

## **ETHICS CODE FAQ**

Why does the City of Laredo have an Ethics Code?

What are the duties of the Ethics Commission?

What happens after complaint is filed?

Who do I contact with questions on filing an ethics complaint?

What is and how do I address a potential "conflict of interest?"

What constitutes and under what circumstances am I unable to accept a "gift"?

What type of post-employment could potentially be a violation of the Ethics Code?

What are my rights if an ethics complaint has been filed against me?

What are the sanctions if the Ethics Code has been violated?

Where can I find prohibited degrees of family relationship referenced in the Ethics Code?

### **Why does the City of Laredo have an Ethics Code?**

The City of Laredo has implemented an Ethics Code to promote high ethical standards and conduct throughout city government. The Ethics Code is an ethical guide that reflects the values of our city. The people of Laredo deserve elected and appointed officials, city employees and volunteers who maintain the highest ethical principles so that the people can be best served.

## **What are the duties of the Ethics Commission?**

TOP

The purpose of the Ethical Commission is to make findings about the merits of formal complaints brought against individuals for violations of the Ethics Code, and to write binding Advisory Opinions on its own initiative or when requested.

## **What happens after a complaint is filed?**

TOP

The Ethics Commission shall make a preliminary finding as to whether or not the complaint states a valid claim under the Ethics Code and is supported by just cause. If the preliminary finding is that the complaint does not state a valid claim or have Just Cause based upon the evidence submitted, the complaint will be dismissed. If the complaint is not dismissed, the complainant and respondent will be notified of hearing date where both parties will have a full and fair opportunity to present their positions and facts. The Ethics Commission shall issue a written decision within 90 days of the filing of the complaint [See §8.06 of the Ethics Code]

## **Who do I contact with questions on filing an ethics complaint?**

TOP

For questions on filing a complaint, you may contact Raul Casso, City Attorney, or Kristina Laurel Hale, Assistant City Attorney, at (956) 791-7318 or 1110 Houston, Laredo, Texas 78042. Please note that the City's Ethics Compliance Officers may not respond to questions or offer opinions on interpretations of the Ethics Code except to city officials and employees.

## **What is and how do I address a potential "conflict of interest?"**

TOP

A city official or employee shall avoid any situation that might give rise to a conflict of interest. A conflict of interest is present when, in the discharge of official duties, a local official or employee participates in a governmental decision or action in which he or she has a financial interest, except when that interest is no greater than that of another member of his or her business, profession or occupation. A city official or employee should remove themselves from participating in any action where a conflict of interest exists. [See Division 2 of the Ethics Code]

## **What is and under what circumstances am I unable to accept a "gift"?**

TOP

"A local official or employee shall not solicit or accept any gift from an interested person, lobbyist, or principal who has a direct financial interest in a decision that the local official or employee is authorized to make." This means that a local official or employee may not accept any type of gift with a value of more than \$250 (or \$500 cumulative value in a single year) from any person or group that has a direct financial interest in a matter that the city official or employee may take part in. [Ethics Code §2.03]

**What type of post-employment could potentially violate the Ethics Code?**

TOP

A former local official or employee shall not disclose or use any confidential, private, nonpublic, privileged or proprietary information gained by reason of his or her city employment. A former local official or employee who has left the City of Laredo within 2 years may not work on behalf of any person or organization which has matters before the city. [See Division 3 of the Ethics Code]



## **What are my rights if an ethics complaint has been filed against me?**

TOP

If a complaint has been filed against you, you will receive a copy of the complaint and applicable ethics code provision you are alleged to have violated. You are given a 14 day period within which to respond in writing to the charge and will be notified of the hearing date at least 10 days before the date of the hearing. You have the right to attend the hearing, the right to make a statement, the right to present and cross-examine witnesses, and the right to be advised by legal counsel or another advisor. [Ethics Code §8.07]. Any city official or employee against whom public allegations of ethics violations have been made in the media or elsewhere shall have the right to file a sworn statement with the Ethics Compliance Officer affirming his or her innocence, and to request the Ethics Commission to investigate and make known its findings, and make any relevant recommendations concerning the issue. {Ethics Code §8.09}

## **What are the sanctions if the Ethics Code has been violated?**

TOP

If the Ethics Commission finds that the Ethics Code has been violated through a formal hearing process, then the Commission shall make recommendations of discipline for the violation. Anyone who has been determined to have violated the Ethics Code may be subject to civil sanctions, including disciplinary action, disqualification from lobbying and voiding of contracts up to and including termination of city employment, criminal sanctions and referral for criminal prosecution. In addition, the Ethics Commission may in its discretion refer the case to the city attorney or appropriate law enforcement agency for criminal prosecution.



# City of Laredo Nepotism Policy

Pursuant to Section 2.02(b) of the Ethics Code and Section 12.04 of the City Charter,

***CITY APPOINTMENTS OF A PERSON TO ANY  
POSITION OF EMPLOYMENT, OFFICE, OR CLERKSHIP  
IS PROHIBITED IF THAT INDIVIDUAL IS RELATED TO:***

- (1) **The City Manager** within the 4<sup>th</sup> degree of consanguinity or 2<sup>nd</sup> degree of affinity; or
- (2) **The Appointing Department Director** within the 4<sup>th</sup> degree of consanguinity or 2<sup>nd</sup> degree of affinity; or
- (3) **The Mayor** within the 3<sup>rd</sup> degree of consanguinity or 2<sup>nd</sup> degree of affinity; or
- (4) **A City Councilman** within the 3<sup>rd</sup> degree of consanguinity or 2<sup>nd</sup> degree of affinity; or
- (5) **The Municipal Court Judge** within the 3<sup>rd</sup> degree of consanguinity or 2<sup>nd</sup> degree of affinity; or
- (6) **A Board/Commission Member** within the 3<sup>rd</sup> degree of consanguinity or 2<sup>nd</sup> degree of affinity

Prohibited Relationships of Consanguinity (Blood)				
	1st Degree	2nd Degree	3rd Degree	4th Degree
Person	*daughter, *son, mother and father	**sister, **brother, grandchild, and grand-parent	aunt (if parent’s sister), uncle (if parent’s brother), niece, nephew, great-grandchild and great-grandparent	first cousin, great aunt, great uncle, grandniece, grandnephew, great-great-grandchild and great-great-grandparent

\*Adopted children are considered full blooded under consanguinity.  
\*\*Half sisters/brothers are considered full blooded under consanguinity.

Prohibited Relationships of Affinity (Marriage)		
	1st Degree	2nd Degree
Person	*spouse, *stepdaughter, *stepson, stepmother, stepfather, *mother-in-law, *father-in-law, daughter-in-law and son-in-law	step sister, step brother, *sister-in-law (if spouse’s sister), *brother-in-law (if spouses’ brother), *spouse's grandparent, *spouse's grandchild, * grandchild's spouse and grandparent’s spouse

\* In cases where a marriage has ended because of death or divorce, a person continues to be related by affinity to the former spouse and the former or deceased spouse’s relatives, as long as a natural or adopted child of the former marriage is living. Even if a person remarries, this rule applies to all prior marriages.