I. Call To Order

II. Roll Call

III. Citizen Comment Period: Each speaker signed up prior to the meeting being called to order will be called in the order in which they signed-up. Each speaker will be provided up to three minutes to speak.

MINUTES
1. Consider approval, by motion, of the March 11, 2024 meeting minutes.

ACTION ITEMS
2. Consider approval, by motion, of Bylaws of the Veteran Affairs Advisory Committee.

DISCUSSION ITEMS
3. Hold a discussion regarding Wreaths Across America fundraising.
4. Hold discussion regarding homeless Veterans.
5. Hold a discussion regarding Rental Assistance for Veterans.
6. Hold a discussion regarding transportation for Veterans.
7. Hold a discussion regarding Veterans Day Parade.

REPORTS
8. Receive a staff report about the Memorial Day Ceremony and Veterans Memorial.
9. Committee members may provide a brief announcement of upcoming Veteran related events.

FUTURE AGENDA ITEMS
10. Board Members may provide requests for discussion items for a future agenda in accordance with the board's approved bylaws. No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.

VI. Question and Answer Session with Press and Public.
This is an opportunity for the Press and Public to ask questions related to items on this agenda.

VII. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov.

For more information on the Veteran Affairs Advisory Committee, please contact Recreation Programs Manager Lisa Morris at 512.393.8409 or lmorris@sanmarcostx.gov.
I. **Call To Order** - Meeting was called to order at 5:44pm by James Summer

II. **Roll Call – Present:** Stephanie Brown, James Summer, Tempra-Saje Gudith, Amanda Gomes - Torres

III. **30 Minute Citizen Comment Period:** Each speaker signed up prior to the meeting being called to order will be called in the order in which they signed up. Each speaker will be provided up to three minutes to speak.

   No citizens present for comment.

**MINUTES**

1. Consider approval, by motion, of the December 11, 2023, meeting minutes. - A motion to approve by Stephanie Brown, seconded by Amanda Gomes – Torres. Motion passed. All in favor.

**ACTION ITEMS**


3. Consider approval, by motion, of Bylaws of the Veteran Affairs Advisory Committee. – Motion to approve Bylaws made by James Summers. Seconded by Stephanie Brown. Motion passed. All in favor.

**DISCUSSION ITEMS**

4. Receive a presentation from Surplus Americans regarding a Veterans Day Event and possible participation by the VAAC. – Hunter Bruce shared a presentation to the board members. Staff shared the process of submitting open public events.

5. Review of Ethics Ordinance. Lisa Morris went over with board members.

6. Meeting dates for calendar year 2024. Staff provided board members a calendar with meeting dates.

7. Hold discussion regarding Memorial Day Ceremony – Staff gave update on planning progress. Will be following up with members with final day of events.

8. Hold discussion regarding annual goals/projects.

**REPORTS**

9. Committee members may provide a brief announcement of upcoming Veteran related events.
   - AMVETS Post 104 Pork Steak Fundraiser – May 4th, 11:00AM – 2:00PM @ VFW Post 3413
   - Memorial Day Ceremony, 10:00AM @ Hays County Veterans Memorial

**FUTURE AGENDA ITEMS**

10. Board Members may provide requests for discussion items for a future agenda in accordance with the board’s approved bylaws. **No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.**

   1. WAA Event raising funds
   2. Implantation of Memorial Day Ceremony
   3. Veterans Day Parade
   4. Helping Homeless Veterans
   5. Rental Assistance
   6. Transportation for Veterans
VI. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.
No press or public in attendance.

VII. Adjournment – Motion to adjourn at 6:46pm by James Summers. Seconded by Stephanie Brown. Motion passed All in favor.

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov.

For more information on the Veteran Affairs Advisory Committee, please contact Recreation Programs Manager Lisa Morris at 512.393.8409 or lmorris@sanmarcostx.gov.

Approved: ___________________
Chair: _______________________
City Staff: _____________________
BYLAWS OF THE
Veteran Affairs Advisory Committee

ARTICLE 1. NAME.

The name of the board is Veteran Affairs Advisory Committee.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the board is Sec. 2.370.21. - General powers and duties.

Sec. 2.370.21. - General powers and duties.
(A) The veterans affairs advisory committee will act in an advisory capacity to the city council on issues that are unique to veterans within San Marcos and its extraterritorial jurisdiction.
(B) The committee will:
   (1) Help to ensure that traditions which honor the memory of our veterans are perpetuated;
   (2) Advise and make recommendations on policy and legislation of interest to veterans on a local, state, or national level;
   (3) Serve as a network for the exchange of information relative to veterans activities;
   (4) Discuss and make recommendations on issues that are relative to veterans within San Marcos; and,
   (5) Make recommendations on any improvements to the Veterans Memorial.
   (6) Personnel matters are not within the purview of the Board/Commission.

ARTICLE 3. MEMBERSHIP.

A. The board is composed of seven members appointed by the city council.

B. A member serves at the pleasure of the city council and may be removed if not in compliance with these bylaws.

C. Qualifications: The city council will endeavor to appoint five persons to the committee who are residents of San Marcos or its extraterritorial jurisdiction and are veterans, two persons who are the spouses or surviving spouses of veterans, collectively representing the various war eras and veterans organizations existing within San Marcos and its extraterritorial jurisdiction.

D. Board members serve for a term of three years beginning March 1st on the year of appointment. If a member is appointed to fill a vacancy, that member will serve for the unexpired portion of the term to which they are appointed. All members must complete required orientation and training as applicable prior to their first meeting.

E. Prior to taking office all newly appointed members shall attend an orientation. This orientation will include, but may not be limited to, a review of Bylaws, Specific Board
Ordinance and Charge, Open Meetings Act, Public Information Act, Ethics, parliamentary procedure, how to run a meeting, and procedures on how to file a complaint with the city.

F. All vacancies shall be filled in accordance with Section 2.071, Vacancies of the City Code and posted on the city council agenda.

G. Except as specifically duly authorized by their respective board (or commission) or the City Council, an individual board member may not:

1) act in an official capacity on behalf of the board (or commission);
2) make any representations to third party or any governing body before which such member appears that the member is authorized to speak for or on behalf of the board (or commission); or
3) participate through written or public comment on a matter being considered by another board or commission or the city council that is an appeal of the decision of or succeeds the recommendation of the board or commission member’s respective board or commission.

H. Attendance at board meetings shall conform to the requirements outlined in Section 2.069 - Absence from meetings of the City Code.

I. A member who seeks to resign from the board shall submit a written resignation to the chair of the board and the staff liaison, who shall notify the city clerk’s office. If possible, the resignation should allow for a thirty-day notice.

J. Members must comply with Chapter 2, Article 5, Code of Ethics, of the San Marcos City Code of Ordinances. If, in connection with a decision or matter before the board or commission, a conflict of interest or appearance of impropriety as to a board or commission member is identified, the affected member shall:

1) notify the staff liaison who shall provide a conflict of interest disclosure form to the member;
2) complete and submit the conflict of interest disclosure form;
3) when the matter is taken up by the board or commission, announce the nature of the conflict or appearance of impropriety;
4) thereafter, leave the room until consideration of the matter is concluded; and
5) abstain from any participation in the matter whether before the board or commission, a city department, another board or commission or the city council until the matter is finally concluded.

K. In accordance with Chapter 36 of the Texas Penal Code, members of the board (or commission) shall not accept gifts from persons in connection with the member’s official duties and responsibilities.

**ARTICLE 4. OFFICERS.**

A. The officers of the board shall consist of a chair and a vice-chair.
B. Officers shall be elected annually by a majority vote of the board at the first regular meeting on or after March 1 during the agenda item posted for this purpose.
   1) In accordance with Section 12.09 of the City Charter, if the previous chair continues on the board or commission they will preside over the meeting and conduct the election.
   2) If the previous chair is no longer on the board (or commission) and the vice chair continues on the board (or commission) the vice chair will preside over the meeting and conduct the election.
   3) If neither the chair nor the vice-chair remain on the board (or commission) the staff liaison shall conduct the election of the chair, at which point the newly elected chair will preside over the remainder of the meeting, including the election of the vice-chair.

C. In the event of a vacancy of the chair or vice-chair during the term, the board may hold an election at the next regular meeting. As needed, the vice-chair shall conduct the election of the chair or the chair shall conduct the election of the vice-chair.

D. The term of office shall be one year, beginning the first day of March and ending the last day of February.

E. A member may not hold more than one office at a time.

**ARTICLE 5. DUTIES OF OFFICERS.**

A. The chair shall be in person at the meeting location, preside at board meetings, review each final meeting agenda, and execute approved meeting minutes.

B. In the absence of the chair, the vice-chair may preside, if in person, and shall perform all duties of the chair.

C. In the absence of both the Chair and the Vice-Chair at the meeting location, the board should elect a temporary chair for that meeting, or until the Chair or Vice-Chair arrives. The staff liaison may conduct the election of a temporary chair, who shall serve only for the current meeting. The temporary chair must be present at the meeting location.

D. The Chair is responsible for promoting and maintaining order in meetings. The Chair should ensure adherence to the agenda for the meeting.

E. The Chair should control discussion to ensure that it focuses on the issue and not on any person. Personal remarks and attacks are not permitted. See also Article 7 (B).

**ARTICLE 6. AGENDAS.**

A. Agenda items must comply with Article 2. PURPOSE AND DUTIES.

B. The following general order of business should be used for regular meetings of the board:
   1. Call to order
   2. Roll call
   3. Citizen Comments – 3 minutes per speaker
4. Consent Agenda (includes routine items which normally do not need separate discussion such as minutes from the previous meeting.)
5. Presentations by city staff or outside entities invited by the board (or commission.)
6. Public Hearings as needed
7. Items for action or discussion/direction
8. Reports (report items should be listed individually as needed to comply with Open Meetings Act requirements)
9. Executive Session (in accordance with Open Meetings Act exceptions)
10. Question and Answer Session.
11. Adjournment

C. The board may only discuss or consider an item on the agenda that is stated within the assigned scope of work or charge of the board as provided in Article 2.

D. The chair or two or more members may place a discussion item on an agenda for a regular board meeting no later than 10 business days prior to the meeting. If two or more members wish to place a discussion item on a meeting agenda, they must separately contact the staff liaison and the chair in writing or by email with the specific topic. The agenda item must comply with Article 2 PURPOSE AND DUTIES.

E. After first consulting with and receiving input from the staff liaison, the chair shall review each final meeting agenda as prepared by the staff liaison. The chair may not remove an item placed on an agenda by the staff liaison, prior direction of the board under subsection (B) above or placed on an agenda as a discussion item by two members under subsection (C) above.

F. The staff liaison will submit the meeting agenda, and packet as applicable, to the City Clerk’s Office for posting no later than 72 hours before the meeting. If the 72 hour deadline should fall on a weekend or holiday it is the responsibility of the staff liaison to provide the meeting agenda to the City Clerk’s Office by noon on the last business day before the weekend or holiday.

G. Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

**ARTICLE 7. MEETINGS.**

A. The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act) in that discussion and action is limited to the items listed on the agenda for this meeting.

B. If a quorum (a majority of the voting members) does not convene within fifteen minutes of the posted time for the meeting, then the meeting may be cancelled. If there is not a quorum, no business can be conducted, no votes or action can be taken, and there are no minutes.

C. The board will conduct its meetings by the rules of common courtesy and procedure identified in Article 10.
D. The Chair should introduce each item as it appears on the agenda, and in the order in which it appears on the agenda. The Chair may allow items to be considered out of order with the informal consent of the board.

E. The following types of actions may be taken or motions can be made during a meeting:

1. **Approval** - Means the item is approved as proposed.
2. **Conditional approval** - Means approval for the item will take effect upon the occurrence of the conditions.
3. **Approval as amended** - Means the item is approved with changes from the original proposal.
4. **To Table** - Means to temporarily delay the consideration of the item while another item is brought up for consideration.
5. **Remove from Table** – Means to bring back the previously delayed item for consideration.
6. **Postpone** - Means postponement of consideration of the item, either until a definite date or event, or indefinitely. Action on the item at a subsequent meeting requires the item to be placed on the agenda for that meeting.
7. **Reconsider** - Means to reopen discussion of an item that was already acted upon. Reconsideration may only occur at the same meeting, or at the next meeting after the one at which the original action occurred. A motion to reconsider may only be made by a person who voted on the prevailing side on the original action. Reconsideration of an item at a subsequent meeting requires the item to be placed on the agenda for that meeting.
8. **Withdraw** - Made by the person who made the motion. Does not require a formal vote unless a member objects to the withdrawal.
9. **Close debate ("calling for the question")** – Requires a motion and second and 2/3 vote. If it passes, a vote is then taken on the motion that was under discussion, without further debate. If it fails, debate resumes on the motion that was being discussed.
10. **Amend** - Usually consists of striking out, inserting, adding, or substituting words, sentences or paragraphs to the subject of the original motion. This motion is voted upon separately from the original motion.
11. **Recess** - A temporary break in a meeting may be called by the Chair. This does not require a formal vote unless a member objects to the recess.
12. **Limited discussion or debate** - The Chair may establish a reasonable time limit for consideration of an item, or a reasonable time limit on each person addressing the board or upon each board member who comments on an issue. This does not require a formal vote unless a member objects to the limits.

F. The board shall meet quarterly, or when the board is legally required to meet in order to comply with a legal deadline. In October of each year, the board shall adopt a schedule of the meetings for the upcoming year.

G. Special meetings of the board shall be called by the staff liaison to comply with a statutory deadline or a deadline established by Council or by a vote by the board. A special meeting may be called upon the written request of the chair or three (two for boards/commissions of less than 7) members of the board no more often than once a quarter.
H. Executive sessions are permitted only when they have been posted in advance and conform to those requirements of the Texas Government Code Chapter 551 (Texas Open Meetings Act) which pertain to executive sessions.

I. A majority of the voting membership of the board members constitute a quorum regardless of vacancies.

J. To be effective, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

K. All votes shall be conducted by roll call rather than simple voice vote.

L. The chair has the same voting privilege as any other member. The voting privileges of members is defined in the Ordinance defining that board (or commission).

M. The board will allow citizens to address the board during a period of time set aside for citizen communications during their regular meeting. Each speaker will be limited to three minutes, may speak only once per time period, and may not yield time to others. See Section 2.045 of the City Code for details.

N. The staff liaison shall prepare the meeting minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member voted in favor, against, abstained or is absent. Example:
   For: Member 1, Member 2, Member 3, Member 4
   Against: Member 6
   Absent: Member 5 (line only needed if someone is absent)
   Recused: Member 7 (line only needed if someone has recused)

O. The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The Parks and Recreation Department shall retain all other board documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).

P. The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.

ARTICLE 8. RECOMMENDATIONS.

A. The board is encouraged to provide the city council with advisory recommendations on matters of city policy within their purpose and duties provided in Article 2 as necessary.

B. In order to communicate recommendations by a board (or commission) to the City Council, the board (or commission) must develop a recommendation resolution. If the recommendation resolution is approved by a majority of the membership, the staff liaison must submit the recommendation resolution to the city clerk and city manager for distribution to the city council within 30 days. In addition, the staff liaison will prepare a cover memo including Staff Recommendations for Implementation which may include budget impacts, staff time required, and/or other considerations.
C. The board will submit an annual report to the city clerk by February 28 of each year.

**ARTICLE 9. COMMITTEES.**

A. The Veteran Affairs Advisory Committee does not have any standing committees, but may have ad hoc committees as necessary.

B. Each committee must be established by an affirmative vote of the board. Each committee shall consist of at least two, maximum of three (limit of two if the board has less than 7 members) board (or commission) members approved by the board (or commission). A staff member shall be assigned to each committee by the director of the Parks and Recreation Department.

C. A committee may choose the chair, with the members’ consent, but is not required to do so.

D. Quorum requirements do not apply to committees.

E. Committees are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act). A quorum of the membership is not allowed to be present.

F. Each committee shall update the board at least quarterly on their work.

**ARTICLE 10. RULES OF COMMON COURTESY AND PROCEDURE.**

A. During meetings, members shall preserve order and decorum, and shall not interrupt or delay proceedings. Board (or commission) meetings will adhere to Section. 2.046. - Rules of Decorum for City Council and City Board and Commission Meetings of the City Code.

B. Members shall demonstrate respect and courtesy to each other, to city staff members, and to members of the public appearing before the board.

C. Members shall refrain from rude and derogatory remarks and shall not belittle staff members, other board members, or members of the public.

D. The Chair should exercise control over persons who abridge this policy or disrupt a meeting in the following ascending order of action:
   1. Call the person to order, advising the person of the infraction.
   2. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
   3. Order the person to leave the meeting. If the offending person is a member of the board, the Chair shall call for a vote on the expulsion of the member from the meeting.

**ARTICLE 11. GENERAL POWERS AND DUTIES**

A. Personnel Issues: Personnel matters are not within the purview of the Board/Commission and are not appropriate for posting on an agenda, discussion at a meeting, or as a subject for a board/commission recommendation. Neither the Board/Commission nor any of its
members shall recommend, instruct or request the City Manager or any of the City Manager’s subordinates to change the job qualifications for a current employee, appoint, or remove any person from, office or employment. The Board/Commission and its members are prohibited from giving order to subordinates of the City Manager either publicly or privately.

B All Boards and Commissions shall adhere only to their specific general powers and duties within their Ordinance, as provided in Article 2.

**ARTICLE 12. AMENDMENT OF BYLAWS.**

A bylaw amendment is not effective unless approved by the Council Finance and Audit Committee.

The bylaws were approved by the Veteran Affairs Advisory Committee at their meeting held on June 10, 2024.

Lisa Morris
Recreation Programs Manager
Sec. 2.069. - Absence from meetings.

(a) The voluntary absence of a board or commission member from three consecutive regular meetings of the board or commission will result in automatic resignation of the member from the board or commission.

(b) The voluntary absence of a member of a board or commission that meets quarterly from two regular meetings during a fiscal year of the city will result in automatic resignation of the member from the board or commission. The voluntary absence of a member of any other board or commission from more than 25 per cent of the board or commission's regular meetings during a calendar year will result in automatic resignation of the member from the board or commission.

(c) In this section:

(1) Regular meeting includes only regularly scheduled meetings, and does not include special meetings, workshops, or committee meetings of a board or commission.

(2) Excused absence means an absence by a board or commission member that results from a medical reason of the member or a relative of the member, child care for a newly born or newly adopted child during the first eight weeks of the child's life, family emergency, or jury duty.

(3) Voluntary absence means an absence other than an excused absence, to also include failure to inform the staff liaison of an absence prior to a scheduled meeting.

(d) The staff liaison of a board or commission will inform the city clerk of the automatic resignation of a member of the board or commission under subsection (a) or (b). The city clerk shall submit the member's position to the city council for appointment of a replacement.

(Code 1970, § 2-56; Ord. No. 1996-60, § 1, 8-12-96; Ord. No. 1997-21, § 1, 5-12-97; Ord. No. 2002-21, § 1, 3-4-02; Ord. No. 2003-8, § 1, 2-10-03; Ord. No. 2009-2, § 1, 1-6-09; Ord. No. 2014-17, § 1, 4-1-14; Ord. No. 2014-41, § 1, 7-15-14)
ARTICLE 5. - CODE OF ETHICS

Footnotes:
--- (19) ---

Editor's note—Ord. No. 2017-20, § 1, adopted November 21, 2017, amended article 5 in its entirety to read as herein set out. Former article 5, §§ 2.421—2.465, pertained to Code of Ethics. See Code Comparative Table for complete derivation.

Charter reference—Personal interest and code of ethics, § 12.02.


DIVISION 1. - GENERALLY

Sec. 2.421. - Policy and purposes.

(a) General policy statement. It is the policy of the city that all city officials and employees shall conduct themselves both inside and outside the city's service so as to give no occasion for distrust of their integrity, impartiality or devotion to the best interest of the city and the public trust which the city holds.

(b) Appearance of impropriety. Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of the city to administer and enforce the City Charter and city ordinances. To ensure and enhance public confidence in city government, each city official and employee must strive not only to maintain technical compliance with the principles of ethical conduct set forth in this article and in state law, but also to avoid the appearance of impropriety at all times.

(c) This code of ethics has five purposes:

(1) To encourage ethical conduct on the part of city officials and employees;

(2) To encourage public service with the city;

(3) To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;

(4) To require disclosure by city officials and employees of their economic interests that may conflict with the interests of the city; and

(5) To serve as a basis for disciplining those who fail to abide by its terms.

(d) This code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. The officials charged with administration of this code of ethics shall administer it in a manner that avoids any such use of this code of ethics.

(e) This section is intended only to set forth the policy and purposes for adoption of the San Marcos Code of Ethics; it shall not be cited, used, or considered by a citizen or by the ethics review commission as the basis of an ethics complaint filed against any officer or employee of the city.
Sec. 2.422. - Definitions.

In this article:

Benefit means anything reasonably regarded as pecuniary gain or pecuniary advantage, including any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service or other tangible or intangible thing of value. Benefit includes a pecuniary gain or pecuniary advantage to any other person in whose welfare the beneficiary has a direct and substantial interest.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law, including a nonprofit organization or governmental entity.

Economic interest includes a legal or equitable interest in real property, personal property, or intangible property, or a contractual right. Service by a city official or employee as an officer, director, advisor, or other active participant in a nonprofit educational, religious, charitable, fraternal, or civic organization does not create for that city official or employee an economic interest in the property of the organization. Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an economic interest in the securities or other assets unless the person in question participates in the management of the fund.

Employee means any person employed by the city, whether under civil service regulations or not, including those individuals on a part-time basis, and employees of an independent contractor that serve as a staff liaison to a city board or commission.

Immediate family means the spouse, children, brothers, sisters and parents of an officer or employee.

Officer or official means the mayor or any member of the city council and any appointive member of a city board, commission or committee established by ordinance, charter or state law on a permanent basis, and members of temporary boards and commissions.

Sec. 2.422.1. - Ethics training required.

All members of the city council and appointive members of city boards, commissions, or committees established on a permanent basis by ordinance, the city charter, or state law, shall attend training regarding the San Marcos Code of Ethics and state conflict of interest laws during the first 30 days of their initial term of office. Ethics training provided by the San Marcos City Attorney's Office meets the requirements of this section.
Sec. 2.423. - Prohibition against involvement in actions affecting economic interests.

(a) General rule. It is unlawful for a city official or employee to take any official action that he or she knows is likely to:

(1) Affect an economic interest of:
   a. The official or employee;
   b. His or her immediate family member;
   c. A member of his or her household;
   d. An outside employer of the official or employee or of his or her immediate family member;
   e. A business entity in which the official or employee or his or her immediate family member holds an economic interest;
   f. A business entity for which the city official or employee serves as an officer or director or in any other policy making position;
   g. A person or business entity from whom the official or employee, or his or her immediate family member, has solicited, received and not rejected, or accepted any benefit or an offer of employment within the past twenty-four months; or
   h. A person, business entity, or association from whom the official has received a campaign contribution in an amount exceeding $300.00. This provision does not apply to campaign contributions received prior to November 7, 2018. This provision does not apply in circumstances where four or more council members would be prohibited from voting on a matter.

(2) Confer a benefit on the official or employee, or deprive the official or employee of a benefit, where the effect of the action on the official or employee is distinguishable from the effect of the action on members of the public in general or a substantial segment of the public.

(b) Meaning of "affect".

(1) In subsection (a)(1) above, an action is likely to affect an official's or employee's economic interest if it meets all of the following:
   a. The action is likely to have an effect on that interest, either positive or negative, that is distinguishable from its effect on members of the public in general or a substantial segment of the public.
   b. The effect of the action on that interest is direct, and not secondary or indirect. However, the action need not be the only producing cause of the effect in order for the effect to be direct.
c. The effect on the interest must be more than insignificant or de minimis in nature or value.

(2) In determining whether a person, entity or property is or was affected by a vote or decision, it will not be necessary to prove the actual existence or occurrence of an economic effect or consequence if the effect or consequence would be reasonably expected to exist or occur.

(c) Recusal and disclosure. A city official or employee whose conduct would otherwise violate subsection (a), or a state conflict of interest law, if he or she took an action must abstain from participation in the action in accordance with the following:

1) Immediately refrain from further participation in the matter, including communications with any persons likely to consider the matter, such as any department, agency, commission or board of the city, from the time he or she discovers or reasonably should have discovered the matter triggering the recusal and until a decision regarding the matter has been made by the council, board or commission having final approval authority.

2) Promptly file a form for disclosing the nature and extent of the interest triggering the recusal with the city clerk, if the person is an official, or with the person’s supervisor, if the person is an employee;

3) Promptly notify the person’s supervisor of the nature and extent of the interest triggering the recusal, if the person is a city employee, so that the supervisor can reassign responsibility for handling the matter to another person; and

4) Publicly disclose the interest triggering the recusal immediately after the agenda item has been called up for discussion or action, if the person is a member of a city board, commission, or city council, and leave the room while the board, commission, or city council is discussing or voting on the matter.


Sec. 2.424. - Standards of conduct.

(a) Standards for immediate family members. It is unlawful for an immediate family member to intentionally or knowingly:

1) Solicit, accept or agree to accept from another person any benefit that the member’s relative, who is a city officer or employee, is prohibited from soliciting, accepting or agreeing to accept under state law;

2) Misuse any official information obtained from the member’s relative, who is a city officer or employee, to which the relative has access by virtue of the relative's office or employment and that has not been made public, in a manner prohibited as to the relative under state law; or

3)
Misuse, as defined in V.T.C.A., Penal Code § 39.01, any city property, services, personnel or any other thing of value belonging to the city that has come into the member's custody or possession by virtue of the office or employment of the member's relative who is a city officer or employee.

(b) *Representation and appearance at meetings.* No city officer or employee shall knowingly:

(1) Appear before the body of which the officer or employee is a member, as a representative for any private person, including the officer or employee or any immediate family member, or any group or interest;

(2) Represent, directly or indirectly, any private person, including the officer or employee or any immediate family member, or any group or interest in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party;

(3) Accept other employment or engage in outside activities incompatible with the full and proper discharge of city duties or that might impair independent judgment in the performance of city duties; or

(4) Make a false statement of material fact at a public meeting.

This subsection shall not be construed to deprive an officer or employee of the right to due process under the law, including the right to represent himself/herself in a court proceeding.

(c) *Representation by council members.* No city council member shall knowingly represent any private person, including the city council member or any immediate family member, or any group or interest in any matter before any department, agency, commission or board of the city, except that city council members may represent their interests in their owner-occupied homesteads before a board, agency, commission or department of the city other than the city council.

(d) *Representation in municipal court.* In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties:

(1) No city council member shall knowingly represent any private person other than himself or herself. If a city council member elects to have a trial in municipal court, the city council, without the participation of the affected city council member, will appoint a special judge to preside over the trial.

(2) No city officer or employee shall knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.

(e) *Representation in land use and development matters.* A member of the planning and zoning commission shall not knowingly represent the member or any other person, group or interest in any matter before the zoning board of adjustments involving land use or development, and a member of the zoning board of adjustments shall not knowingly represent the member or any
other person, group or interest in any matter before the planning and zoning commission involving land use or development. This subsection does not apply to members representing their interests in their owner-occupied homesteads.

(f) **Prohibited use of city position.** A city official or employee shall not use his or her position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including himself or herself) any form of special consideration, treatment, exemption, or advantage beyond that which is lawfully available to other persons. A city official or employee who represents to a person that the official or employee may provide an advantage or impediment to the person based on the official's or employee's office or position violates this rule.

(Ord. No. 2017-20, § 1, 11-21-17)

Sec. 2.425. - Contracts with city; eligibility for appointment or election to office.

(a) No member of the city council and no city employee shall have a financial interest in the sale to the city of any land, materials, supplies or service, outside of the person's position with the city. Any person having an interest shall be ineligible for election as a city council member or appointment as a city employee, and any city council member or city employee who acquires an interest shall forfeit the office or employment. Any violation of this subsection with the actual or constructive knowledge of the city council member or employee shall render the contract voidable by the city manager or the city council.

(b) In subsection (a) of this section and in subsection 2.425(c), the term "sale to the city" includes a sale to city-sponsored entities and organizations subject to substantial control by the city in one or more of the following respects:

1. All or a majority of the governing body of the entity or organization is appointed by the city council;
2. The city provides more than one-half of the operating funds of the entity or organization;
3. The city has approval authority over purchasing decisions made by the entity or organization;
4. The city has approval authority over bonds or other indebtedness issued by the entity or organization; or
5. The city has approval authority over the budget of the organization.

(c) This section does not apply to acquisition of property by the city as a result of eminent domain proceedings or the threat of eminent domain proceedings.

(Ord. No. 2017-20, § 1, 11-21-17)

Sec. 2.426. - Restrictions on former employees.
(a) No former city employee shall, for a period of two years from the date of leaving city employment, knowingly:

(1) Appear at a meeting of a board or commission staffed by members of the department of which the employee was a member, as a representative for any private person, including the employee or any immediate family member, or any group or interest.

(2) Represent, directly or indirectly, any private person, including the former employee or any immediate family member, or any group or interest in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party.

This subsection shall not be construed to deprive a former employee of the right to due process under the law, including the right to represent himself/herself in a court proceeding.

(b) In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties, no former city employee shall, for a period of two years from the date of leaving city employment, knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.

(c) For a period of two years from the date of leaving employment, a former city employee shall not have any financial interest in the sale to the city of any land, materials, supplies or service. Any violation of this subsection with the actual or constructive knowledge of the former city employee shall render the contract voidable by the city manager or the city council. This subsection shall not apply to a former city employee whose employment was terminated as part of a reduction in force or to a former employee whose skills or experience are so unique that failure to contract with him or her would be a detriment to the city as determined by the city manager.

(Ord. No. 2017-20, § 1, 11-21-17)

Secs. 2.427—2.440. - Reserved.

DIVISION 2. - ETHICS REVIEW COMMISSION

Sec. 2.441. - Established; composition; term of members.

An ethics review commission is established, to be composed of seven members, all of whom will reside in the city. Members of the commission will be appointed for staggered three year terms, and will serve until their respective successors are appointed.

(Ord. No. 2017-20, § 1, 11-21-17)
Sec. 2.442. - Organization; rules and regulations.

The ethics review commission each year will elect from its membership its chairperson and will promulgate its own rules and regulations as to its forms and procedures and maintain proper records of its opinions and proceedings.

(Ord. No. 2017-20, § 1, 11-21-17)

Sec. 2.443. - Authority and duties.

(a) Generally. The ethics review commission shall act as authorized by section 12.02 of the Charter concerning conflicts of interest, ethical conduct or interests of city officials and employees.

(b) Review and recommendations. The commission will meet at least once a year to review this article and may make recommendations to the city council.

(c) Hearings. The commission shall consider and conduct hearings on complaints of violations of this article and of state conflict of interest laws in accordance with section 2.444.

(d) Advisory opinions. The commission shall render advisory opinions on potential conflicts of interest or violation of this article at the request of a public official or employee subject to the terms of this article. The opinion must relate to an action proposed to be taken by the person requesting the opinion.

(e) Opinions binding. Any advisory opinion rendered by the commission to a person is binding on the commission in any subsequent complaint concerning the person about whom the opinion was requested and who acted in reliance on it in good faith, unless material facts were omitted or misstated by the person in connection with the opinion.

(Ord. No. 2017-20, § 1, 11-21-17; Ord. No. 2022-92, § 1, 1-3-23)

Sec. 2.444. - Complaints; review and hearings; sanctions for violations.

(a) Complaint procedure.

(1) Any resident or employee of the city who believes a person has violated a provision of this article or a state conflict of interest law may file a written complaint with the city attorney. The complaint must:

a. Identify the complainant and the person who allegedly committed the violation;

b. Provide a sufficient sworn statement of the facts which, if true, would constitute a prima facie violation of a provision of this article or a state conflict of interest law;

c. Specify the provision of this article or a state conflict of interest law which is alleged to have been violated;

d. 
Identify sources of evidence, if any, that the complainant is relying on to support the alleged violation; any subsequent evidence including documents or witnesses that come to the complainant's knowledge must also be filed in a sworn statement;

e. Be filed on a form prescribed by the commission available on the City of San Marcos website and from the city attorney's office;

f. No complaints shall be filed within a period beginning on the 60th day before the first day of early voting for any city election and ending on the later of the regular election day or runoff election day;

g. A complaint alleging a violation within the commission's jurisdiction must be filed with the city attorney's office within 12 months of the complainant becoming aware of the act or omission that constitutes an alleged violation of this Code;

h. The code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. Complainants who submit frivolous complaints are hereby notified that their actions may subject them to criminal prosecution for perjury, or civil liability for the torts of defamation or abuse of process. For purposes of this section a "frivolous complaint" is a sworn complaint that is groundless and brought in bad faith or groundless and brought for the purpose of harassment; and

i. The complainant shall swear to the facts by oath, under penalty of perjury, before a notary public or other person authorized by law to administer oaths. A complaint that is not sworn as required shall not be forwarded by the city attorney's office to the ethics review commission but shall be returned to the complainant.

(2) The city attorney will acknowledge the receipt of the complaint to the complainant and provide a copy of the complaint to the commission and to the person accused within seven business days of accepting the complaint form. A copy of any complaint filed against a city employee shall also be forwarded by the city attorney to the city manager within seven business days. The city attorney shall also provide a copy of the ethics review commission's rules of procedure for hearings to the complainant and to the person accused within seven business days of accepting the complaint form.

(3) City officials and employees shall not use or threaten to use official authority or influence to intimidate or discourage any person from filing an ethics complaint or testifying at a hearing before the ethics review commission regarding a pending ethics complaint.

(4) City officials and employees shall not take action as a reprisal against any other city official or employee who in good faith reports or initiates a complaint regarding an alleged violation of this Code or who participates in the complaint process by providing testimony or producing documents at a hearing before the ethics review commission regarding a pending complaint.

(5)
A City of San Marcos official or employee may not suspend or terminate the employment of, or take other adverse personnel action against a city employee who in good faith files an ethics complaint or who provides testimony or produces documents at a hearing before the ethics review commission regarding a pending complaint. "Adverse personnel action" means an action that affects a city employee's compensation, promotion, demotion, transfer, work assignment, or performance evaluation.

(b) **Review of complaints by commission.**

(1) The commission shall review each complaint in executive session prior to conducting a hearing to determine whether the complaint is in proper form and alleges sufficient facts to constitute a prima facie violation of a provision of this article or a state conflict of interest law.

(2) If the commission determines that the complaint is defective in form or does not allege sufficient facts to constitute a prima facie violation of a provision of this article or a state conflict of interest law, the commission shall dismiss the complaint, and provide notice, including the reasons for the dismissal, to the complainant and to the person accused.

(3) If the commission determines that the complaint is in proper form and alleges sufficient facts to constitute a prima facie violation of a provision of this article or a state conflict of interest law, the commission shall schedule a hearing on the complaint.

(c) **Hearings.**

(1) The commission will adopt rules of procedure to govern hearing on complaints. The rules will allow for the presentation of evidence by the complainant and the person accused, and cross examination of witnesses.

(2) The chair of the commission or any person acting in that capacity, and the recording secretary of the commission, are authorized to administer oaths to persons who testify at hearings conducted by the commission.

(3) All city officials and employees shall comply with requests from the ethics review commission to appear and provide testimony at hearings to assist the commission in carrying out its duties to resolve a pending complaint. Failure to comply with the obligations imposed by this subsection is a violation of this Code.

(d) **Ex parte communications.** It is unlawful for a person who has filed a complaint alleging a violation of this article or a state conflict of interest law by a city officer or employee, or a person against whom such a complaint has been filed, to communicate verbally or in writing about the subject matter of the complaint with a member of the ethics review commission at any time other than during a public meeting of the commission. All such communications by such persons to the commission outside of a public meeting of the commission must be directed to the city attorney. The city attorney will collect all such communications and provide them to the commission with
the agenda materials for the meeting at which the complaint is considered. The city attorney will make copies of these communications available to interested persons in accordance with state law.

(e) **Sanctions.** If the commission determines at the conclusion of a hearing that a violation has occurred, it may impose or recommend any of the following sanctions:

(1) A letter of notification, if the violation is clearly unintentional, or when the official or employee's action was made in reliance on a written opinion of the city attorney. A letter of notification shall advise the official or employee of any steps to be taken to avoid future violations.

(2) A letter of admonition, if the commission finds that the violation is minor and may have been unintentional, but calls for a more substantial response than a letter of notification.

(3) A reprimand, if the commission finds that the violation:
   a. Was minor and was committed knowingly, intentionally or in disregard of this article or a state conflict of interest law; or
   b. Was serious and may have been unintentional.

A copy of any reprimand directed to an official shall be sent to the city council. A copy of any reprimand directed to an employee shall be sent to the city manager and included in the employee's personnel file.

(4) A recommendation of suspension from office or employment, if the commission finds that the violation:
   a. Was serious and that was committed knowingly, intentionally or in disregard of this article or a state conflict of interest law; or
   b. Was minor but similar to a previous violation by the person, and was committed knowingly, intentionally or in disregard of this article or a state conflict of interest law.

A recommendation of suspension of an official appointed by the city council shall be transmitted to the city council, and the council will have final authority on whether to impose a suspension. A recommendation of suspension of an employee shall be directed to the city manager, who will have final authority on whether to impose a suspension.

(5) A recommendation for recall or removal from office or employment, if the commission finds that the violation was serious and was committed knowingly, intentionally or in disregard of this article or a state conflict of interest law. A recommendation for recall of a city council member or removal of an official appointed by the city council will be forwarded to the city council. A recommendation for removal of an employee will be forwarded to the city manager.

(6)
In addition to a sanction under subdivisions (1) through (5) above, the commission may recommend to appropriate authorities that a person be prosecuted for a violation of this article or a state conflict of interest law.

(Ord. No. 2017-20, § 1, 11-21-17; Ord. No. 2021-07, § 1, 2-2-21; Ord. No. 2021-52, § 1, 8-3-21)

Sec. 2.445. - Special counsel.

An independent outside attorney approved by the city council, who does not otherwise represent the city, shall be retained to serve as special counsel to the ethics review commission in the following situations:

(1) When a complaint is filed alleging that the mayor or a member of the city council, or the city manager, city attorney, city clerk or municipal court judge violated this article or a state conflict of interest law.

(2) When an advisory opinion is requested under section 2.443(d) by the mayor or a member of the city council, or by the city manager, city attorney, city clerk or municipal court judge.

(Ord. No. 2017-20, § 1, 11-21-17)

Sec. 2.446. - Criminal penalty and discipline for violations.

(a) A person who violates any provision of this article shall be punished, upon conviction thereof, by a fine not to exceed $500.00.

(b) The penalties prescribed in the preceding subsection do not limit the power of the city manager to discipline employees under the city manager's supervision or the power of the city council to discipline its members for violations of this article or a state conflict of interest law.

(Ord. No. 2017-20, § 1, 11-21-17)

Secs. 2.447—2.460. - Reserved.

DIVISION 3. - FINANCIAL DISCLOSURE

Sec. 2.461. - Definitions.

In this division:

Board member means a member of a board or commission whose membership is wholly appointed by the city council, including any temporary board or commission.

Business entity means a corporation, partnership, sole proprietorship, firm, holding company, joint stock company, receivership, trust or any other entity organized for profit.
Candidate means every person who declares for or files for any city office to be filled by election.

Compensation means any benefit received in return for labor, services, property or investment.

Fair market value means the appraised value reflected on the certified appraisal roll as of December 31 of the prior year by the appraisal district in the county where the property is located.

Family member means the spouse and any dependent children of any official or candidate.

Gift means a benefit received other than as compensation, but not including campaign contributions reported as required by state law.

Identification means, for an individual, the person's name, street address, city and state. For any entity other than an individual, the term "identification" means the name, address, city and state of the entity's principal location or place of business; the type or nature of the entity's principal location or place of business; the type or nature of the entity; the date on which it came into existence; the state of incorporation, if any; and the names of the partners or officers of the entity.

Income means a benefit received.

Source of income means any business entity, employment, investment or activity which earned or produced income, including interest, dividends, royalties or rents.

(Ord. No. 2017-20, § 1, 11-21-17; Ord. No. 2022-37, § 1, 5-17-22)

Sec. 2.462. - Financial disclosure statement required.

(a) Between March 15 and April 30 of each year, every city council member, every member of the planning and zoning commission, and the city manager, city attorney, municipal court judge, and city clerk shall file a sworn financial disclosure statement with the city clerk reflecting the financial situation of the official as of December 31 of the previous year and the official's financial activity between January 1 to December 31 of the previous year.

(b) A newly elected city council member, and a newly appointed planning and zoning commission member, city manager, city attorney, municipal court judge, or city clerk shall file a sworn financial disclosure statement with the city clerk within 30 days from the date the position is assumed. The statement shall reflect the financial condition as of the date and financial activity for the previous 12 months.

(c) A candidate for city council shall file a sworn statement with the city clerk not later than ten days from the date the candidate files with the city clerk an application to be placed on the official ballot. This statement shall include:

(1) A list of any financial interest the person has, direct or indirect, in real property located within the corporate limits or within the extraterritorial jurisdiction of the city.

(2)
A list of any financial interest the person has, direct or indirect, in any business entity located in the city or its extraterritorial jurisdiction or any business entity doing business with the city.

(3) The financial interests listed by the person shall include those held at any time during the 12 months preceding the date of filing for office and shall include any interest held by the candidate or a family member of the candidate.

(d) All board members shall file a disclosure statement with the city clerk within 30 days after their initial appointment, and thereafter between October 1 and October 31 of each year, regarding their relevant substantial interests in business entities and real property during the 12-month period preceding the date of the statement. Members of temporary boards and commissions shall file a disclosure statement with the city clerk within 30 days after their initial appointment. The statement shall be on a form provided by the city. For purposes of this section, the term "business entity" and the determination of substantial interests in business entities and real property shall be as defined and determined under V.T.C.A., Local Government Code Ch. 171. The form shall note whether the person claims a homestead exemption on any real property owned by the person. The form to be used by members of the planning and zoning commission shall contain the information required under section 2.463.

(e) Any person filing a statement required by this section may include additional time periods.

(f) Financial disclosure statements shall be updated within 30 days of any significant change in the interests of an official even if the change is temporary. For this part, "significant" means a change in interest that would tend to render the annual financial disclosure statement misleading or incomplete.

(Ord. No. 2017-20, § 1, 11-21-17)

Sec. 2.463. - Information required on financial disclosure statement.

(a) Every person required to file a financial disclosure statement under subsection 2.462(a) or (c) shall include in that statement the following information:

(1) The person's name, the name of each family member and all names under which the person or family members do business.

(2) Identification of each source of income amounting to more than $100.00 received in the reporting periods by the person or family members, stating the name, address, and nature of the source of income and stating the amount of income received; and identification of each option held, owned, acquired or sold during the reporting period, stating the nature of the option, the amount of transaction, and identification of the other parties to the transaction.

(3) Identification of each business entity, nonprofit entity or union in which the person or family member:

a. 

about:blank
Was a partner, manager, officer, member of the board of directors, proprietor or beneficiary, during the reporting period, stating the position held; or

b. Had an ownership interest of more than $100.00 at the fair market value at any time during the reporting period, stating the value and a description of that ownership interest; provided that, where the ownership interest includes or consists of shares of stock, the number of shares owned shall be stated together with the number of outstanding shares; and if sold during the reporting period a statement of the net gain or loss realized from the sale.

(4) Identification by street address, legal or lot-and-block description of all real property located within the city and its extraterritorial jurisdiction, together with its fair market value and present use, in which the person or family member has an interest as:

a. Fee simple owner;
b. Beneficial owner;
c. Partnership owner, naming the partners;
d. Joint owner with an individual or corporation, naming them;
e. Board member, officer or the owner of more than five per cent of a corporation that has title to the real property, naming the corporation; or
f. A leaseholder, naming the person or corporation from whom the property is leased and the amounts of annual rental.

The form shall note whether the person claims a homestead exemption on any real property owned by the person.

(5) Identification of persons, business entities or guarantors to whom the person or a family member owed a debt of more than $100.00 during the reporting period, stating the amount, but not including debts owed to persons related within the second degree of consanguinity or affinity and excluding loans to a political campaign which were reported as required by law. If this debt was repaid during the reporting period, the date and amount of repayment shall also be stated.

(6) Provided this information is not privileged by law, identification of persons, entities or guarantors who owed the person or a family member a debt of more than $100.00 during the reporting period, stating the amount, including all bonds, notes and other commercial paper held or owed by the person reporting or any family member during the reporting period, but not including debts owed by persons related within the second degree of consanguinity or affinity. If this debt was repaid during the reporting period, the date and amount of repayment shall also be stated.

(7)
Identification of the source of each gift or accumulation of gifts from one source of more than $100.00 in value received by the person or family member, or received by another person for the use and benefit of the person or family member, within the reporting period, stating the amount; but this requirement does not include:

a. A gift received from a relative if given because of kinship; or

b. A gift received by will, by intestate succession or as distribution from an inter vivos or testamentary trust established by a spouse or ancestor.

(8) Provided this information is not privileged by law, if the person filing the statement is the owner of five per cent or more of any business entity, the person shall list all customers from whom the entity received at least ten per cent of its gross income during the reporting period.

(9) Identification of any financial interest in or any transaction during the reporting period with any holder of any franchise issued by the city, other than as a utility or franchise customer or patron, stating the nature and amount of interest and transaction, including transactions by any family member and any business entity in which the person filing the statement has an ownership interest of five per cent or more.

(b) Except for the identification of transactions and amounts required by subsection (a)(9) of this section, any amount required to be reported under subsection (a) of this section may be reported by categories as follows:

(1) Category I. At least $100.00 but less than $10,000.00;

(2) Category II. At least $10,000.00 but less than $20,000.00;

(3) Category III. At least $20,000.00 but less than $50,000.00;

(4) Category IV. At least $50,000.00 but less than $75,000.00;

(5) Category V. At least $75,000.00 but less than $100,000.00; and

(6) Category VI. $100,000.00 or more, report to nearest $100,000.

(Ord. No. 2017-20, § 1, 11-21-17)

Sec. 2.464. - Retention of statements and inspection.

(a) The city clerk shall maintain all statements required to be filed with the city clerk under section 2.462 as public records and shall retain them for a period of three years, after which the statements will be returned to the person filing them or will be destroyed.

(b) The financial disclosure statement file maintained by the city clerk under this section shall be kept in alphabetical order for each year in which statements are filed. This file is open to public inspection during normal hours. The city clerk shall maintain a list of all persons requesting to inspect these files, identifying the files inspected.
Sec. 2.465. - Forms of statements.

Financial disclosure statements shall be filed on the form promulgated by the city clerk. The city clerk will provide a form to any person requesting one and, not less than ten days before the last day set for filing a statement by any person, shall send a form to the person.

(Ord. No. 2017-20, § 1, 11-21-17)

DIVISION 4. - CAMPAIGN FINANCES

Sec. 2.466. - Definitions.

In this division:

Campaign contribution means and includes a contribution to a candidate for mayor or city council in any of the following forms: a monetary contribution or a non-monetary contribution (in-kind contribution).

Contributor means a natural person or a business entity other than a corporation.

Election cycle means the period of time beginning on the day after the last general election for the office of mayor or council member of a particular council place and ending on the day of the next general election for that position.

(Ord. No. 2018-37, § 1, 9-18-18; Ord. No. 2023-10, § 1, 2-7-23)

Sec. 2.467. - Individual contribution limit.

A contributor may not make campaign contributions in an amount exceeding $500.00 per election cycle to a candidate for mayor or to a candidate for council member of a particular council place. This limit does not apply to contributions by a candidate to his or her own campaign.

(Ord. No. 2018-37, § 1, 9-18-18; Ord. No. 2023-10, § 1, 2-7-23)

Sec. 2.468. - Aggregate fund raising limits.

(a) Candidates for mayor. A candidate for the office of mayor, including an incumbent mayor, shall not accept campaign contributions during an election cycle in an amount exceeding an aggregate limit to be determined as follows: An amount equal to $1.00 multiplied by the number of registered voters in the city on the date of the last General Election. The aggregate limit shall not include contributions made by a candidate to his or her own campaign.

(b)
Candidates for city council positions. A candidate for the position of council member of a particular council place, including an incumbent council member, shall not accept campaign contributions during an election cycle in an amount exceeding an aggregate limit to be determined as follows: An amount equal to $1.00 multiplied by the number of registered voters in the city on the date of the last General Election. The aggregate limit shall not include contributions made by a candidate to his or her own campaign.

(Ord. No. 2018-37, § 1, 9-18-18; Ord. No. 2023-10, § 1, 1-7-23)

Secs. 2.469—2.500. - Reserved.