

2.03. City Official: A City Officer or City Employee.

### Section 3. Standards of Conduct.

In order to more fully establish and implement the policy in this Code of Ethics, to assure that all City Officials act and conduct themselves both inside and outside the City's service so as to give no occasion for distrust of their integrity, and to avoid even the appearance of impropriety by any City Official, the following standards of conduct are adopted:

#### 3.01 Prohibition Against Granting Special Consideration.

No City Official shall grant any special consideration, treatment, or advantage to any citizen, individual, business organization, or group beyond that which is normally available to every other citizen, individual, business organization, or group. This shall not prevent special considerations authorized and granted by the City Commission, the Development Corporation of Harlingen, Inc., the Public Improvement District (DID/La Placita), and other City Boards, Commissions and Committees for the purpose of creating incentives necessary to secure or retain employees or to support and enhance economic development in compliance with the Texas Constitution and state law.

#### 3.02 Prohibition Against Appearances On Behalf of Private Interests.

No City Official shall represent or appear on behalf of private interests of others before any agency or department of the City, or any City Municipal Court, Board, Commission, Committee, or City Commission concerning any civil or criminal case, administrative hearing, disciplinary action, project, proposal, or matter over which the City Official exercises any discretionary authority either directly or indirectly, nor shall a City Official represent any private interest of others in any action or proceeding, civil or criminal, involving the City or any of its employees appearing in an official capacity or as a witness, nor voluntarily participate on behalf of others in any litigation to which the City is a party or any of its employees appearing in an official capacity or as a witness, unless authorized by the City. For example, a City official who is an attorney is prohibited from representing any person in litigation in which a City of Harlingen Police Officer is, or may be, a witness in his official capacity.

#### 3.03 Prohibition Against Securing Special Privileges, Consideration or Exemption.

No City Official shall use his/her official position to secure special privilege, or consideration, or exemption for himself/herself or for others.

#### 3.04. Gifts.

- (A) No City Official shall accept or solicit any contribution, gift or favor that is:
  - (i) solicited, offered or given with the intent to influence the judgment or discretion of such City Official; or
  - (ii) solicited, offered or given in consideration of the favorable exercise of such City Official's judgment or discretion in the past.
- (B) To avoid even the appearance and risk of impropriety, City Officials shall not solicit or accept any gift, favor or benefit from any person doing business with, seeking to do business with, or being regulated