



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

March 17, 2022

AGENDA TOPIC: Discussion and possible action regarding the draft City Council Code of Ethics Ordinance.

DATE: March 17, 2022

DEPARTMENT: City Council

PRESENTED BY: Carole Vanzant, CPM, TRMC, Assistant City Manager

INTRODUCTION/BACKGROUND:

The Fair Oaks Ranch City Council has from time to time discussed the need to develop a Code of Conduct and Ethics for the Mayor and City Council members. While there is some guidance regarding conduct contained within the City Charter, the scope of that guidance is limited. Legal counsel advised that having a Code of Conduct for elected officials is considered a best practice and, in fact, many of the other cities they represent have adopted Codes of Conduct and Ethics.

City Charter Section 3.11.B5 states the City Council shall adopt by ordinance rules of procedures to be followed relative to hearings for forfeitures of office and prohibitions. In discussions with the City Attorney, a determination was made to define procedural rules for City Council hearings for ethics violations and city charter forfeitures and prohibitions as the first step in creating a Code of Ethics.

Below is a timeline of past events:

- November 19, 2020 - City Council approved an ordinance establishing procedural rules for City Council Hearings for Code of Ethics Violations and City Charter Forfeitures and Prohibitions. Staff was directed to prepare a “draft” Code of Ethics ordinance for future consideration.
- December 3, 2020 - City Council established a Citizens Code of Conduct Advisory Committee to establish a common set of values and conduct for the City Council.
- February 2021 – Mayor Manitzas, Assistant City Manager Vanzant, and the City Attorney’s office began drafting a Code of Ethics ordinance.
- September 16, 2021 - Citizen’s Code of Conduct Advisory Committee Chairperson presented City Council with a draft Code of Conduct.
- October 25, 2021 – City Council “*expressed wanting to see a draft Ethics document before reviewing the draft Code of Conduct*”. Staff was directed to finalize the “draft” Code of Ethics ordinance and present it to Council early 2022.

Exhibit A attached is a draft Code of Ethics ordinance along with a copy of the previously adopted Ethics Hearing Rules of Procedures.

The purpose of this agenda item is to discuss and frame next steps on advancing consideration of the draft Code of Ethics ordinance. Next steps may include but are not limited to the following:

1. City Council reviews, discusses, and adopts a Code of Ethics ordinance.
2. City Council appoints an advisory committee to review, discuss, and recommend the draft Code of Ethics Ordinance.
3. Other(s) as determined by City Council.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. With adoption and adherence to a Code of Ethics, the citizens of Fair Oaks Ranch can rely upon open, accessible, and transparent conduct of business and adherence to applicable laws.
2. An enforceable Code of Ethics helps prevent conflicts of interest, promotes serving public interest over personal interests, and helps avoid undue influence and the appearance of impropriety.
3. Adherence to a Code of Ethics promotes professionalism and courtesy in conducting city business as prescribed in the City Charter under the Council-Manager form of government.
4. Promotes a culture of ethics that is aligned with the City's mission, vision, and core values.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Assisted in the creation of the Code of Ethics and performed a final review as to form.

RECOMMENDATION/PROPOSED MOTION:

I move to (insert motion here).