

ORDINANCE NO. 12-3037

AN ORDINANCE AMENDING CHAPTER 2. "ADMINISTRATION", ARTICLE III. "OFFICERS AND EMPLOYEES", DIVISION 3. "ETHICS", SECTION 2-114 "ETHICS COMMISSION" OF THE CITY OF BEDFORD CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of Bedford, Texas has determined to change the membership of the Ethics Commission to be made up of the chairpersons of the City's Boards and Commissions and one resident member.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That Chapter 2. "Administration", Article III. "Officers and Employees", Division 3. "Ethics", Section 2-114. "Ethics Commission" of the City of Bedford Code of Ordinances is hereby amended to read as follow:

Sec. 2-114. - Ethics commission.

(a) Creation. There is hereby created an ethics commission which shall have the duties and powers, unless otherwise provided, to hear complaints and recommend the appropriate disposition of complaints heard under this division.

(b) Appointment of members. The commission shall consist of seven members to include the chairpersons of the following City boards and commissions: Beautification, Community Affairs, Cultural, Library, Park and Recreation and Planning and Zoning; and one resident of the City of Bedford appointed by the city council. Each member, upon assuming a position as commissioner, shall take an oath of office comparable to that taken by councilmembers. One commissioner shall be designated by the board as chairperson. The employee in charge of finance shall serve as an ex officio member of the commission. All members must be residents of the city and must have resided within this city for 12 consecutive months preceding the appointment. No commission member may be an elected official, an employee of the city, or a family member of such officials or employees. No commission member may contract with or do business with the city. Any action taken or recommended by the commission must be by the affirmative vote of a majority of the total membership of the commission.

(c) Terms. The resident member of the Commission shall serve for a two-year term.

(d) Compensation. No commissioner shall receive a salary but may be reimbursed for expenses in accordance with city policy.

(e) Meetings. The commission shall establish regular meeting times, with no less than one meeting per year. Special meetings may be called as needed by the chairperson or by any two members. Absences from meetings shall be regulated pursuant to Section 2-170 of the Code of Ordinances.

(f) Duties. The commission's duties shall include:

(1) Hearing complaints on violations of this division by officials or employees.

(2) Giving nonbinding advice to the city council or other officials or employees on ethical questions. This includes rendering advisory opinions as described in section 2-116

(3) Giving nonbinding recommendations to the city council on new and existing city policies on ethics.

(4) Reviewing city councilmembers' expense reports, travel vouchers and requests for reimbursement for the purpose of rendering advisory opinions as described in section 2-116

(g) Chairperson. The commission member appointed to serve as chairperson shall preside over

all commission meetings and may call special commission meetings as needed, but otherwise shall have power equal to that of other commission members.

(h) **Rules.** The commission shall adopt rules in accordance with this division. The rules may establish procedures for use in commission meetings and procedures for use in meetings at which hearings are conducted.

(i) **Quorum.** All commission meetings must be heard by at least four members. At commission meetings, four shall constitute a quorum for the transaction of business, unless otherwise provided herein. Any action taken or recommended by the commission must be by the affirmative vote of a majority of the total membership of the commission.

(j) **Meetings to be open.** All meetings of the commission, except actual hearings of complaints, shall be open to the public. Hearings on complaints shall be closed to the public unless the party charged with a violation of this division requests that the hearing be open. The chairperson or an acting chairperson may administer oaths to witnesses at commission hearings.

(k) **Minutes.**

(1) The commission shall keep minutes of its meetings showing the vote of each member on each question or the fact that the member is absent or fails to vote. The commission shall keep records of its examinations and other official action. The minutes and records shall be filed immediately with the city secretary.

(2) Hearings will be recorded and transcribed by a court reporter or the equivalent. Transcripts of hearings shall be filed with the city secretary.

SECTION 2. That all other ordinances in conflict herewith are hereby repealed.

SECTION 3. That if any section, paragraph, clause, phrase, or provision of this ordinance, shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph, clause, phrase, or provision shall not effect any of the remaining provisions of this ordinance.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and publication as required by law.

PRESENTED AND PASSED this 9th day of October 2012, by a vote of 7 ayes, 0 nays and 0 abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney