

AN ORDINANCE AMENDING ORDINANCE NO. 06-39, CITY'S ETHICS POLICY, CLARIFYING THE PROHIBITION AGAINST APPEARANCES ON BEHALF OF PRIVATE INTERESTS, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, Ordinance No. 06-39 has been in effect since July, 2006 and the City Commission had requested it be reviewed after approximately six (6) - nine (9) months of implementation to consider whether any amendments were necessary or advisable; and

WHEREAS, after review and consideration the City Commission finds and determines that Section 3.02 of the Standards of Conduct section of Ordinance No. 06-39 should be clarified to allow board, commission and/or committee members, other than members of the City Commission, to appear before other boards, commissions and committees of the City under certain conditions; Now therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION 1. That Ordinance No. 06-39, the City's Code of Ethics, is hereby amended by adding a new section 3.02(B) to read as follows:

- (B) Provided that a member of a board, commission (not including the City Commission) or committee of the City is not prohibited from appearing or representing any private interests as set out above so long as the board, commission or committee on which such member serves has no jurisdiction or discretionary authority over the particular matter or city employee involved therein, as a witness or otherwise.

SECTION 2. Effective Date

This Ordinance shall be effective upon its passage by the City Commission and execution by the Mayor and City Secretary.

SECTION 3. Severability:

In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid and held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole

or any part or provision hereof to other than the part declared to be invalid or unconstitutional , and the City Commission of the City of Harlingen Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 4. Code of Ordinances.

The provisions of this Ordinance shall be included and incorporated as an amendment to the Code of Ordinances of the City of Harlingen, Texas, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

FINALLY ENACTED THIS 7th day of March, 2007 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

By: 
Rick Rodriguez, Mayor

ATTEST:
By: 
Sylvia R. Trevino, City Secretary