

ORDINANCE NO. 2289

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE CODE OF ORDINANCES BY REVISING SECTIONS 2-72, 2-75, 2-85 AND 2-102 OF CHAPTER 2, ARTICLE IV, CODE OF ETHICAL CONDUCT AND ADDING A NEW SECTION 2-74 REQUIRING A FIVE YEAR REVIEW OF THE CODE OF ETHICAL CONDUCT.

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That Chapter 2, Article IV, Code of Ethical Conduct is revised by adding a new section 2-74, to read as follows:

Sec. 2-74. Periodic Review

The city council shall direct a comprehensive review of the Code of Ethical Conduct as often as it deems necessary, but not less than every five years, to determine whether revisions should be made. At the conclusion of its review, the Independent Ethics Review Board, or such other board, commission or task force that is assigned this review, shall make a written report of its recommendations of changes, if any, to the city council.

Section 2. That Chapter 2, Article IV, Code of Ethical Conduct is revised by adding a subparagraph (4) to Section 2-72 (d), to read as follows:

- (d) Under such principles of conduct and ethical behavior, officials should:
- (1) Conduct themselves with integrity and in a manner that merits the trust and support of the public;
 - (2) Be responsible stewards of the taxpayers' resources;
 - (3) Take no official actions that would result in personal benefit in conflict with the best interests of the city; and
 - (4) Avoid any reasonable appearance of impropriety.

Section 3. That Chapter 2, Article IV, Code of Ethical Conduct is revised by amending the definition of *Personal benefit* and adding new a definition for *Reciprocal benefit* to Section 2-75, to read as follows:

Personal benefit includes benefits other than those that are directly financially advantageous. These include non-financial benefits such as enhanced reputation and success of one's career as well as Reciprocal benefits.

Reciprocal benefit means an agreement or understanding with any other person wherein any official action or inaction by the official will be rewarded or reciprocated by the other person, directly or indirectly.

Section 4. That Chapter 2, Article IV, Code of Ethical Conduct is revised by amending subparagraph (b) of Section 2-85, to read as follows:

(b) No former member of city council may have a financial interest in a significant contract with the city, within the meaning of section 2-80 of this article within 24 months following the expiration of the former member's most recent term of office.

Section 5. That Chapter 2, Article IV, Code of Ethical Conduct is revised by amending Section 2-102 to read as follows:

Any current or formal official or candidate against whom allegations of a violation of this code of ethical conduct have been made in publicly distributed content or elsewhere, shall have a right to file a written request for declaratory relief with the city secretary. The written request must identify the allegation, state the name of the complainant (if known), include a copy or screenshot of the publicly distributed allegation, and state the filer denies the allegations and is filing the request for declaratory relief solely for the purpose of clearing their name. A request for declaratory relief filed under authority of this section will be handled in the same manner and in accordance with the same procedures as complaints received from third parties and must be filed no later than the 90th calendar day after the official or candidate first learned of the allegations.

Section 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. That the provisions of this ordinance are severable and the invalidity of any part of this ordinance does not affect the validity of the remainder of the ordinance.

Section 8. That this ordinance is effective on second reading.

APPROVED on first consideration on _____.

ADOPTED on second reading on _____.

Joe R. Zimmerman, Mayor

ATTEST:

APPROVED AS TO FORM:

Thomas Harris, III, City Secretary