



## Legislation Details (With Text)

**File #:** Res. 2020-46R      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Individual Consideration

**File created:** 2/19/2020      **In control:** City Council

**On agenda:** 3/3/2020      **Final action:**

**Title:** Consider approval of Resolution 2020-46R, approving the appointment of the Law Firm Davidson Troilo Ream & Garza, P.C. as special counsel during Fiscal Year 2020 to advise the Ethics Review Commission as required when the Commission receives a complaint against a member of City Council or one of the City Council's appointees; and declaring an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution - Ethics Review Commission Special Counsel.pdf, 2. Legal Proposal.pdf

Date	Ver.	Action By	Action	Result
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**AGENDA CAPTION:**

Consider approval of Resolution 2020-46R, approving the appointment of the Law Firm Davidson Troilo Ream & Garza, P.C. as special counsel during Fiscal Year 2020 to advise the Ethics Review Commission as required when the Commission receives a complaint against a member of City Council or one of the City Council's appointees; and declaring an effective date.

**Meeting date:** March 3, 2020

**Department:** City Attorney

**Amount & Source of Funding**

**Funds Required:** \$20,000

**Account Number:** 10001108.52270

**Funds Available:** \$20,000

**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.

Complaints are currently pending that require 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 complaints and any others that may be filed. 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 \$20,000 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.

