

ORDINANCE NO. 190904

Amending Chapter 2, Article XV of the Code of Ordinances, relating to the Code of Ethics, by revising Section 2-2020 to add a subsection prohibiting citizens from serving on boards or commissions when certain conflicts of interest are present.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Section 2-2020 of the Code of Ethics in Chapter 2, Article XV of the Code of Ordinances is hereby repealed, and the following section of like number and subject matter is hereby enacted:

Sec. 2-2020. Conflict of interest

(a) *Benefits received.* An official or employee may not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal or financial benefit, not shared with a substantial segment of the city's population, for any of the following persons or entities:

- (1) Himself or herself;
- (2) A member of his or her household, his or her spouse or domestic partner, or the employer or business of any of these people;
- (3) A sibling or step-sibling, step-child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people; or
- (4) A nongovernmental civic group, union, social, charitable, or religious organization of which he or she (or his or her spouse or domestic partner) is an officer, director, or board member, or which he or she holds any other position on the organization's administrative or governing body.

(b) *Service on boards or commissions.*

- (1) An official or employee serving as a member of a board, commission, or any other entity as a representative of the city shall not have a conflict of interest when the business of that entity is before the city.
- (2) An official or employee serving as a member of a board, commission, or any other entity not as a representative of the city but as a private citizen, even if the board or entity seeks out an official or employee because of their position with the city, shall have a conflict of interest when matters

ORDINANCE NO. 190904

touching upon the business of the board, commission, or any other entity comes before the city.

- (3) A citizen shall not serve as a member of a board or commission whose responsibilities include recommending the award of City funds if the citizen or the citizen's employer is an applicant appearing before that board or commission or the citizen or citizen's employer represents a person or entity who is an applicant appearing before that board or commission. Any citizen who has reason to believe such conflict will arise shall not accept an appointment to such board or commission. Any citizen serving on such board or commission who learns that such conflict exists shall immediately resign from such board or commission.

(c) *Labor contracts.* A council member has a conflict of interest with respect to any labor contract to which he or she, or a member of his or her household, may be a party.

(d) *Private financial transactions.* An official or employee must disclose at the beginning of any transaction, project, or discussions about any transaction or project, if a known person with a substantial financial interest is a customer or client to which an official or employee has supplied goods or services through one or more private transactions during the previous 24 months, having, in the aggregate, a value of or greater than \$1,000.00. Such circumstances must be disclosed to the city clerk. These records shall be available to the internal auditor, ethics compliance officer and director of the department to which assigned, the mayor if assigned to the mayor's office, the mayor pro tem if assigned to a council member or the council office or the city manager if assigned to the city manager's office or not otherwise assigned. Such disclosure will include a statement that in the opinion of the official or employee no conflict of interest exists and the reason why that is stated.

Approved as to form and legality:

Saskia Jacobse
Senior Associate City Attorney