Legislation Text

File #: 23-1528, **Version:** 1

STRATEGIC PRIORITY:	Government Performance & Financial Management
AGENDA DATE:	June 14, 2023
COUNCIL DISTRICT(S):	N/A
DEPARTMENT:	City Attorney's Office
EXECUTIVE:	Tammy L. Palomino

SUBJECT

An ordinance amending Chapter 12A, "Code of Ethics," of the Dallas City Code, **(1)** adding a substantial interest in business entity conflict of interest; **(2)** providing that the rules against impermissible financial interest in discretionary contracts or sales during service with the city do not apply to volunteers on a committee or task force formed by a board or commission; **(3)** requiring a disclosure for those who were paid to work on councilmember campaigns when representing interests before the city council; **(4)** creating an offense for disclosing confidential information; **(5)** prohibiting campaign/political consultants from lobbying councilmembers for one year following an election; **(6)** amending the standard of proof to be a preponderance of the evidence; **(7)** providing updated subpoena processes for the inspector general and ethics advisory commission and updated hearing procedures; and **(8)** updating definitions and simplifying and clarifying language - Financing: No cost consideration to the City (This item was deferred on May 24, 2023)

BACKGROUND

The proposed ordinance amending the Code of Ethics is the second phase of Chapter 12A amendments based on the recommendations in the Report of the City's Ethics Reform Task Force (Report) with a focus on implementing the "High-Level Overview of Principal Proposals" in the Report.

The ordinance:

(1) clarifies and simplifies language regarding gifts, conflicts of interest, reporting requirements, and other provisions;

(2) updates definitions;

(3) clarifies the exceptions to the rule on gifts;

(4) adds a substantial interest in business entity conflict of interest;

(5) provides that abstention from participation in a matter is not required if the majority of a body reports a similar conflict;

(6) providing restrictions on substantial interest in a business entity to city employees;

(7) provides that the rules against impermissible financial interest in discretionary contracts or sales during service with the city do not apply to volunteers on a committee or task force formed by a board or commission;

(8) requires a disclosure for those who were paid to work on councilmember campaigns when representing interests before the city council;

(9) creates an offense for disclosing confidential information;

(10) provides a reporting chart;

(11) prohibiting campaign/political consultants from lobbying councilmembers for one year following an election;

(12) provides that the inspector general shall not commence or continue an investigation involving alleged conduct that is the subject of pending civil or criminal litigation;

(13) requires complaints against the inspector general be investigated and prosecuted by outside counsel;

(14) clarifies that respondents may retain outside counsel once an information is filed by the inspector general;

(15) provides for random assignment of ethics advisory panel members for evidentiary hearings;

(16) amends the standard of proof to be a preponderance of the evidence;

(17) provides updated subpoena processes for the inspector and ethics advisory commission;

(18) updating hearing procedures;

(19) provides a penalty not to exceed $500;

(20) provides a saving clause;

(21) provides a severability clause; and

(22) provides an effective date.

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PRIOR ACTION/REVIEWS (COUNCIL, BOARDS, COMMISSIONS

The Ad Hoc Committee on General Investigating and Ethics was briefed on the proposed amendments on June 14, 2022, November 10, 2022, and May 4, 2023.

On May 24, 2023, this item was deferred by Deputy Mayor Pro Tem Omar Narvaez.

FISCAL INFORMATION

No cost consideration to the City.