



# CITY OF CONCORD

## REPORT TO MAYOR AND THE CITY COUNCIL

**FROM:** James Kennedy, City Solicitor  
**DATE:** September 8, 2017  
**SUBJECT:** Proposed Amendment to Ethics Ordinance

### **Recommendation:**

Accept this report and set the attached ordinance for a public hearing on October 10, 2017, which amends the Code of Ordinances, Title I, General Code, Government Organization, Article 1-6, Code of Ethics, Sections 1-6-4, Recusal.

### **Discussion**

On September 6, 2017, the Rules Committee of the City Council held a meeting and discussed the City Council Rules and the Ethics Ordinance. With respect to Section 1-6-4, Recusal of the Ethics Ordinance, the Rules Committee recommended that it be amended to exclude the timeframe for an officer or elected official to disclose a conflict of interest. The goal was to eliminate any inconsistency with the City Council Rules regarding the timeframe for disclosure of a conflict of interest. However, because Section 1-6-4 applies to all City Public Bodies, the City Solicitor's Office does not recommend deleting the reference to the timeframe for disclosing a conflict of interest, but rather, recommends amending Section 1-6-4 to be consistent with the requirements set forth in the City Council Rules.

Under the current City Council Rules, a conflict of interest may be raised on a motion at a City Council meeting. Under the proposed City Council Rules, City Councilors would disclose conflicts of interest prior to Council discussion on the matter, or if discussion has occurred, then as soon as the conflict becomes known to the officer or official.

The proposed amendment to the Ethics Ordinance removes ambiguity as to when conflicts of interest should be disclosed, and will also be consistent with the City Council Rules.