

City of San Antonio

2012 Bond Program Development Community Committee Meeting

Drainage Improvements

October 5, 2011

Code of Ethics and Open Meetings Act

Presented by:

Michael Bernard, City Attorney

Agenda

- Code of Ethics
 - Conflicts of Interest
 - Private Interests
 - Gifts
- Open Meetings
 - Requirements



Conflicts of Interest

- An official shall not take any official action that he or she should reasonably know is likely to affect the economic interest of:
 - the official
 - parent, child, spouse or other close relative
 - member of the official's household;
 - outside employer of official, spouse, adult child or parent



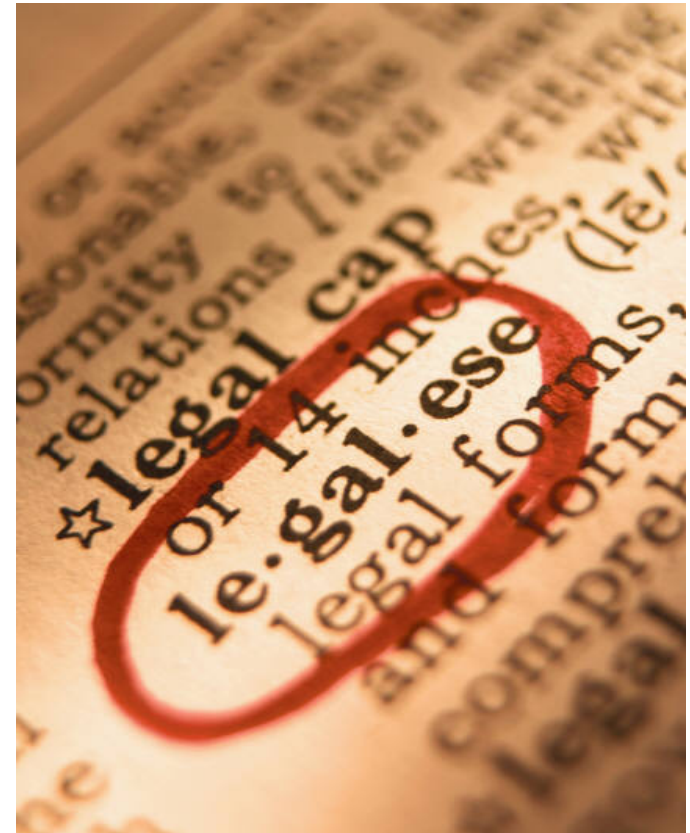
Conflicts of Interest

- business entity in which economic interest exists
- business or nonprofit entity for which official serves as director or officer
- business with which official has negotiated employment or business opportunity



Unfair Advancement of Private Interests

- A city official may not use their official position:
 - to unfairly advance or impede private interests;
 - to represent to a person that he or she may provide an advantage to that person; or
 - to acquire an interest in a matter pending before the city if city action will directly or indirectly affect that interest
- An official may not represent any person, group or entity before their board



- City official cannot accept any gift from any source that:
 - influences or rewards official conduct; or
 - the official knows or should know is being offered with the intent to influence official conduct



Gift Exceptions

1. Items of nominal value
2. Meals up to \$50, no more than \$500 total in calendar year from a single source
3. Admission to a training or education program, if related to official duties
4. Admission to events attended in a ceremonial capacity or as an official representative of city
5. Gifts from friends that are in keeping with the personal (non-city) relationship



Open Meetings Act

“Meeting” means: deliberation between a quorum of members at which any public business is discussed or considered, or at which any formal action is taken.

- “Meeting” excludes:
 - Social Functions
 - Conventions and workshops
- “Meeting” can include electronic communications



Meeting Requirements

- A quorum of the board must be present in the room to convene a meeting
- May take action only on agenda items posted



Open Sessions

- Body must vote in public open session;
- Public may attend meetings
- The presiding officer may allow public commentary or “citizens to be heard” and may limit time for comments



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