



Legislation Text

File #: 17-817, **Version:** 1

A Resolution approving changes to the Independent Ethics Commission's Rules of Procedure

Presenter:

Tracy Lessig, City Attorney Division Chief - Employment

Summary:

Request to approve changes to the Independent Ethics Commission Rules of Procedure ("Rules of Procedure") to reflect amendments to the City Code of Ethics ("Code of Ethics") approved by City Council on December 13, 2016 and to clarify the investigation procedures of the Independent Ethics Commission ("Commission").

Previous Council Action:

City Council passed the Code of Ethics by Ordinance No. 07-59 on April 10, 2007. The Code of Ethics created the Commission. The Commission approved the Rules of Procedure on November 15, 2007, which were approved by Resolution No. 257-07 on December 11, 2007. The Code of Ethics was amended by Ordinance No. 11-18 on March 22, 2011, to increase the number of Commissioners from (3) three to (5) five. The Rules of Procedure were amended by City Council on January 22, 2012 to reflect that a quorum is three (3) members instead of two (2) members. On April 9, 2013, City Council passed Resolution No. 41-13 (A Resolution Approving the Payment of Legal Expenses for Ethics Complaints under the City Code of Ethics). On May 28, 2013, City Council passed Resolution No. 58-13 (A Resolution Approving the Procedures for Investigation and Hearing of Ethics Complaints under the City Code of Ethics). The Code of Ethics was amended by Ordinance No. 15-62 on September 25, 2015 to change "Memorial Health System" to "MHS Enterprises." City Council approved significant amendments to the Code of Ethics by Ordinance No. 16-122 on December 13, 2016.

Background:

In early 2014, a committee was formed to review and suggest changes to the Code of Ethics and the Rules of Procedure. The committee completed its work in 2016 and presented proposed amendments to the Code of Ethics to City Council during several work sessions. The proposed amendments were adopted by City Council by Ordinance No. 16-122 on December 13, 2016.

After the amendments to the Code of Ethics were approved by City Council, the Commission drafted proposed changes to its Rules of Procedure. The proposed changes to the Rules of Procedure reflect changes to the Code of Ethics and memorialize investigation practices the Commission has used in past investigations.

The Resolution promotes the City's strategic goal of excelling in City Services because the proposed amendments to the Rules of Procedure are consistent with recent amendments to the Code of Ethics

and clarify the Commission's procedures.

Financial Implications:

N/A

Board/Commission Recommendation:

At its January 11, 2017 meeting, the Commission voted to approve the changes to its Rules of Procedure.

Stakeholder Process:

A publicly noticed meeting was held on January 11, 2017, to review and discuss the proposed changes to the Rules of Procedure with the Commission.

Alternatives:

City Council could adopt the proposed amendments to the Rules of Procedure as presented, revise the proposed amendments, or decline to adopt the proposed amendments.

Proposed Motion:

Approve the Resolution.

A resolution amending the Independent Ethics Commission rules of procedure.