

ORDINANCE NO. 2015 - 28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS,
AMENDING SECTION 1.15.501 "CREATION OF ETHICS COMMISSION" OF THE
"ETHICS ORDINANCE" IN THE CODE OF ORDINANCES OF THE CITY OF
BASTROP; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, on or about January 10, 2012, the City Council of the City of Bastrop, Texas adopted a Code of Ethics, which applies to both the elected officials and employees of the City of Bastrop, and

WHEREAS, on or about March 2012, in compliance with Section 1.15.501, entitled "Creation of Ethics Commission," the City Council appointed the Honorable Chris Duggan, the Reverend Lisa Hines, and Corporal Wuthipong Tantaksinanukij, to serve as the three members of the Ethics Commission, and

WHEREAS, on or about November 24, 2015, the City Council has met to evaluate and consider a potential amendment to the Ethics Code, related to Section 1.15.501, et seq. and has, after careful study and review, determined that a clarifying addition and amendment to the Ethics Code, as noted herein below, will enhance the function of the Ethics Commission of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP THAT:

Part 1. That Section 1.15.501 "Creation of Ethics Commission" is hereby amended to read as follows.

Section 1.15.501 "Creation of Ethics Commission"

- a. An Ethics Commission shall be created and consist of three (3) members, all of whom must reside within jurisdiction of the City, which for purposes of this Ordinance expressly includes the City's extraterritorial jurisdiction. Within sixty (60) days of its adoption of this Ordinance, each member of the City Council will submit to the City Attorney names of recommended appointees. The City attorney will provide the recommended appointees to

the Mayor, who will then appoint the three (3) members of the Ethics Commission, upon concurrence of the members of the City Council.

- b. Notwithstanding any other general prohibition or policy of the City against judges serving on City boards and commissions, due to the specialized nature of the Ethics Commission, in its sole discretion, the City Council may determine that it is appropriate, in the best interest of the City, and/or the preference of the governing body of the City for the Mayor to appoint, with the City Council's concurrence, a judge to serve on the Ethics Commission. For purposes of this section, the judge appointed to the Ethics Commission, if any, may be currently serving or may be retired from the bench of any governmental entity, except the City, and may have been either elected or appointed to his/her judicial position.

Part 2: All other provisions of the Bastrop Code of Ethics shall remain in full force and effect, and unamended.

Part 3: This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Bastrop, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any in such other ordinance or ordinances are superseded.

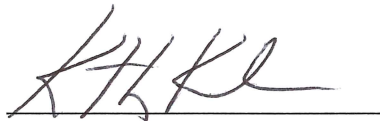
Part 4: If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 5: The Mayor is hereby authorized to sign this Ordinance and the City Secretary to attest. This Ordinance shall become effective immediately.

PASSED AND APPROVED ON FIRST READING ON THIS 10th DAY OF November, 2015.

PASSED AND ADOPTED ON SECOND READING ON THE 24th DAY OF
November, 2015.

APPROVED:




Mayor Ken Kesselus

ATTEST:



Ann Franklin, City Secretary

Approved in Form:



Jo-Christy Brown, City Attorney
Shan Rutherford, City Attorney