BYLAWS OF THE

ETHICS REVIEW COMMISSION

ARTICLE 1. NAME.

The name of the commission is the Ethics Review Commission.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the commission is:

(1) prescribe forms for reports, statements, notices and other documents required by City Code Chapter 2-7 (Ethics and Financial Disclosure) and Chapter 2-2 (Campaign Finance);
(2) prepare and publish material explaining the duties of individuals subject to Chapter 2-7 and Chapter 2-2 (Campaign Finance);
(3) review all statements and reports filed with the commission in order to obtain compliance with Chapter 2-7;
(4) accept and file any information voluntarily supplied that exceeds the requirements of Chapter 2-7;
(5) preserve statements and reports filed with the commission for a period of five years from the date of receipt;
(6) review this chapter and make appropriate recommendations to the city council concerning Chapter 2-7 and perform an annual review and evaluation of the dollar limits established in Chapter 2-2 (*Campaign Finance*) and make recommendations to the city council as to those limits;
(7) review all public opinions related to Chapter 2-7 that are issued by the city attorney;
(8) conduct hearings in accordance with the provisions of Chapter 2-7 and the commission's rules on sworn complaints alleging violations of Chapter 2-2 (*Campaign Finance*) ; and
(9) schedule and oversee the forums among candidates in City elections provided for in Chapter 2-2 (*Campaign Finance*).

ARTICLE 3. MEMBERSHIP.

(A) The commission is composed of seven members appointed by the city council.

(B) A member serves at the pleasure of the city council.

(C) Commission members serve for a term of three years beginning August 1st on the year of appointment.

(D) An individual commission member may not act in an official capacity except through the action of the commission.

(E) A commission member who is absent twice in a "rolling" twelve month timeframe automatically vacates the member's position subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an absence due to illness or injury of the commission member, an illness or injury of a board member's immediate family member, or the birth or adoption of the board member's child for 90 days after the event. The commission member must notify the staff liaison of the reason for the absence not later than the date of the next regular meeting of the commission. Failure to notify the liaison before the next regular meeting of the commission will result in an unexcused absence.

(F) At each meeting, each commission member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.

(G) A member who seeks to resign from the commission shall submit a written resignation to the chair of the commission, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

(A) The officers of the commission shall consist of a chair and a vice-chair.

(B) Officers shall be elected annually by a majority vote of the commission at the first regular meeting after October 1st. In the event a current officer becomes ineligible to serve as an officer, the commission may hold an emergency election as needed.

(C) The term of office shall be one year, beginning November 1st and ending October 31st. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. The commission may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized commission members.

(D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

(A) The chair shall preside at commission meetings, appoint all committees, represent the commission at ceremonial functions, and approve each final meeting agenda.

(B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

ARTICLE 6. AGENDAS.

(A) Two or more commission members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the chair shall approve each final meeting agenda.

(B) The commission liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than 72 hours before the meeting.

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

ARTICLE 7. MEETINGS.

(A) The commission meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(B) Commission meetings shall be governed by Robert's Rules of Order.

(C) The commission may not conduct a closed meeting without the approval of the city attorney.

(D) The commission shall meet quarterly. In November of each year, the commission shall adopt a schedule of the meetings for the upcoming year, including makeup dates for the holidays and cancelled meetings.

(E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. The commission may not call a meeting in addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.

(F) Four members constitute a quorum.

(G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.

(H) To be effective, a commission action must be adopted by affirmative vote of the number of members necessary to provide a quorum.

(I) The chair has the same voting privilege as any other member.

(J) The commission shall allow citizens to address the commission on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.

(K) The staff liaison shall prepare the commission minutes. The minutes of each commission meeting must include the vote of each member on each item before the commission and indicate whether a member is absent or failed to vote on an item.

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

(M) The chair shall adjourn a meeting not later than 10 p.m., unless the commission votes to continue the meeting.

(N) Each person and board member attending a commission meeting should observe decorum pursuant to Section 2-1-48 of the City Code.

ARTICLE 8. COMMITTEES/WORKING GROUPS

COMMITTEES

(A) The Ethics Review Commission will have no committees.

(B) Each committee must be established by an affirmative vote of the commission. A committee cannot meet until its creation is approved by the Council Audit and Finance Committee. Each committee shall consist of at least three commission members appointed by the chair. A staff member shall be assigned to each committee by the director of the Law Department.

(C) The commission chair shall appoint a committee member as the committee chair, with the member's consent.

(D) A majority of the total number of appointed committee members constitutes a quorum.

(E) Each committee shall meet on a regularly scheduled basis at least quarterly.

(F) Each committee shall make an annual report to the commission at the January commission meeting.

(G) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(H) At each committee meeting, a committee member shall sign in on a sheet provided and shall indicate that the member has no conflict of interest with any item on the committee meeting agenda, or identify each agenda item on which the member has a conflict of interest.

WORKING GROUPS

(A) The commission can determine the size of a working group, but the number of board members serving on the working group must be less than a quorum of the board.

(B) A working group may designate a chair, with the member's consent, but is not required to do so.

(C) Quorum requirements do not apply to working groups.

(D) Staff support is not required for working groups.

(E) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the commission in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of order which the commission or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

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

The bylaws were approved by the Ethics Review Commission at their meeting held on January 12, 2011.

James Henson
Chair, Ethics Review Commission