




LAW DEPARTMENT

MEMORANDUM

To: Mayor and Council

From:  Cynthia Tom, Assistant City Attorney

Date: January 27, 2017

Subject: Clarification Memo for Item No. 4 - Ordinance amending City Code Chapters 2-3 (City Auditor) and 2-7 (Ethics and Financial Disclosure)

The February 2, 2017 City Council agenda includes an item (Item No. 4) for the Mayor and Council's consideration to approve an ordinance amending City Code Chapters 2-3 and 2-7 relating to the duties and functions of the City Auditor and the Ethics Review Commission, the code of ethics, and financial disclosure; and creating an offense.

This same item appeared on the January 26, 2017 Council agenda as Item No. 16, but Council postponed the item to the February 2 Council meeting.

The Law Department would like to clarify that the draft ordinance posted as backup for the February 2 Council meeting is slightly different than the draft ordinance posted as backup for the January 26 Council meeting.

The Law Department made a revision to the proposed amendments to Subsection (A) of City Code Section 2-7-72 (Reports), which is found in Part 19 of the draft ordinance on page 15. Some language has been added to the beginning of the last sentence of Subsection (A), at lines 30 – 31.

The original sentence reads as follows in the January 26 draft ordinance:

Not later than the 30th day after the end of a mayor's or council member's term, the mayor or council member shall file with the city clerk a statement of financial information covering January 1 through December 31 of the previous calendar year.

The revised sentence reads as follows in the February 2 draft ordinance:

For an outgoing mayor or council member who has not been re-elected, not later than the 30th day after the end of a mayor's or council member's term, the mayor or council member shall file with the city clerk a statement of financial information covering January 1 through December 31 of the previous calendar year.

The new language added by the revision is shown in red font above.

The purpose of the revision is to clarify that the requirement for the Mayor and Council Members to file a statement of financial information to cover the previous calendar year within 30 days of the end of their term only applies to an outgoing Mayor or outgoing Council Members who have not been re-elected for another term.

An incumbent Mayor or incumbent Council Member who has been re-elected for another term will have until April 30 to file a statement of financial information to cover the previous calendar year.

Cc: Elaine Hart, Interim City Manager
Jannette Goodall, City Clerk
Anne Morgan, City Attorney
Corrie Stokes, City Auditor