

ORDINANCE NO. 20181213-014

AN ORDINANCE AMENDING CITY CODE SECTIONS 2-7-2 (DEFINITIONS) AND 2-7-62 (STANDARDS OF CONDUCT) RELATING TO THE CODE OF ETHICS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 2-7-2 (*Definitions*) is amended to add a new definition of "Limited or De Minimis Use" to read as follows and to renumber the remaining definitions accordingly:

- (9) LIMITED OR DE MINIMIS USE means use of City facilities, time, equipment or supplies that:
- (a) does not interfere with or impede the job performance or productivity of the City official or employee;
 - (b) does not interfere with or impede the City's conduct of official business;
 - (c) is not used for a personal benefit, as defined in Section 2-3-5 (*Powers and Duties*);
 - (d) is too small, minor or insignificant to have an economic impact; and
 - (e) is used in accordance with the law, including the City Charter, Article XII, Section 2 prohibiting the use of City resources for election campaigning.

PART 2. Subsections (G) and (J) of City Code Section 2-7-62 (*Standards of Conduct*) are amended to read:

§ 2-7-62 STANDARDS OF CONDUCT.

(G)(1) General Rule. No City official or employee shall accept or solicit the following:

- (a) any gift or favor, that might reasonably tend to improperly influence that individual in the discharge of official duties or that the official or employee knows or should know has been offered with the intent to improperly influence or improperly reward official conduct; or
- (b) any gift or favor of which the known or apparent value exceeds \$50 or any gift of cash or a negotiable instrument.

(2) Special Applications. The general rule does not apply to the following:

- (a) Attendance to a convention, conference, symposium, training program or similar event, provided there is a City-related business purpose for the official or employee to attend or participate in an official capacity, and the attendance or participation is appropriate for the performance of that individual's official duties;
- (b) Admission to an event or discounted admission, if there is a City-related business purpose for the official or employee to attend or participate in an official capacity, and the attendance or participation is appropriate for the performance of that individual's official duties.
- (c) A voluntary gift or favor given by a City official or employee to another City official or employee, including food and drink to be shared among employees; except a supervisor may not accept a gift or favor from an employee under the supervisor's supervision unless the gift is given voluntarily by the employee on an occasion of personal significance, or at a time when gifts are traditionally given or exchanged, and the value of the gift is fairly appropriate for the occasion.

(J) No City official or employee shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public, or to the extent that facilities, equipment or supplies are allowed to be used in a limited or de minimis manner in accordance with City policy.

PART 3. This ordinance takes effect on December 24, 2018.

PASSED AND APPROVED

December 13, 2018

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Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk