



# City of San Antonio

## Agenda Memorandum

**File Number:**  
**{{item.tracking\_number}}**

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**Agenda Item Number:** {{item.number}}

**Agenda Date:** August 14, 2024

**In Control:** Ethics Review Board Meeting

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**DEPARTMENT:** Office of the City Auditor

**DEPARTMENT HEAD:** Kevin Barthold

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Hearing on the Ethics Complaint submitted by Mr. Martin Phipps against Councilmember Marc Whyte, including disposition and possible imposition of civil sanctions pursuant to Sec. 2-87(f) of the Ethics Code.

**SUMMARY:**

Hearing and possible action regarding Ethics Complaint submitted by Mr. Martin Phipps against Councilmember Marc Whyte, including disposition and possible imposition of civil sanctions pursuant to Sec. 2-87(f) of the Ethics Code.

**BACKGROUND INFORMATION:**

On May 21, 2024, Mr. Martin Phipps filed an ethics complaint against Councilmember Marc Whyte. As required under Section 2-84(d), outside counsel has been appointed to serve as the

Independent Compliance Auditor and Independent Counsel for the ERB on this matter.

On July 23, 2024, the Ethics Review Board granted a hearing as requested by Mr. Phipps and adopted rules and procedures for the hearing, which is scheduled for August 14, 2024.

**ISSUE:**

Mr. Martin Phipps has alleged multiple violations of the Ethics Code by Councilmember Marc Whyte, including Conflicts of Interest; Unfair Advancement of Private Interest; Prestige of Office and Improper Influence; and improper use of Public Property and Resources.

The Ethics Code requires the Ethics Review Board or a designated panel to discuss and issue opinions on the complaint, including disposition and possible imposition of civil sanctions pursuant to Sec. 2-87(f) of the Ethics Code.

**FISCAL IMPACT:**

No fiscal impact.

**ALTERNATIVES:**

The Ethics Review Board, or designated panel, can decide to take action or dismiss the matter.

**RECOMMENDATION:**

No recommendation, as the matter is to be determined by the Ethics Review Board.