

Yuma's proposed ethics rules

A plain-English guide to the discussion draft

The proposal would change Yuma's City Charter, the city's basic rulebook. It would restrict private pay connected to City business and create a seven-person group to review ethics complaints.

This is a proposal, not an adopted law. This guide explains its main points.

1. What would the mayor and council be barred from doing?

While serving, they could not ask for or accept private pay for services connected to City business. This includes City contracts, projects, grants, property deals and other uses of City money, authority or services.

They could not use their public position, staff or confidential information for private gain. Owning a business would still be allowed.

2. What counts as private pay?

Consulting fees, commissions, gifts, jobs and promises of future work would count. Payments through businesses or other people could also count. Hiding or delaying payment would not get around the rules.

Normal City pay, benefits open to everyone on equal terms and repayment of lawful, documented expenses are excluded.

3. Would stepping out of a vote solve the problem?

No. The mayor and council could not accept prohibited payments simply by disclosing a conflict, stepping out of a decision or using competitive bidding.

4. What about City workers and people who leave office?

Covered City employees could not accept private pay tied to matters they handle, oversee or hold important confidential information about. Unrelated side jobs would remain allowed.

For two years after leaving City service, covered officials and employees could not take paid work for someone else on particular City matters they helped handle, oversaw or learned important confidential information about. Unrelated work would remain allowed.

Who would enforce the rules?

A proposed independent Ethics Commission

5. Who would serve on the commission?

Seven Yuma residents who are eligible City voters. Four would need relevant experience, such as law, accounting or investigations. Three would not need a special professional credential.

Members would face restrictions on City employment, lobbying and City contracts. They would disclose their own conflicts and stay out of those cases.

6. Who would choose the members?

At the start: The petition organizers named in the filing would appoint seven temporary members within 30 days after the amendment legally takes effect. Their names and qualifications would be public.

In 2028: City voters would elect all seven. Candidates would collect petition signatures to get on the ballot. Temporary members could run without special ballot privileges.

The mayor and council would not choose or approve members. City leaders could not direct decisions on complaints or investigations.

7. How long would members serve?

Two-year terms, with no more than two full terms in a row. Temporary service would not count toward that limit.

The draft calls for **staggered terms**, meaning terms would end at different times. It still needs to explain how this fits the election schedule.

8. What happens when someone files a complaint?

The commission would review signed complaints and investigate cases within its authority. It could hire independent lawyers and investigators. Complaints without specific facts, or outside its authority, would be dismissed.

The person accused would get notice, access to evidence as allowed by law and a fair hearing. They could hire a lawyer. Final findings would be public, with court review as allowed by law.

A complaint does not prove wrongdoing. Retaliation for a good-faith complaint or truthful information would be prohibited.

Penalties, costs and timing

What the discussion draft proposes

9. What could happen if someone breaks the rules?

After notice and a hearing, the commission could impose a civil fine if legally authorized. The proposed maximum is **\$5,000 for each knowing violation or three times the unlawful financial benefit, whichever is higher.**

It could also order lawful repayment, publicly reprimand someone, recommend employee discipline or refer cases to other authorities.

It could not itself remove the mayor or a council member from office.

10. What would it cost?

The City would provide **at least \$100,000 a year.** That is a minimum, not a spending cap. It would adjust for inflation starting in the second full fiscal year, without dropping below \$100,000.

Members would receive **\$300 for each month they attend at least one properly noticed meeting,** plus lawful, documented expenses. Funding could cover lawyers, investigators, staff and other commission work.

The commission would publish an annual report on its work and spending. Public accounting and audit rules would apply.

11. When would the changes begin?

Current officials and employees would have **30 days after it takes effect** to leave prohibited arrangements. The new rules would apply going forward.

The temporary commission would form within **30 days** of the effective date. It would have **30 days after**