

City of Alamo Heights Code of Ethics and Conduct For City Officials and Employees

Statement of Purpose

The citizens and businesses of Alamo Heights are entitled to have fair, ethical and accountable local government which earns the public's full confidence for integrity. The strong desire of the City of Alamo Heights to fulfill this expectation therefore requires that city officials, both elected and appointed, and employees:

- Comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Be independent, impartial and fair in their judgment and actions;
- Use the office or position be used for the public good, not for personal gain; and

To this end, the Alamo Heights City Council has adopted this Code of Ethics and Conduct for city officials and employees to assure public confidence in the integrity of local government and its effective and fair operation.

Definitions

The following words, terms and phrases, when used in this article, shall have the meanings subscribed to them in this section.

Employee. Any person employed by the city, including those individuals on a part-time basis, including independent contractors hired by the city for repetitive performance of services, but not independent contractors engaged for occasional services.

Officer or official. Any member of the city council and any appointed member of a board, commission, or committee set up by ordinance, charter, state law or otherwise, on a temporary or permanent basis.

City Council. The legislative and governing body of the city consisting of the mayor and council city members.

Business. A corporation, partnership, sole proprietorship, firm, holding company, joint stock company, receivership, trust or any other for profit or non-profit entity.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, city officials and employees will work for the common good of the people of Alamo Heights and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Alamo Heights City Council, boards, commissions, and committees.

2. Comply with the Law

City officials and employees shall comply with the laws of the nation, the State of Texas, and the City of Alamo Heights in the performance of their public duties. These laws include, but are not limited to: the

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United States and Texas constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of City Officials and Employees

The professional and personal conduct of city officials and employees must be above reproach and avoid even the appearance of impropriety. City officials and employees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other city officials and employees, board, commission, and committee members and the public.

4. Respect for Process

City officials and employees shall perform their duties in accordance with the processes and rules of order established by the City Council and boards, commissions, and committees governing the public deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

5. Conduct of Public Meetings

City officials have an obligation to attend meetings and be prepared for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfere with the orderly conduct of meetings.

6. Decisions Based on Merit

It is expected that city officials and employees review material, participate in discussion and base their decisions on the merits and substance of the matter at hand.

7. Communication

Prior to permitting final action to be taken on a matter under consideration city officials and employees shall publicly share substantive information, which they may have received from sources outside the public decision-making process, that is relevant to such action by the Council, boards, commissions, or committees.

8. Conflicts of Interest and Disclosure

City officials and employees shall familiarize themselves and abide by the following conflicts of interest and disclosure statutes and principles:

- a. Section 171 of the Local Government Code which requires council members and certain officers to file an affidavit disclosing a substantial interest in a business or property that would be beneficially

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affected by a decision of the city council and thereafter abstaining from participation in discussion and voting on the matter.

b. Section 176 of the Local Government Code which requires city council members and the city manager to file a conflicts disclosure statement disclosing any business relationship with a person or business doing business with the city or being considered by the city for a business relationship.

c. Section 176.003(a)(2)(B) of the Local Government Code which requires the disclosure of gifts of an aggregate value of more than \$250.00 in the twelve (12) month period preceding a transaction described in Section 176, other than gifts of food, lodging, transportation, or entertainment accepted as a guest.

d. Sections 553.001-553.003 of the Government Code which requires the filing of an affidavit before the date the city will acquire a property in which public servants have a legal or equitable interest.

e. City employees shall disclose potential conflicts of interest to their supervisor and avoid participation in the handling of matters wherein employees have a personal interest.

f. In order to assure their independence and impartiality on behalf of the public good, city officials and employees are prohibited from using their positions to influence government decisions in which they have a personal interest.

9. Corruption

City officials and employees shall familiarize themselves and abide by the Penal Code mandates concerning corruption, including specifically Section 36.02 prohibiting bribes, Section 36.08(d) prohibiting illegal benefits, Section 36.09 prohibiting receipt of prohibited gifts, Section 39.02 concerning abuse of official capacity and Section 39.06(a) concerning misuse of official information.

10. Political Advocacy

City officials and employees shall not utilize the city's name or logo for purposes of endorsing any political candidate or business. City employees shall not engage in electioneering while on the job. Electioneering means working for the election of a candidate to political office.

City employees shall not be appointed or retained on the basis of their political support or activities. Employees shall not engage in political activities relating to a campaign for elective office while in uniform or on active duty. Employees elected to city offices shall be required to resign their employment upon acceptance of the office.

City employees are prohibited from using their municipal title or position in any advertisement or endorsement of products, persons or activities, without exclusive authorization by the City Council.

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11. Confidential Information

City officials and employees shall respect the confidentiality of information concerning City property, personnel or proceedings of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal interests.

12. Use of Public Resources

City officials and employees shall not use public resources generally unavailable to the public, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

13. Representation of Private Interests

In keeping with their role as stewards of the public interest, city officials and employees shall not appear on behalf of private interests of third parties before the Council or any board, commission, committee, or proceeding of the City.

14. Advocacy

City officials and employees shall represent the official policies or positions of the City Council, board, commission, or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, city officials and employees shall explicitly state they do not represent their body or the City of Alamo Heights, nor will they allow the inference that they do.

15. Policy Role of City Officials and Employees

City officials and employees shall respect and adhere to the Alamo Heights city governmental structure as outlined in the City's charter, policies and procedures. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, and committees and City staff. Except as provided by the City ordinance, city officials therefore shall not interfere with the administrative functions of the City or the professional duties of the City staff; nor shall they impair the ability of staff to implement Council policy decisions.

16. Independence of Boards, Commissions, and Committees

Because of the value of the independent advice of boards, commissions, and committees to the public decision-making process, city officials shall refrain from using their position to influence unduly the deliberations or outcomes of board, commission, and committee proceedings.

17. Positive Work Place Environment

City officials shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. City officials shall recognize their

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special role in dealing with City employees and refrain from creating the perception of inappropriate direction to staff.

18. Implementation

As an expression of the standards of conduct for city officials and employees expected by the City, the Alamo Heights Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when city officials and employees are thoroughly familiar with it and embrace its provisions. Ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards, commissions, and committees and newly elected and appointed officials and new employees. City officials and employees entering office, including those appointed to boards, commissions and committees shall sign a statement affirming they have read and understood the City of Alamo Heights Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be reviewed periodically by the City Council, boards, commissions, and committees, and the City Council shall consider recommendations from boards, commissions, committees, employees, and citizens for revision as it becomes necessary.

19. Compliance and Enforcement

The Alamo Heights Code of Ethics and Conduct expresses standards of ethical conduct expected for city officials and employees of the Alamo Heights City Council, boards, commissions, and committees. City officials and employees themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards, commissions, and committees and the Mayor have the additional responsibility to intervene when city officials' actions appear to be in violation of the Code of Ethics and Conduct and are brought to their attention. The City Council may impose sanctions, such as reprimand, formal censure, or loss of committee assignment, on city officials whose conduct does not comply with the City's ethical standards. The City Council also may act to remove members of boards, commissions, and committees from office.

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STATEMENT OF COMMITMENT

As a member of the Alamo Heights City Council or of an Alamo Heights city board, commission or committee or an employee, I agree to uphold the Code of Ethics and Conduct and conduct myself by the following model of behavior.

I will:

- Recognize the worth of individual city officials and employees and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where individual city officials, City staff and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of Alamo Heights;
- Treat all people with whom I come in contact in a manner I wish to be treated;
- Before I speak or act I will ask myself the following questions:
 1. Is it the truth?
 2. Is it fair to all concerned?
 3. Will it build goodwill and better relationships?
 4. Will it be beneficial to all concerned?

I affirm that I have read and that I understand, accept and support the City of Alamo Heights Code of Ethics and Conduct.

Council, Board, Commission, Committee, Employee

Position

Signature

Date