

ORDINANCE NO. 2024-23

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, AMENDING ARTICLE 9.500 CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS AND EMPLOYEES; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council strives to increase public confidence in our municipal government; and,

WHEREAS, the City Council finds that it is in the best interest of the City that all boards, commissions and committees shall conduct themselves in a manner that is consistent and fair; and

WHEREAS, the City Council wants to enhance public confidence in our municipal government, by providing that each city official must strive not only to maintain technical compliance with the principles of conduct set forth in this Chapter, but aspire daily to carry out their duties objectively, fairly, and lawfully; and

WHEREAS, the City Council has determined that it is in the best interest and welfare of the City to preserve the integrity and nonpartisan nature of City government by amending Article 9.500 Code of Ethics and Conduct for City Officials and Employees of the Code of Ordinances for all boards, commissions and committees to follow.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales, Texas hereby amends the City of Gonzales Code of Ordinances Article 9.500 Code of Ethics and Conduct for City Officials and Employees as set forth in the Attached "Exhibit A".

Section 2. That this Ordinance shall be cumulative of all provisions of the City of Gonzales, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the more restrictive shall apply.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 4. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

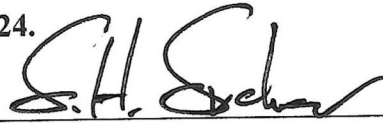
Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

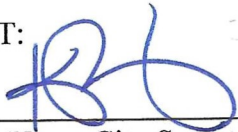
Section 8. This Ordinance shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 11th day of July, 2024.



Mayor, S.H. Sucher

ATTEST:



Kristina Vega, City Secretary

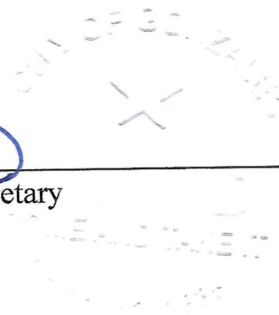


EXHIBIT "A"

ARTICLE 9.500
CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS AND EMPLOYEES

Division 3
Minimum Appointment Requirements

9.540 Qualification Considerations in Appointments to Boards

- (a) In addition to the qualifications for service on a board that are mandated by statute, the City Charter, ordinance, resolution, or minute entry, an appointee to any board, commission, or committee for the City of Gonzales must:
- (1) be a resident of the City unless:
 - (A) the resolution, ordinance, or other law creating the board does not require residency.
 - (2) have not been convicted of a felony for which he/she has not been pardoned; and
 - (3) have not been convicted of a misdemeanor crime of moral turpitude for which he/she has not been pardoned; and
 - (4) have not been removed from a board or commission because of failure to attend meetings within the last three (3) years.
 - (5) Must not be in arrears in the payment of any taxes or other liability due to the City
 - (6) May not apply to serve on a board with their immediate family members.
 - (7) City employees are not eligible unless required by State statute.
- (b) In order to continue as a board member, a person appointed to a board, commission or committee must meet the qualifications required by this section for appointment during the entire time of service on a board.

9.541 Felony Background

As a representative of the City of Gonzales and due to the nature of the business and associations performed by each Board and Commission member, a felony background verification will be conducted on all new applicants effective with the adoption of this policy. (July 11, 2024)

As of the adoption of this policy, all current members are grandfathered, and a felony background verification will not be conducted for any sitting board or commission member. A felony background verification will be conducted upon any current member's request for re-appointment for an additional two-year term.

Any current member who is currently serving a two-year term after the adoption of the policy will be required to notify the City Secretary within ten (10) days of any charge for a felony or crime of moral turpitude during their term. A member failing to notify the City of such charges will be automatically removed from the board, commission or committee. A member who is charged and makes the required notification will be presented to the City Council for review, and at such time, the City Council will determine whether it is in the City's best interest to suspend or remove the member from the board, commission, or committee.