



Legislation Details (With Text)

File #: Res. 2020-16R **Version:** 1 **Name:**
Type: Resolution **Status:** Individual Consideration
File created: 1/8/2020 **In control:** City Council
On agenda: 1/21/2020 **Final action:**
Title: Consider approval of Resolution 2020-16R, approving the appointment of the Law Firm of Davidson Troilo Ream & Garza, PC as special counsel to advise the Ethics Review Commission as it considers Ethics Complaint No. 2019-2; and declaring an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Garza Proposal

Date	Ver.	Action By	Action	Result
1/21/2020	1	City Council		

AGENDA CAPTION:

Consider approval of Resolution 2020-16R, approving the appointment of the Law Firm of Davidson Troilo Ream & Garza, PC as special counsel to advise the Ethics Review Commission as it considers Ethics Complaint No. 2019-2; and declaring an effective date.

Meeting date: January 21, 2020

Department: City Attorney

Amount & Source of Funding

Funds Required: Not to exceed \$5,000

Account Number: 10001108-52270

Funds Available: \$64,000

Account Name: Special Counsel

Fiscal Note:

Prior Council Action: None

City Council Strategic Initiative: [Please select from the dropdown menu below]

N/A

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu]

below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☒ Not Applicable

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Section 2.445 of the San Marcos City Code requires the city council to approve appointment of an independent outside attorney to serve as special counsel to the Ethics Review Commission (ERC) when a complaint is filed alleging that a member of the city council or a council appointee has violated the San Marcos Code of Ethics or a state conflict of interest law.

Complaint No. 2019-2, filed on December 12, 2019, requires the appointment of special counsel to represent the ERC.

Staff recommends the appointment of the firm of Davidson Troilo Ream & Garza, PC to represent the ERC with regard to the pending complaint. As stated in the attached resolution and in the fee proposal, the total to be paid to the firm for fees and expenses shall not exceed \$5,000 without city council approval.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff recommends approval.

