



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** July 23, 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:**

Ethics Complaint Filed by Mr. Martin Phipps Against Councilmember Marc Whyte

**SUMMARY:**

Preliminary discussion and possible action regarding the acceptance of an ethics complaint filed by Mr. Martin Phipps against Councilmember Marc Whyte, to include the request for a hearing on the matter by Mr. Phipps, as well as adoption of any rules of procedure and corresponding deadlines as appropriate.

**BACKGROUND INFORMATION:**

On May 21, 2024, Mr. Martin Phipps filed an ethics complaint against Councilmember Marc Whyte. Mr. Phipps has requested a hearing on the matter. 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.

**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. Mr. Phipps is seeking a hearing by the Ethics Review Board on the complaint.

The Ethics Code requires the Ethics Review Board or a designated panel to discuss and issue opinions on accepted complaints. It is the sole discretion of the Board or a panel to hold a hearing on complaints. Should a hearing be granted, rules of procedures and corresponding deadlines will be adopted.

**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