

ORDINANCE NO. 2026-10

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE CODE OF ORDINANCES, SECTION 1.15.009(h)(1), REGARDING ABUSE OF POSITION; ADDING "PHYSICAL OR MENTAL DISABILITY" TO THE LIST OF PROTECTED CLASSES; PROVIDING A REPEALER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bastrop, Texas, seeks to promote fairness, equality, and respect in the conduct of public officials; and

WHEREAS, the City Council finds it in the best interest of the public to ensure that protections against harassment and discrimination include individuals with physical or mental disabilities; and

WHEREAS, the City Council desires to amend Section 1.15.009(h)(1) of the Code of Ordinances to expand the list of protected classes accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

SECTION 1. AMENDMENT

Section 1.15.009(h)(1) of the Code of Ordinances, City of Bastrop, Texas, is hereby amended to read as follows (additions underlined):

(h) Abuse of position. It shall be a violation of this article for any city official to:

(1) Harassment and discrimination. Use the official's position to harass or discriminate against any person based upon ethnicity, race, gender, gender identity, sexual orientation, marital status, parental status, religion, or physical or mental disability.

SECTION 2. REPEALER

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. PUBLICATION

This ordinance shall be published as required by law.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon its adoption and publication as required by law.


DULY PASSED AND APPROVED ON FIRST READING this 14th day of April, 2026.

DULY PASSED AND APPROVED ON SECOND READING this 28th day of April, 2026.

APPROVED:

by: 
Ishmael Harris, Mayor

ATTEST:


Michael Muscarello, TRMC, CMC, CPM
City Secretary

APPROVED AS TO FORM:


City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.



the Mayor, City Manager, and City Attorney).

- (f) Misuse of information.
 - (1) Personal gain. It shall be a violation of this article for a former city official to use any confidential information to which the city official had access by virtue of their official capacity and which has not been made public concerning the property, operations, policies, or affairs of the city, to advance any personal or private financial interest of any person.
 - (2) Confidential information. It shall be a violation of this article for a city official to intentionally, knowingly, or recklessly disclose any confidential information gained by reason of the city official's position concerning the property, operations, policies or affairs of the city. This rule does not prohibit the reporting of illegal or unethical conduct to authorities designated by law.
- (g) Abuse of resources. It shall be a violation of this article for a city official to use, request, or permit the use of city facilities, personnel, equipment, software, supplies, or staff time for private purposes (including political purposes), except to the extent and according to the terms that those resources are generally available to other citizens and the city officials for official city purposes.
- (h) Abuse of position. It shall be a violation of this article for any city official to:
 - (1) Harassment and discrimination. Use the official's position to harass or discriminate against any person based upon ethnicity, race, gender, gender identity, sexual orientation, marital status, parental status, religion-, *or physical or mental disability.*
 - (2) Interference. Interfere with any criminal or administrative investigation alleging the violation of any provision of this article, the city Charter, administrative policy or executive order in any manner, including, but not limited to, seeking to persuade or coerce city employees or others to withhold their cooperation in such investigation is a violation of this article.
- (i) Subsequent work on prior projects. It shall be a violation of this article for any former city official, within one (1) year of the cessation of official duties for the city, to perform work on a compensated basis relating to a city contract or arrangement for the provision of goods, services, real property or other things of value, if while in city service the former city official personally and substantially participated in the negotiation, award or administration of the contract or other arrangement. This section does not apply to a city official whose involvement with a contract or arrangement was limited to deliberations as a member of the City Council, or a board or commission.

(Ord. No. 2018-08, § 2(Att. A), 5-22-18)