

Who are the Players?

Always:

Members of City Council

Members of Administrative and Advisory Boards

Sometimes:

Former City Council, Administrative, and Advisory Board Members

Candidates for City Council

How do I win?

- 1. Be independent, impartial and responsible to the residents of the City**
- 2. Act with integrity and in a manner that merits the trust and support of the public**
- 3. Be responsible stewards of taxpayers' resources**
- 4. Take no official actions that would result in a personal benefit in conflict with the best interests of the City**

Rules of the Game

- 1. Disclose Conflicts of Interest**
- 2. Disclose Gifts**
- 3. Disclose Certain Relationships**
- 4. Doing Business with the City**
- 5. Representations and Appearances at other Boards**
- 6. Misuse of City Property**
- 7. Participation in Procurement Process**
- 8. Campaign Activity**

A Conflict of Interest exists if:

Voting on the matter would confer a special economic benefit on:

- **You, your spouse, your child, or your parent**
- **Your employer or a client or substantial customer**
- **Any business entity for which you or your spouse, parent or child serve as a director, general partner, officer, or other policy making position (except when so appointed by the City)**
- **Any nongovernmental civic group, social, charitable, or religious organization in which you or your spouse serve as an officer or director**

Conflict of Interest (cont.)

- **A publicly traded company if you, your spouse, your child, or your parent own stock or instruments of debt greater than 10% of the value of the company**
- **Real property if you, your spouse, your child, or your parent hold equitable or legal ownership with a FMV greater than \$2,500**

Mandatory Disclosure & Abstention

A Conflicts Disclosure Statement MUST be filed with City Secretary no later than 5 pm on the 7th business day in which you discover the conflict.

You must abstain from participation in, discussion of, and vote on any matter in which, during the preceding 12 months from date of vote, you have filed a Conflict of Interest Disclosure Statement in compliance with Texas Local Government Code chapter 171.

You must leave the meeting room during the discussion and vote on the matter.

Gifts

Disclosure required when gifts of Lodging, Transportation, Entertainment or Food* from an individual vendor cumulatively exceed \$100 in a rolling 12 month period

Written disclosure must be filed with the City Secretary within 30 calendar days after receiving the gift

***Gifts of Food received from an individual vendor as a guest are reported once they exceed \$500 in a rolling 12 month period**

Vendor Relationships

You must disclose a relationship with a vendor when:

- **The vendor has an employment or other relationship that results in taxable income to you, your spouse, your child, or your parent exceeding \$2,500 in the previous 12 month period**
- **The vendor is related to you within the 3rd degree by consanguinity or 2nd degree by affinity**

Additional Rules

- 1. Doing Business with the City – Officials cannot enter into a contract or financial transaction with the City exceeding \$1,000 (aggregate)**
- 2. Representations – During office and for two years after, Officials may not appear before their board or commission to represent any other person or entity in a matter adverse to the interests of the City**

Additional Rules (cont.)

3. Appearances – An Official must not appear before a board or commission to represent a third party's interests. If an Official writes a letter to the editor or any other publicly distributed writing, the Official must disclose if the opinion is expressed in their personal or official capacity

4. Misuse and disclosure of official information – An Official (or former official) must not use confidential information gained by their position to advance their own personal or financial interests

Additional Rules (cont.)

5. Participation in Procurement – an Official must not knowingly obtain, disclose, or discuss bid or proposal information or source selection information with prospective bidders, proposers, or contractors before the bids are received or before voting to award the contract

6. Campaign Activity – An Official or candidate must not accept campaign contributions from any individual who is suing the City and seeking to recover an amount exceeding \$25,000 (exclusive of court costs and attorney's fees)

Where can I read the full text of the Rules?

The Code of Ethical Conduct can be found in chapter 2, article IV of the City's Code of Ordinances.

What if I have questions on the Rules?

You can request a written ethics opinion from the City Attorney

What do I do if someone doesn't follow the Rules?

- 1. File a written Complaint**
- 2. City Attorney review of Complaint**
- 3. Independent Ethics Review Board review of Complaint**
- 4. Sanctions**

Complaints

- **Must be in writing, signed and sworn**
- **Must be filed with City Secretary within 1 year of the date the violation is alleged to have occurred or 1 year after discovery of the alleged violation**
- **Must contain following:**
 - **Name, address, and telephone number of complainant**
 - **Name and office of person that allegedly violated the Code**
 - **The alleged violation and facts to support complaint**

City Attorney Review

City Attorney will verify:

- Filing deadline has been met**
- Accused is subject to Code**
- Violation alleged is regulated by Code**
- Complaint is signed and sworn**

If not, complaint is dismissed

If yes, complaint is forwarded to Independent Ethics Review Board

Independent Ethics Review Board

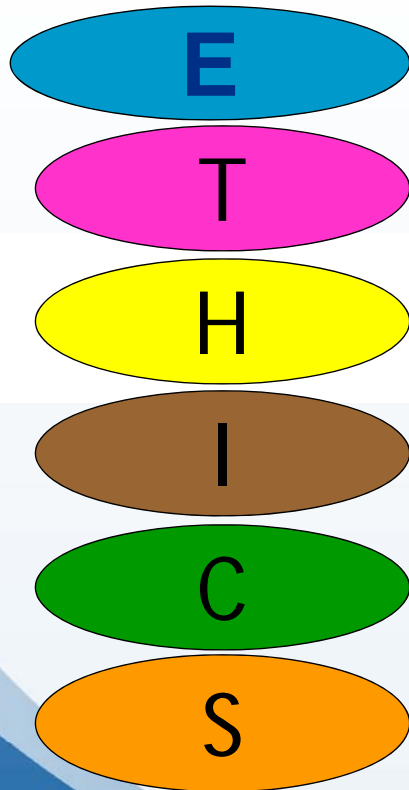
- 1. Dismiss as frivolous based on 4 factors outlined in Code**
- 2. Dismiss because accused relied in good faith on formal written opinion from the City Attorney**
- 3. Investigate**
- 4. May enter into Settlement Agreement with accused**
- 5. Conduct a public hearing**
- 6. Impose sanctions**

Sanctions

1. Letter of notification
2. Letter of admonition
3. Written Reprimand
4. Letter of censure
5. Up to \$2,000 fine
6. Removal of appointed official
7. Recommend Recall (must be initiated by petition)

3-7 will be published in paper

Let's Play!



Categories:

Conflict of Interest

Disclosures

Doing Business with the City

Procurement Process

Representation / Appearance before other Boards

Misuse of City Property

Campaign Contributions

Category – Conflict of Interest

E

Q: Item on City Council Agenda - Contract with a vendor for which a council member's spouse works

T

Q: Item on City Council Agenda - Contract with a vendor for which a Zoning Board of Adjustment member works

H

Q: Item on Planning and Zoning Agenda - Rezone of property including property owned by a Planning and Zoning Commissioner

I

C

Q: Item on Planning and Zoning Agenda - Commissioner serves as CEO of a company that has a strategic partnership with the applicant

S

Category - Disclosures

E

Q: Four tickets to a Texans Game from a vendor

T

Q: Round trip airline ticket to Hawaii from a bidder

H

Q: Two tickets to a non-profit fundraising gala (dinner and show) paid for by a vendor

I

Q: Dinner for two at local steak house from your neighbor

C

Q: Dinner with CEO of a Development Company to discuss Strategic Partnership recently entered into with the City

S

Categories:

Doing Business with the City / Procurement

E

Q: Item on City Council Agenda - Contract with a vendor for which a Council member's spouse works. What actions (if any) must the Council member take? Does it matter if the spouse is an employee or owner of the company?

T

H

Q: Council member's family owns an event planning company and wants to rent tents to the City for Halloween Town. Can they do so?

I

C

Q: Council member's neighbor requests information from Council member regarding a current Request for Proposals on a road reconstruction project. Can the Council member provide him the requested information?

S

Category: Representation / Appearance at other Boards

E

Q: Application at ZBA for a variance two houses down from a Planning and Zoning Commissioner. Does it matter if the Commissioner is for or against the variance?

T

H

Q: Council member has a variance application at ZBA. Can the Council member appear at ZBA?

I

C

Q: Council member's commercial property neighbor has applied for a CUP. Can the Council member speak at the Planning and Zoning Commission meeting regarding the application? Bonus question - can the Council member vote on the item at City Council?

S

Categories – Misuse of City Property / Campaign Contributions

E

Q: During an executive session, Council discusses the terms of an economic development offer. Council member knows the potential development will cause adjacent property values to soar. Prior to Council action on the offer, the Councilmember purchases the adjacent property. Violation?

T

H

I

C

S

Q: Local businessman, unhappy with a recent zoning decision that affected his property brings suit against the city alleging \$500,000 in damages. Subsequent to filing suit, the businessman makes campaign contributions to three council members. Violation?



CITY OF SUGAR LAND