

ORDINANCE NO. _____

An ordinance amending Chapter 12A, “Code of Ethics,” of the Dallas City Code by amending Section 12A-26; removing members of boards, commissions, and other city bodies from the prohibition against subsequent representation one year after representation after termination of official duties; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date. Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 12A-26, “Subsequent Representation,” of Article IV, “Former City Officials and Employees” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“SEC. 12A-26. SUBSEQUENT REPRESENTATION.

(a) Representation by a former city council member [~~or former board or commission member~~]. A person who was a member of the city council [~~, a board or commission, or another city body~~] shall not represent any person, group, or entity (other than himself or herself or his or her relative) for a period of one year after the termination of his or her official duties:

(1) before the city council [~~or that board, commission, or body~~]; or

(2) [~~unless the board, commission, or body of which the former city official or employee was a member is only advisory in nature:~~

(~~A~~) before city staff having responsibility for making recommendations to, or taking any action on behalf of, the city council [~~or that board, commission, or body~~; or

(~~B~~) ~~before a board, commission, or other city body that has appellate jurisdiction over the board, commission, or body of which the former city official or employee was a member, if any issue relates to his or her former duties].~~

(b) Representation before the city. A former city official or employee shall not represent for compensation any person, group, or entity (other than himself or herself or his or her relative) before the city for a period of one year after termination of his or her official duties. This

subsection does not apply to a person who was classified as a city official only because he or she was an appointed member of a board, commission, or other city body. For purposes of this subsection, “compensation” means money or any other thing of value that is received, or is to be received, in return for or in connection with such representation.

(c) Representation in litigation adverse to the city. A former city official or employee shall not, for a duration of one year after completing his or her service with the city, represent any person, group, or entity (other than himself or herself or his or her relative) in any litigation to which the city is a party, if the interests of that person, group, or entity are adverse to the interests of the city and the matter is one in which the former city official or employee personally participated prior to termination of his or her official duties or is a matter substantially related to such a matter.

(d) Statement or implication of inappropriate influence. In connection with the representation of private interests, a former city official or employee shall not state or imply that he or she can influence city action on any basis other than the merits.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 12A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____

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