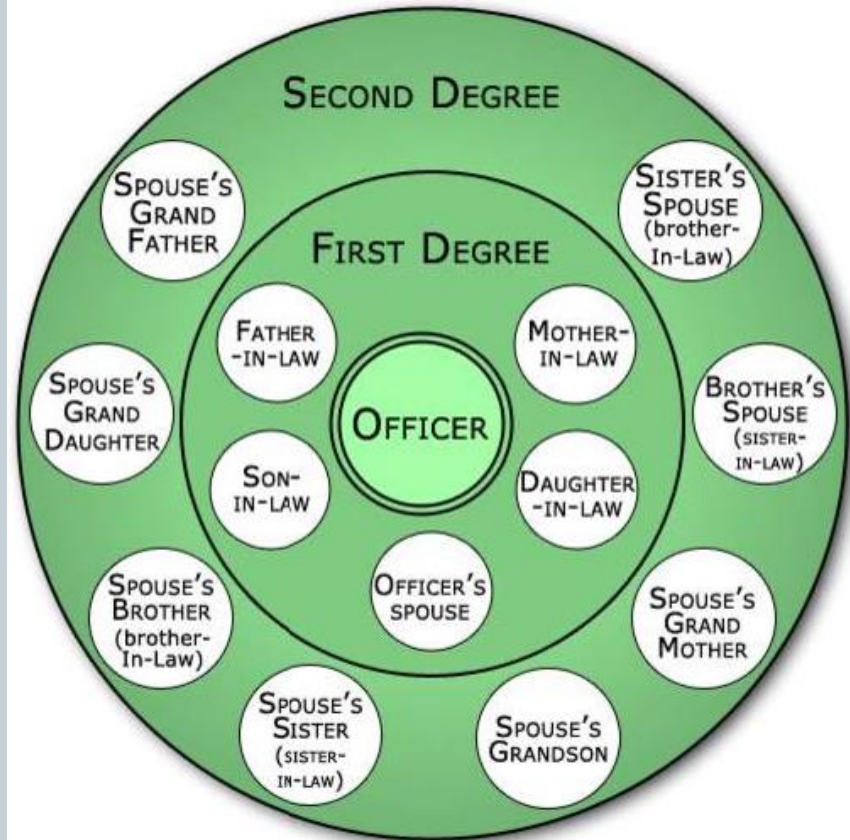
- Substantial interest per TLGC 171.002
  - Owns 10% or more of business entity,
  - Owns more than \$15,000 of value in business entity
  - Receives more than 10% of one's income from business entity
  - Owns more than \$2,500 of parcel of realty
  - **First degree** relative of person with substantial interest (spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law)

# Regulation of Conflicts of Interest – Consanguinity & Affinity

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**CONSANGUINITY KINSHIP**  
Relationship by Blood



**AFFINITY KINSHIP**  
Relationship by Marriage

# Regulation of Conflicts of Interest – Texas Local Government Code Chapter 171

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- Knowingly violating Section 171.004 is a Class A misdemeanor offense.
- Penalty for Class A misdemeanor is
  - (1) a fine not to exceed \$4,000;
  - (2) confinement in jail for a term not to exceed one year; or
  - (3) both such fine and confinement.