



City of
Corpus
Christi

Board, Commission
and Committee
Orientation Manual

CITY OF CORPUS CHRISTI

ORIENTATION HANDBOOK

**FOR APPOINTEES TO THE CITY'S BOARDS,
COMMISSIONS AND COMMITTEES**



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INTRODUCTION

Congratulations on your recent appointment to one of our city's boards, commissions, or committees. The city could not function without the outstanding advice, expertise and time provided by individuals like you who volunteer to serve at no pay and with little expected reward. The city's boards, commissions and committees link the City Council and staff to the citizens of Corpus Christi and help keep our city government vital, responsive and accountable.

This orientation handbook is designed to assist you in your service. It will provide a general introduction to topics, processes and approaches which directly affect members of boards, commissions and committee. While reading the handbook, keep in mind that not all the provisions will apply equally to every board. In cases of legal liability, for example, members of various boards and their officers may be more susceptible than others. The staff liaison assigned to your committee will be able to provide you with more information on the specific duties and responsibilities of the board and its members.

The City Secretary's Office staff and the City Attorney's Office staff are available as a resource to all boards, commissions and committees. Any requests for assistance should be coordinated through the staff liaison assigned to your board or committee.

Thank you for your interest in serving your community. Your efforts will help make the city a better place to work and live.

THE APPOINTMENT PROCESS

Appointments to boards, commissions and committees in Corpus Christi are generally made by the City Council. Nominations are made by individual council members and then the council as a whole takes a vote. The individual receiving the majority of the votes will receive the appointment. Most appointments are made during the first Council meeting of the month. Citizens who wish to serve on boards, commissions and committees must have a resume or a biographical information form on file with the City Secretary's Office in City Hall.

The Mayor has the legal right or privilege to make appointments to certain boards, subject to the confirmation of the City Council. These boards are as follows: Housing Authority, Human Relations Commission, Arts & Cultural Commission, Mayor's Fitness Council, Advisory Committee on Community Pride, Museum of Science and History Advisory Committee, Oil and Gas Advisory Committee and the Water Resources Advisory Committee.

In making appointments, the Mayor and Council consider the suggestions of some of the boards, commissions and committees in question. In some cases, state law dictates membership, while in others an expertise and knowledge of the subject matter is considered. In building code committees (electrical, plumbing, etc.), for example, expertise of subject matter is especially a factor. However, representation on specialized boards does include membership by average citizens because a profession must not be allowed to regulate itself.

TAKING THE OATH OF OFFICE

Article XVI, Section I, of the Texas Constitution requires that all newly elected and appointed officers of the state or its subdivisions must file a bribery statement, administered by the City Secretary, **before** taking the Oath of Office and entering upon the duties of the office.

The City Attorney has provided this office with a legal opinion that only board members with quasi-judicial powers are required to file bribery statements and take an oath of office. Members of the following boards, commissions and committees are subject to this requirement:

- Board of Adjustment
- Building Code Board of Appeals
- Building Standards Board
- Cable Communications Commission
- Civil Service Board and Commission
- Coastal Bend Cultural Education Facilities Finance Corporation
- Coastal Bend Health Facilities Development Corporation
- Corpus Christi Business and Job Development Corporation
- Corpus Christi Community Improvement Corporation/Loan Review Committee
- Crime Control and Prevention District
- Electrical Advisory Committee
- Ethics Commission
- Human Relations Commission
- Landmark Commission
- Mechanical/Plumbing Advisory Board
- North Padre Island Development Corporation
- Pipeline Review Panel
- Planning Commission

The Statement of Appointed Officer and Oath of Office for all of the above Boards must be administered by the City Secretary's Office prior to attending their first meeting of the Board or Commission to which they have been appointed. (Usually held the following week after appointments are made)

In addition, all newly appointed members of other boards (i.e. Advisory) not listed above are invited to attend a "ceremonial" swearing-in ceremony during a Council meeting usually held the following week after appointments are made.

POLICIES AFFECTING SERVICE

ATTENDANCE

City Code Section 2-61, revised by ordinance on September 25, 1990, changed the rule regarding absences of boards, commissions and committees (*Note: this rule applies only to city appointees*). It states that unexcused absences from more than twenty-five percent (25%) of regularly scheduled meetings during a term year on the part of any board, committee or commission member shall result in an automatic vacancy, which vacancy shall be promptly reported to the City Council. An absence shall be deemed unexcused unless excused by the board, committee or commission for good cause no later than its next meeting after the absence. If the absence is deemed excused, it is not included in calculating member absentee rates. Any member otherwise eligible shall not be precluded from reappointment by reason of such automatic vacancy.

This ordinance requires that departments which staff particular boards, commissions and committees tally the unexcused absences of each member throughout each member's respective term year. A term year is defined as that annual period after which a term is normally scheduled to begin.

The absence rule applies only to regularly scheduled meetings. Regularly scheduled meetings are those meetings of a board, commission or committee which are scheduled in advance and occur periodically on specific days throughout a calendar year. The absence rule is not meant to apply to those boards, commissions and committees which do not meet at regular times throughout the calendar year but rather meet on an as needed basis. Special called meetings of boards which normally meet on a regularly scheduled basis are not included in calculating member absentee rates. Obviously, it is not the intention of the City Council to encourage boards, commissions and committees to call special meetings rather than have regularly scheduled meetings to avoid the application of the absences rule. A board, commission or committee must determine for itself how much of the meeting must be attended to obtain credit for attendance. A member should not be able to come to the last fifteen minutes of a meeting, for example, and receive credit for attendance. The chairperson has the discretion to determine whether a member should be considered absent for a particular meeting, subject to overrule by committee vote.

SERVICE LIMITATION

Individuals appointed to a board, commission, committee or corporation may serve on only one board, commission, committee or corporation at a time. This rule does not apply to appointments to committees established for a limited time and specific purpose.

Members are usually appointed to two or three-year terms and service is limited to six consecutive years on any board, commission or committee unless such service is required by virtue of the person's position or title as the result of employment or to complete an unexpired term.

RESIDENCY

Persons applying for appointment to a board, commission or committee and individuals currently serving must be residents of Corpus Christi at the time of the appointment and throughout the time of service.

TERMINATION OF APPOINTMENT

A member's appointment to a board, commission or committee can be terminated by:

1. resignation,
2. violation of the attendance policy, or
3. by filing as a candidate for City Council office, or
4. being elected to a non-City office.

ADVISORS, SUBCOMMITTEES AND AD HOC COMMITTEES PROHIBITED WITHOUT APPROVAL

No city board, commission or committee shall appoint persons outside its membership as advisors or to subcommittees, ad hoc committees or other accessory entities without prior approval of the City Council, unless specified otherwise by Ordinance.

BOARD, COMMISSION AND COMMITTEE PROCEDURES

The following policies regarding the city's boards, commissions and committees were approved by the City Council on April 3, 1993 and amended on March 22, 1994, January 22, 2008, August 17, 2010, and August 23, 2011:

All individuals considered for appointment by the City Council to a Board, Commission, or Committee must have a resume or biographical information sketch on file in the office of the City Secretary. All vacancies must be listed on a City Council agenda in order for appointments to be made. Any Council Member can nominate persons to fill vacancies, except where the law requires nomination by the Mayor or City manager. Each appointment must receive a majority vote of the Council Members present and voting. No person shall be appointed by the Mayor or Council Members to serve on more than one board, commission, or committee or corporation at the same

time unless required by charter, statute, or other ordinance or when such service is required by virtue of the individual's position or title as the result of employment or when such appointment involves the Mayor or Council Members.

- a. City council members may be appointed as liaison contacts to the city's boards, commissions and committees, as well as other committees the Council makes appointments to, in order to facilitate communications. Appointments will be by the Mayor or a majority of the Council.
- b. City boards, commissions and committees will provide annual reports of their respective activities. Such annual reports will be for the calendar year and will be due no later than January 15th of each year for the prior calendar year. Each city board, commission and committee will be provided an opportunity, if requested, to be placed on the City Council agenda for presentation of their annual reports.
- c. Board, commission or committees with rule making or quasi-judicial authority are covered by the Texas Open Meetings Act and shall comply therewith. Other boards, commissions and committees are directed to follow the Open Meetings Act except as inconsistent with these procedures or other ordinance or directive of the Council, and failure to comply with the Act may be grounds for sanction by the Council, in its discretion. No closed session may be held without receiving advice from the City Attorney.
- d. Orientation manuals will be prepared and provided to all new appointees to the city boards, commissions or committees. Orientation sessions by the Chairpersons and/or staff liaison are encouraged.
- e. Meetings will be held in meeting rooms nearest staff support whenever possible.
- f. Agendas will follow a standard one-page format.
- g. All boards, commissions and committees shall keep minutes of all meetings thereof. Minutes will be limited to a one-page summary when possible. The presiding officer at such meeting shall designate an acting secretary in the absence of the regular secretary of any such bodies to discharge such duty. A copy of the minutes of the proceedings of every such meeting shall be promptly forwarded to the City Manager for his information. Minutes will be filed in the office of the City Secretary for City Council and public review.
- h. Regular times for meetings will be established, when possible, to avoid staff overtime.
- i. Chairpersons will be advised of meeting costs involved and the need to reduce costs and expedite meeting times when possible.
- j. Ad hoc and subcommittees will meet without staff support when possible.
- k. No City board, commission, or committee shall appoint persons outside its membership as advisors or to subcommittees, ad hoc committees or other accessory entities, without prior approval of the City Council.

- I. Recommendations for appointments will be solicited from the affected Boards, Commissions and Committees only for the following:
- City Council's Youth Advisory Committee
 - Commission on Children and Youth
 - Committee for Persons with Disabilities
 - Community Youth Development (78415) Program Steering Committee
 - Food Service Advisory Committee
 - Leadership Committee for Senior Services
 - Oil & Gas Advisory Committee
 - Retired and Senior Volunteer Program Advisory Committee
 - Senior Companion Program Advisory Committee
 - Tree Advisory Committee
- m. No person may serve as a voting member of a board, commission or committee of the city for a period longer than six (6) years consecutively unless such service is required by virtue of the person's position or title as the result of employment or to complete an unexpired term. No person may be reappointed to the same board, commission, or committee after having been appointed to terms that would provide for six (6) consecutive years of service as a voting member unless the person has not served on that board, commission, or committee for a period of twelve (12) months. The foregoing limitations do not apply to the appointment of advisory, nonvoting members to a board, commission, or committee of the City. Any such advisory, nonvoting member appointed to a board, commission, or committee of the City is prohibited from serving as an elected or appointed officer of the board, commission, or committee to which such person has been appointed.
- n. Unexcused absences from more than twenty-five (25) percent of regularly scheduled meetings during a term year on the part of any board, committee or commission member shall result in an automatic vacancy, which vacancy shall be promptly reported to the City Council. An absence shall be deemed unexcused unless excused by the board, committee or commission for good cause no later than its next meeting after the absence. Any member, otherwise eligible, shall not be precluded from reappointment by reason of such automatic vacancy.
- o. All members of city boards, commissions and committees must be residents of the city.
- p. A member of a board, commission or committee may file as a candidate for nomination or election to any non-City public office. Upon the election or appointment to a non-city public office or upon filing as a candidate for any position under the City Charter, such board, commission or committee member shall forfeit his or her position.
- q. All board, commission, or committee appointments will be presented to the City Council by the City Secretary no earlier than ninety (90) days before a term expires unless required by law.

- r. No board, commission, or committee appointment will be made during the period thirty (30) days prior to a city council election and extending to the taking of office for the newly elected council.
- s. Provisions q and r hereinabove apply to all appointments made by City Council and are not inclusive of only City boards, commissions, or committee appointments.

TYPES OF AUTHORITY

BOARDS AND COMMISSIONS GOVERNED BY STATE LAW

Several boards and commissions are governed by state law. Cities must therefore form these committees in accordance with such statutes. These have been separated from those boards and commissions not governed by state law.

Some of these boards and commissions are “quasi-judicial” and their actions must follow prescribed procedure. “Quasi-judicial” boards are fact-finding bodies with the power to require the presentation of evidence after their jurisdictions have been evoked. They are “judicial” type bodies in that they render a decision based on the factual material presented to them, which decision resolves a single case.

Any board or commission action can be subject to review by the courts. The following boards are examples of those governed by state law:

1. Board of Adjustment
2. Civil Service Commission
3. Coastal Bend Council of Government
4. Corpus Christi Regional Transportation Authority
5. Corpus Christi Downtown Management District
6. Housing Authority
7. North Padre Island Development Corporation
8. Planning Commission
9. Port of Corpus Christi Authority

BOARDS AND COMMISSIONS NOT GOVERNED BY STATE LAW

Advisory committees are composed of individuals appointed by the Mayor and Council. Their purpose is to give advice to the Council on areas of community interest. Unlike quasi-judicial boards and commissions, advisory committees cannot pass ordinances or other instruments that are binding but can study problems and make recommendations to city staff and/or City Council. These committees are not governed by state law but must comply with the City Charter and/or the Council’s mandates. Some are created because they are required by the City Charter and others may be created by the Council to assist on a specific project or deal with a particular issue. Those boards and commissions not created by the Charter may be created for a specific time period or for an unspecified duration.

These bodies are usually given the title of committee instead of board or commission because the term “board” usually implies that the body has some ability to enforce its decisions or that its decisions are final or supported by law. Bodies with quasi-judicial status are usually referred to as “boards” or “commissions”. If such boards have enforcement or quasi-judicial functions, the term “board” or “commission” is appropriate. If, on the other hand, such bodies are simply advisory and make recommendations to the City Council regarding policy, the term “advisory committee” is more fitting.

Elected officials find that they have many uses for advisory committees in municipal government. Advisory committees are generally created to expand citizen participation in government and to obtain input from citizens on important issues prior to passing ordinances. Other uses are to bring together viewpoints which might not otherwise be heard, to gain input from a cross-section of the community, to involve qualified persons in the government who do not wish to serve in public office and to resolve conflicts between groups of citizens.

Advisory committees can be especially useful when they serve as (1) a source of ideas and (2) a messenger to “get the word out”.

1. **Advisory Committee as a Source of Ideas** - The best possible function for an advisory committee is to serve as a creative source of ideas in the policy making process. The committee can collect and respond to the needs of the community. This kind of approach often leads to new ideas, as the group that began to evaluate services may develop into an innovative unit that will suggest new alternatives to the governing body.
2. **Advisory Committees Get the Word Out** - Even in communities with responsive and responsible news media, information about important proposed policy changes may not get to affected persons for some time. Representative advisory committees can provide a feedback link to the governing board members, as well as take information to the citizens. The press may help with this process since the advisory committee itself is usually newsworthy.

(The preceding material was taken from: Elected Official Handbook, Susan Clark, International City Management Association, Washington, D.C. 1983)

BOARDS & COMMISSIONS SUMMARY

CITY OF CORPUS CHRISTI
BOARD & COMMISSION SUMMARY

To be considered for a Board or Commission, applicants must file a Resume or Biographical Information Form in the City Secretary's Office. Board or Commission members must be residents of the City of Corpus Christi and may not serve on more than one city Board or Commission at the same time nor serve more than six consecutive years. No person may be appointed to the same board, commission, or committee after having been appointed to terms that would provide for six (6) consecutive years of service as a voting member unless the person has not served on that board, commission, or committee for a period of twelve (12) months. Absences from more than 25% of regularly scheduled meetings during a term year shall result in an automatic termination. An absence shall be deemed unexcused unless excused by the board, commission or committee for good cause no later than its next meeting after the absence.

1. **ADVISORY COMMITTEE ON COMMUNITY PRIDE** - Eleven (11) members appointed by the Mayor with approval of the Council for two-year terms to advise the Mayor and City Council on development and implementation of a comprehensive community pride campaign that will interrelate with the efforts and purpose of the Clean City Advisory Committee. Meets last Monday of every month at 5:30 p.m., Solid Waste Office, Main Conference Room, 2525 Hygeia. (*Advisory*)

2. **AIRPORT BOARD** - Ten (10) members appointed by the City Council for three-year terms to provide advice on matters relating to the aviation interests of the City of Corpus Christi and the operation of the Corpus Christi International Airport facilities for the promotion of those interests. Meets 3rd Wednesday of every month at 3:30 p.m., International Airport Board Room. (*Advisory*)

3. **JOINT AIRPORT ZONING BOARD** - (**REACTIVATED**) Seven (7) members, two (2) of whom are appointed by the City Council for three-year terms to administer rules and regulations controlling and preventing the creation and establishment of hazards in the area surrounding the Airport. Meets on call at International Airport. (*Final Authority*)

4. **ANIMAL CONTROL ADVISORY COMMITTEE** - Seven (7) members appointed by the City Council for three-year terms to provide advice on all aspects of animal control, including fees, staffing, ordinances, procedures, policies and facilities. The membership must include one (1) veterinarian, two (2) members representing local animal welfare organizations (at least one of the organizations must operate an animal shelter) and shall be the President and Shelter Committee Chairman of the local PAWS Gulf Coast Humane Society; and four from the Community-at-large. Meets 3rd Thursday of every month at 12:30 p.m., at the Animal Care Facility Conference Room, 2626 Holly Road. (*Advisory*)

5. **ARTS & CULTURAL COMMISSION** - Nine (9) members appointed by the Mayor subject to confirmation by the Council for three-year terms to provide advice on beautification and cultural development of the City. The Commission shall represent the following categories: (1) Marketing Representative; (1) Economic Development/Tourism representative; (1) Public Space/Public Art representative; (1) Youth/Education representative; (1) Performing Arts representative, (1) Visual Arts representative, (1) Architecture representative; (1) Higher Education representative; and (1) Business development groups/Corporate representative. Meets 2nd Tuesday of every month at 4:00 p.m., City Hall, Basement Conference Room. (*Advisory*)

6. **BOARD OF ADJUSTMENT** - Seven (7) members appointed by the City Council for two-year terms to hear appeals from City decisions in the enforcement of zoning provisions. The membership must include two (2) alternates. Meets 4th Wednesday of every month at 1:30 p.m. and on call, City Hall, Council Chambers. (*Final Authority*)

7. **BUILDING CODE BOARD OF APPEALS** - Seven (7) members appointed by the City Council for two-year terms to hear individual appeals of decisions/interpretations of the Building Official on rulings, alternate materials/methods of construction and consider individual variances of the City Building Code, Existing Building Code, Residential Construction Code, Flood Hazard Prevention Code, and Energy Conservation Code. Also, after hearing public comment, to recommend to the City Council changes to said codes. The membership must include an architect, a general contractor, an engineer, three (3) members at large from the building industry, and one (1) member not connected with the building industry. Meets at least once quarterly on the 3rd Thursday of the month in which called, at 1:30 p.m., Frost Bank Building, 2406 Leopard, Fire Department's Conference Room, Third Floor. Shall also meet on call as deemed necessary. (*Limited Authority*)

8. **BUILDING STANDARDS BOARD** - Seven (7) members appointed by the City Council for three-year terms to hear appeals under the Building Standards and Housing Code. The membership must include a lawyer, three (3) chosen from among the following fields: realtor, architect, engineer, general contractor, home builder or building materials dealer; and three (3) members at large who shall be residents of the City and homeowners. Meets on the last Thursday of every other month at 1:30 p.m., City Hall, Council Chambers. (*Limited Authority*)

9. **CABLE COMMUNICATIONS COMMISSION** - Five (5) residents of the city appointed by the City Council for three-year terms to provide advice on cable television issues and to coordinate and promote the use of public access. No person or employee with ownership interest in a cable communications franchise granted by the city shall be eligible for membership on the commission. Each commission member is encouraged to have access to local cable communications system programming. Meets 3rd Monday of every month at 12:00 p.m. with four (4) meetings held at 6:00 p.m., City Hall, Council Chambers. (*Limited Authority*)

10. **CITIZENS ADVISORY HEALTH BOARD** - Eleven (11) members, five (5) of whom are appointed by the City Council for three-year terms to provide advice to City and County, including Juvenile Department and Memorial Hospital regarding health and welfare operations, services and programs. One member appointed jointly by the City and the County. Meets 2nd Wednesday of every month at 12:00 p.m. in the City-County Health Department Administration Conference Room, 1702 Horne Road. (*Advisory*)
11. **CITY COUNCIL'S YOUTH ADVISORY COMMITTEE** - Thirteen (13) primary members and thirteen (13) alternates selected by the principal or the principal's designee of their respective campuses and ratified by the City Council to assist and advise the City Council on city youth issues, encourage youth leadership, create opportunities for public discussion on youth issues and implement youth activities. The members shall be composed of students in grades 11 through 12 that are City residents with representatives from the following high schools: Calallen, Carroll, Coles, Collegiate, Flour Bluff, Incarnate Word Academy, John Paul II, King, Miller, Moody, Ray, Tuloso-Midway and West Oso. Meets three (3) times a year: October, January and May, 3rd Thursday of the month at 6:00 p.m., City Hall, Council Chambers. (*Advisory*)
12. **CIVIL SERVICE BOARD** - Three (3) members appointed by the City Council for three-year terms to oversee a code of rules and regulations providing for appointments, employment, suspensions, promotions, demotions and reduction of force of employees in the classified service. Meets 3rd Thursday of every month at 9:00 a.m. or on call, City Hall, Human Resources Conference Room, 2nd Floor. (*Limited Authority*)
13. **CIVIL SERVICE COMMISSION - (Firefighters and Police Officers Commission)** Three (3) members appointed by the City Manager and confirmed by the City Council for three-year terms to oversee rules and regulations regarding qualifications, hiring and firing of firemen and policemen. Members must have lived in the City for three years preceding appointment. Meets 3rd Thursday of every month at 9:00 a.m. or on call, City Hall, Human Resources Conference Room, 2nd Floor. (*Final Authority*)
14. **CLEAN CITY ADVISORY COMMITTEE** - Eleven (11) members appointed by the City Council for two year terms to advise the City Council on recycling, litter, and other solid waste environmental issues of concern in the community. The membership shall include one (1) educator in a primary, secondary, or high school within the city; one (1) member of a local Chamber of Commerce; one (1) commercial solid waste hauler; one (1) member of the Beautify Corpus Christi Association; and seven (7) community at large representatives. Meets 1st Thursday of every month at 3:00 p.m., Solid Waste Operations Dept. Conference Room, 2525 Hygeia. (*Advisory*)

15. **COASTAL BEND COUNCIL OF GOVERNMENTS** - The City shall appoint nine (9) members for two-year terms to provide recommendations to participating local governments on urban, metropolitan and rural area plans including land use, traffic circulation, major streets and highways, location of public works, development of major educational facilities and related problems of development. Membership must include at least four (4) elected officials. Meets 4th Friday of every month, at 2:00 p.m., Council of Governments. (*Final Authority*)
16. **COASTAL BEND CULTURAL EDUCATION FACILITIES FINANCE CORPORATION** - Nine (9) members appointed for two-year terms, seven(7) to be appointed by the City Council; one (1) to be the City Manager of the City and one (1) to be an Assistant City Manager of the City designated by the City Manager; to provide and finance cultural education facilities for the exhibition and promotion of and education about the performing, dramatic, visual and literary arts, natural history and science for the public purpose of promoting the health, education and welfare of the citizens of the State of Texas. Regular meetings on call. (*Final Authority*)
17. **COASTAL BEND HEALTH FACILITIES DEVELOPMENT CORPORATION** - Nine (9) members appointed for two-year terms, seven (7) appointed by the City Council, one (1) to be the City Manager of the City and one (1) to be the Assistant City Manager for Urban Development of the City; to promote the public interest in the City of Corpus Christi by cooperating with health care facilities within the City which may wish to take advantage of legislation in financing their facilities. Regular meetings on call. (*Final Authority*)
18. **COMMISSION ON CHILDREN & YOUTH** - Nine (9) members appointed by the City Council for three-year staggered terms. Each Appointee shall have demonstrated interest in the welfare of children or youth through occupation or through association with community-based organizations. Members shall represent the following fields: (1) health/human services, (1) legal, (1) law enforcement, (1) education, (1) youth/family services, (1) District Attorney's office, and (2) At Large. One (1) member shall be a youth representative from 16 to 21 years of age at time of appointment. The duties of the commission are to support a comprehensive system of services and advance policies to meet the needs of Corpus Christi's children, youth and their families. Meets the 3rd Monday of every month at 5:30 p.m., City Hall, Staff Conference Room. (*Advisory*)
19. **COMMITTEE FOR PERSONS WITH DISABILITIES** - Nine (9) members appointed by the City Council for two-year staggered terms. The membership of the committee shall be composed of individuals with disabilities and representatives of agencies and organizations functioning within the committee's area who are interested in the provision of services to persons with disabilities and others who are interested in the abilities and specific needs of persons with disabilities. Meets 1st Wednesday of every month at 3:00 p.m. in City Hall, City Hall Council Chambers. (*Advisory*)

20. **COMMUNITY YOUTH DEVELOPMENT PROGRAM STEERING COMMITTEE (78415)** - Nine (9) voting members who will serve at the pleasure of the City Council, consistent with state guidelines. The officers of the committee shall be residents of the 78415 zip code area. Terms are for two years. State guidelines require that at least 51% of the collaborative steering committee members must be community residents or people closely connected to the community who are not social service providers. Meets 3rd Thursday of every month at 5:30 p.m., Juvenile Assessment Center, 615 Leopard, Suite 105. (*Advisory*)
21. **C. C. AQUIFER STORAGE AND RECOVERY CONSERVATION DISTRICT** - Five (5) directors appointed by the City Council to serve staggered four-year terms. If a vacancy occurs on the board, the board may appoint a director to serve the remainder of the term. The board shall annually elect officers and officers must be confirmed by the City Council. The purpose of the district is to develop and protect municipal aquifer storage areas created by the City of Corpus Christi. Meets on call. (*Final Authority*)
22. **C. C. BUSINESS AND JOB DEVELOPMENT CORPORATION** - Five (5) member board appointed by the City Council. The directors serve two-year, staggered terms, expiring on July 31. Each director must be a resident of the City and must be a qualified elector. Directors are removable by the City Council at any time without cause. The City Manager shall serve as executive director and the City Secretary shall serve as assistant secretary, to provide administrative support services for the corporation. Meets 3rd Monday of every month at 3:00 p.m., City Hall, Council Chambers. (*Limited Authority*)
23. **CORPUS CHRISTI COMMUNITY IMPROVEMENT CORPORATION/LOAN REVIEW COMMITTEE** - Eleven (11) members appointed by the CCCIC Board of Directors for three-year terms to review and approve loan applications submitted through the various City loan programs in accordance with the Rehabilitation Loan Handbook. Membership must include five (5) members from the following professions: legal, member of clergy, real estate agency, general contractor/remodeler/homebuilder, architect, engineer, residential home designer; two (2) members associated with financial institutions; one (1) member in Health and Human Services, and three (3) members from the community at large. On Call Meetings - 2nd Wednesday of every month at 12:00 p.m., City Hall, Staff Conference Room. (*Final Authority*)
24. **C. C. CONVENTION & VISITORS BUREAU** - Eleven (11) members selected directly by the City Council. The members shall be representatives of the following groups: 2 - hotel industry; 2 - restaurant industry; 2 - attraction industry and 5 - community at large. The Mayor and City Manager or their designee shall serve as ex-officio, non voting members. In addition, the Council will appoint a representative from the Port of Corpus Christi Authority, the Corpus Christi International Airport and the Regional Transportation Authority, to serve as ex-officio, advisory non-voting members. Appointments will be for staggered, two-year terms; No person may serve as a voting member for a period longer than six years consecutively, unless such service is required by virtue of the person's position or title or to complete an unexpired term. Meets 3rd Thursday of every month, 8:30 a.m., Bay Building,

101 Shoreline, Ste. 430. (*Final Authority*)

25. **CORPUS CHRISTI DOWNTOWN MANAGEMENT DISTRICT** - The board is composed of at least nine (9) but not more than 30 directors serving four years. The District will provide maintenance, security, marketing, and the promotion and input of property and facilities within the District. The District has the authority to levy taxes or assessments for inputs in the downtown area. Meets the 2nd Thursday of every month at 9:00 a.m., IBC Bank, 221 S. Shoreline, 2nd Floor. (*Final Authority*)

26. **C. C. REGIONAL ECONOMIC DEVELOPMENT CORPORATION** - Seventeen (17) directors, of which six (6) are designated by the City of Corpus Christi to represent the public sector; one of which shall be the Mayor of the City of Corpus Christi and another Council member appointed by the Mayor. The remainder of the Board shall be comprised of not more than seven (7) Directors to represent the private sector elected by the Corporation's membership in accordance with its bylaws. Representing the public sector, two (2) shall be appointed by the Port of Corpus Christi Authority, and up to two (2) designated by any other governmental entities that each contribute at least \$50,000 annually to the Corporation. The Board may also consist of such additional non-voting, ex-officio Directors as determined by resolution. The Directors shall serve not more than two consecutive three-year terms as provided in the Corporation's bylaws; provided that the term of office of any Director who is a public official shall coincide with his or her term of public office. Meets 2nd Thursday of every month at 7:30 a.m., Town Club, 800 N. Shoreline Blvd. (*Final Authority*)

27. **CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY** - Eleven (11) members, five (5) appointed by the City Council for two-year terms; three (3) appointed by Nueces County Commissioners' Court; two (2) appointed by Mayors of Cities in Transit Authority other than Corpus Christi, and Chairman who is appointed by the Board, either from its membership or from outside. The principal municipality shall make its appointments to the board so that at least one of the appointees is designated to represent the interests of the transportation disadvantaged. The statute does not mandate that this Board member be "transportation disadvantaged." Purpose is to operate and provide public transportation for Nueces County and cities in the Authority. A member of the board must be a qualified voter residing in the Authority. Meets 1st Wednesday of every month, 8:30 a.m., at the RTA Administration/Operations Facility, 5658 Bear Lane. (*Final Authority*)

28. **CRIME CONTROL & PREVENTION DISTRICT** - The District will consist of the same number of members as the City Council. One member of the Board of Directors shall be appointed by each member of the City Council to serve at the pleasure of that member of the City Council for a term that is concurrent with the term of the member of the City Council that appointed the Director. The creation of the District is dedicated to crime reduction programs and the adoption of a proposed sales and use tax at a rate of one-eighth of one percent. Meets 3rd Wednesday of every month at 2:30 p.m., City Hall, Sixth Floor Conference Room. (*Limited Authority*)

29. **CROSSTOWN COMMONS DEVELOPMENT CORPORATION** - (*Currently Inactive*)
Nine (9) persons appointed by the City Council for a term of two (2) years expiring on July 31 of each year. Each Director must be a resident and qualified elector of the City. Each Director shall serve until a successor is appointed. Each Director, including the initial directors, shall be eligible for reappointment. Any Director may be removed from office at any time, with or without cause, by the City Council. The purpose of the corporation is to aid, assist, and act on behalf of the City in the performance of its governmental functions to promote the common good and general welfare of the City, including, without limitation, the development of the approximately 220-acre site with the City. Meetings to be determined. (*Final Authority*)
30. **ELECTRICAL ADVISORY BOARD** - Ten (10) members appointed by the City Council for two-year terms to review grievances filed against any licensed electrical contractor and other grievances filed within the scope of the City Electrical Code, concur on alternative materials/methods of construction, and after hearing public comment, to recommend to the City Council changes to the City Electrical Code. Membership must include two (2) persons with five years active experience as Master Electrician; one (1) person with five years active experience as journeyman electrician; two (2) engineers: one (1) shall be a registered professional engineer, and one (1) shall have a Bachelor Degree in Electrical Engineering; one (1) person with five years experience in home building industry, one (1) person with five years experience in commercial building industry; one (1) member, resident of Corpus Christi, not connected with the electrical industry; one (1) field representative from a utility power distribution company; and one (1) person in the electrical supply business. Meets at least once quarterly on the 4th Thursday of the month in which called 3:00 p.m., Frost Bank Building, Fire Department's Conference Room, Third Floor, 2406 Leopard. Shall also meet on call as deemed necessary. (*Limited Authority*)
31. **ETHICS COMMISSION** - Nine (9) members appointed by a two-thirds vote of the full Council for three-year terms. In addition to having jurisdiction of complaints involving any "city official", the duties of this commission is to prepare and publish pamphlets and other materials explaining the duties of individuals subject to the code of ethics; review all statements and reports filed with the city; annually review the code of ethics and make appropriate recommendations to the city council; review all public opinions related to the code of ethics that are issued by the city attorney; prepare and disseminate a report listing all campaign contributions and expenditures for each candidate within 30 days following the deadline for filing the last campaign finance reports for each city council election. The commission shall elect a chairperson and vice-chairperson. Meets 2nd Thursday of every month at 5:30 p.m., City Hall, Fifth Floor, Assistant City Manager's Conference Room. (*Limited Authority*)
32. **FOOD SERVICE ADVISORY COMMITTEE** - Seven (7) members appointed by the City Council for three-year terms to provide advice to the Director of Public Health on application of ordinances regarding food and food establishments. Membership must include four (4) local food managers, and three (3) persons from the community at large. Meets 1st Tuesday,

every other month at 2:00 p.m., Public Health Department, Administration Conference Room, 1702 Horne Road. (*Advisory*)

33. **HOUSING AUTHORITY** - Five (5) members appointed by the Mayor for two-year terms to acquire, construct, maintain and operate low rent housing projects. Meets 4th Tuesday of every month at 5:30 p.m., Housing Authority Office, 3701 Ayers. (*Final Authority*)
34. **HUMAN RELATIONS COMMISSION** - Sixteen (16) members, fourteen (14) of whom shall be appointed by the Mayor with approval of the Council to study problems of group relationships within the City. One member shall represent the area of selling dwellings, one member shall represent the area of renting dwellings and one member of the staff of the Legal Aid Society to serve continuously; three (3) shall not be more than 20 years of age at time of appointment for one-year term and one shall be the chairperson of the Committee for Persons with Disabilities serving as an ex-officio voting member. Eleven (11) members shall serve for three-year terms. Meets 1st Thursday of every month at 5:00 p.m., City Hall, Council Chambers. (*Limited Authority*)
35. **INTERGOVERNMENTAL COMMISSION ON DRUG AND ALCOHOL ABUSE** - Thirteen (13) members, three (3) appointed by the City Council; three (3) by Nueces County Commissioners' Court; two (2) appointed by CCISD; and one (1) from each of the following: Calallen ISD, Flour Bluff ISD, West Oso ISD, Robstown ISD, and Tuloso-Midway ISD. Purpose is to assist and advise the participating local governmental agencies on programs and methods to combat drug and alcohol abuse among the citizens of Nueces County. Meets 3rd Thursday of the month, September - May, 12:00 p.m., Police Department - 5th Floor Conference Room. (*Advisory*)
36. **ISLAND STRATEGIC ACTION COMMITTEE** - Thirteen (13) members appointed by the City Council for three-year terms to advise the Mayor and City Council on development and implementation of the Mustang- Padre Island Area Development Plan. The membership must include: 1- member of the Padre Isles Property Owners Association who has been nominated by the Association; 1 - residential property owner who owns property and resides on Mustang or Padre Island; 1 - commercial property owner who owns property and operates a business on Mustang or Padre Island; 1 - developer of property on Mustang or Padre Island; 1 - member of the Padre Island Business Association who has been nominated by the Association; 1 - architect or professional engineer who does work on projects on Mustang or Padre Island; 1 - realtor who primarily represents buyers or sellers of property on Mustang or Padre Island; 1 - construction contractor who primarily works on projects on Mustang or Padre Island; 1 - representative of an environmental group; 4 - at-large representatives who are residents of the City. Not less than twelve (12) members must reside or own property on Mustang or Padre Island. One (1) of the at-large representatives may, but is not required to reside on Mustang or Padre Island. The City Council may appoint not more than four (4) members of the action committee who do not reside within the City if they own or represent the owner of property on Mustang or Padre Island. Meets 1st Tuesday of each month at 5:30 p.m., Padre Isles Country Club, 14353 Commodores Dr. (*Advisory*)

37. **LANDMARK COMMISSION** - Fifteen (15) members appointed by the City Council for three-year terms to promote the use of historical and cultural landmarks for the cultural prosperity, education and general welfare of the people of the City and visitors to the City. Membership must include two (2) historians, two (2) licensed real estate salespersons, two (2) registered architects, one (1) structural or civil engineer, two (2) history teachers, one (1) person knowledgeable in title search and/or property surveyor and five (5) other members. Meets 4th Thursday of every month, at 4:30 p.m., City Hall, Council Chambers. (*Limited Authority*)
38. **LEADERSHIP COMMITTEE FOR SENIOR SERVICES** – Fifteen (15) members representing the following categories: 2 - Senior Center participants, 3 – agencies with direct services to senior citizens, and 10 – shall represent the community. The committee will assist the Senior Community Services division staff in the development of comprehensive senior citizens program plans. Meets 1st Thursday of every month at 3:30 p.m. at various sites. (*Advisory*)
39. **LIBRARY BOARD** - Nine (9) members, seven (7) shall be appointed for two-year terms by the City Council and one (1) member each shall be nominated by the La Retama Club and the Friends of the Corpus Christi Public Libraries Board with vote for two-year terms, subject to confirmation by the City Council. The Committee shall be advisory to the City Council and its duties shall be to investigate and recommend to the Council matters relating to library services. Meets 1st Tuesday of every month at 10:30 a.m., Central Library Board Room, 2nd Floor, 805 Comanche, and occasional location changes to other Branch Libraries. (*Advisory*)
40. **MARINA ADVISORY COMMITTEE** - Nine (9) members appointed by the City Council for two-year terms to advise and make recommendations regarding development, use, or preservation of the marina. The membership shall include one (1) scientist, i.e., marine biologist; one (1) shall be an engineer; one (1) environmentalist, and one (1) shall be a representative of a restaurant located within the boundaries of the marina. The chairperson of the Marina Advisory Committee shall act as an advisor to the Park and Recreation Advisory Committee and vice versa. Meets 1st Monday of every month at 5:30 p.m., Lawrence Street T-Head Boater’s Facility. (*Advisory*)
41. **MAYOR’S FITNESS COUNCIL** - Nine (9) members appointed by the Mayor with approval of the City Council to advise the City Council, City Manager, Parks Department and Health District regarding promotion of healthy living. The membership shall consist of individuals representing the following categories: 1 - Health Care/Medical Professionals, 1 - Worksite Wellness, 1 - Disability Networks, 1 - Senior Initiatives, 1 - Youth Initiatives, 1 - Community Outreach and 3 - At Large members. Meets 2nd Thursday of every month at 12:00 p.m., City Hall, Sixth Floor Conference Room. (*Advisory*)

42. **MECHANICAL/PLUMBING ADVISORY BOARD** - Eleven (11) members appointed by the City Council for two-year terms to advise the City Manager regarding mechanical, plumbing, and irrigation fields that it considers should be brought to the attention of the City Council, and after hearing public comment, recommend changes to the City Fuel Gas, Mechanical and Plumbing Codes. Membership must include three (3) persons with at least five years experience as a licensed plumber in the State of Texas (at least three years of which shall have been in Corpus Christi and at least two of which must hold master plumber's license) 1 - person with at least five years of active experience as a professional mechanical engineer licensed in the State of Texas and knowledgeable in the plumbing trade; 1 - person with at least five years experience in the home building industry; 1 - person with at least five years experience in the commercial building industry; 3 - persons with at least five years experience in heating, ventilation, air conditioning and refrigeration contracting business; 1 - person not connected with the building industry; and 1 - person who shall have at least five years of active experience in landscape irrigation and is licensed as an Irrigator by the State of Texas. Meets at least once quarterly on the 2nd Thursday of the month in which called at 2:00 p.m., Frost Bank Building, Fire Department's Conference Room, Third Floor, 2406 Leopard. Shall also meet on call as deemed necessary. (*Limited Authority*)
43. **MUSEUM OF SCIENCE AND HISTORY ADVISORY COMMITTEE** - Six (6) members appointed by the Mayor with advice and consent of the Council for three-year terms, to serve as an advisor to the Museum Department and to the City Council in matters of support and development of the Museum. The membership shall be selected as follows: two (2) nominated by Friends of the Museum; four (4) nominated by the Mayor who shall seek at least one member from each of the following fields: K-12 Education, Higher Education and the Business Community. Ex-officio members shall include the City Manager and Superintendent of CCISD, or their designated representatives. The Mayor may also choose other advisory members he/she deems serves the best interest of the Museum. Meets at least once quarterly, with possible special called meetings by the Chair. Date, Time, and Location TBD. (*Advisory*)
44. **NORTH PADRE ISLAND DEVELOPMENT CORPORATION** - Not less than five (5) nor more than nine (9) directors, appointed by the City Council. Terms are for two years. Each director must be a resident and qualified elector of the city. Meetings to be determined. (*Final Authority*)
45. **NUECES COUNTY TAX APPRAISAL DISTRICT** - Seven (7) members, two (2) of whom are appointed by the Council for two-year terms. The District is responsible for appraising property in the district for ad valorem tax purposes. A member must be a resident of the district and reside in the district for at least two (2) years immediately preceding the date the individual takes office. Meets 2nd Wednesday of every month, 9:00 a.m., 201 N. Chaparral, 1st Floor Board Room. (*Final Authority*)

46. **OIL AND GAS ADVISORY COMMITTEE** - Eight (8) members appointed by the Mayor with approval of the City Council for three-year terms to provide advice on all operations for the exploration, drilling, and production of all minerals within the City limits and the effect upon the public health, safety and general welfare of the City. The membership must include three (3) members from the oil and gas industry; three (3) members from the general public who are not connected with the oil and gas industry; and two (2) alternates. The alternate from the general public to serve in the absence of the general public member, and the alternate from the industry to serve in the absence of the oil industry member. Meets on call. (*Advisory*)
47. **PARK AND RECREATION ADVISORY COMMITTEE** - Eleven (11) members appointed by the City Council for two-year terms to provide advice on City parks and buildings therein, public outdoor recreation areas and centers and other grounds under its purview as designated by the City Manager. Meets 2nd Wednesday of every month, at 5:00 p.m., City Hall, Sixth Floor Conference Room. (*Advisory*)
48. **PARKING ADVISORY COMMITTEE** - Eleven (11) members appointed by the City Council comprised of the following: one (1) member nominated by the District Council member who represents the downtown area; two (2) members nominated by the Downtown Management District; one (1) member nominated by the Corpus Christi Beach Task Force; one (1) member nominated by the Uptown Neighborhood Initiative; two (2) members nominated by the Building Owners and Management Association; one (1) member nominated by the Corpus Christi Convention and Visitor's Bureau; two (2) members who shall represent downtown residential interests – one (1) member to be a resident where paid parking meters are collected and one (1) member to be an owner of residential living property in the City Center Area; and one (1) member to represent the community at large. Meets a minimum of twice yearly and may meet on call. (*Advisory*)
49. **PIPELINE REVIEW PANEL** - Five (5) members appointed by the City Council for two-year terms; four of whom shall have technical expertise in the construction, maintenance, or operation of pipelines, at least one of which shall have emergency management expertise, and one shall be a community representative. Meets on call. (*Limited Authority*)
50. **PLANNING COMMISSION** - Nine (9) members appointed by the City Council for three-year terms to prepare and amend a master plan for the physical development of the City, review and recommend capital improvements and changes in zoning. Members shall be registered voters of the City. Meets every other Wednesday at 5:30 p.m., City Hall, Council Chambers. (*Limited Authority*)
51. **PORT OF CORPUS CHRISTI AUTHORITY OF NUECES COUNTY, TEXAS** - Seven (7) members, three (3) of whom are appointed by the City Council for three-year terms to serve as commissioners of the port. Each person who is appointed or elected commissioner shall be a resident of the proposed navigation district and shall be an elector of the county. Must be a resident of Nueces County for six months preceding appointment to the Port

Commission. Meets 2nd Tuesday of the month, at 9:00 a.m., Solomon P. Ortiz International Center, 402 Harbor Drive. (*Final Authority*)

52. **REGIONAL HEALTH AWARENESS BOARD** - Thirteen (13) members, three (3) of whom are delegated by the City of Corpus Christi. Two (2) shall be community members representing a cross-section of health, environmental, and social interests appointed by the City Council, and one (1) additional appointed member representing the City of Corpus Christi (employee). Terms are for three-years. Meets 4th Thursday of every month from 5-7 p.m., City Hall, Sixth Floor Conference Room. (*Advisory*)
53. **RETIRED AND SENIOR VOLUNTEER PROGRAM ADVISORY COMMITTEE** - Seven (7) members appointed by the City Council for two-year terms to advise the City Council on the Retired Senior Volunteer Program. The membership shall include one (1) Retired and Senior Volunteer Program (RSVP) Volunteer representative and one (1) RSVP Volunteer Workstation representative. All members must express an interest in the issues of older adults and have knowledge of the capabilities of older adults. Meets 1st Thursday of every month at 3:00 p.m., City Hall, Sixth Floor Conference Room. (*Advisory*)
54. **SENIOR COMPANION PROGRAM ADVISORY COMMITTEE** - Seven (7) members appointed by the City Council for two-year terms to advise the City Council on the Senior Companion Program. The membership shall include one (1) Senior Companion Program (SCP) Volunteer representative and one (1) SCP Volunteer Station representative. All members must express an interest in the issues of older adults and have knowledge of the capabilities of older adults. Last Thursday of every month at 4:00 p.m., Lindale Senior Center. (*Advisory*)
55. **SISTER CITY COMMITTEE** - Fifteen (15) members appointed by the City Council for three-year terms to study ways and means of improving relations with Corpus Christi Sister Cities and to advise and consult the Council, the City Manager, and other City agencies in accomplishing the purposes of the Sister City program. Meets 1st Monday of every month at 6:00 p.m., City Hall, Sixth Floor Conference Room. (*Advisory*)
56. **STREET MAINTENANCE FEE BOARD OF APPEALS** - (*NEW*) - Five (5) members consisting of the following: 1) the Assistant City Manager over Financial Services, 2) the Director of Water or Wastewater Department, 3) the Director of Street Operations, 4) 1 - citizen appointed by the City Manager, 5) 1 - citizen appointed by the City Manager. Citizen board members may be removed by the City Manager with or without cause, and shall serve a two-year term. This board is established for the purpose of hearing and deciding appeals and matters related to the Street Maintenance Fee under Article XX of Chapter 55 of the Code consistent with the Appeals Process for the Street Maintenance Fee adopted by the City Council. Meeting times and location to be determined. (*Limited*)

57. **TRANSPORTATION ADVISORY COMMITTEE** - Nine (9) members appointed by the Council for three-year terms to be responsible for public advisory jurisdiction and citizen traffic safety investigation, traffic accident, injury and damage prevention in the City and to provide advice on transportation and traffic safety matters. Meets 4th Monday of every month, at 2:30 p.m., City Hall, Council Chambers, First Floor. (*Advisory*)
58. **TREE ADVISORY COMMITTEE** - (*NEW*) Five (5) members appointed by the Council to recommend a formal written plan to the City Council for the care, preservation, pruning, planting, replanting, removal or disposition of Public Trees planted in land owned by the City. Membership shall consist of (1) Landscape Architect, (1) Certified Arborist, (1) AEP Texas rep., and (2) At-Large community members. Initially, two members shall serve an initial term of one year, and three members an initial term of two years. Thereafter, terms of office shall be two years. Meeting dates, times, and location to be determined.
59. **WATER RESOURCES ADVISORY COMMITTEE** - Nine (9) members appointed by the Mayor with the approval of the City Council to two-year staggered terms representing the following categories: 1 - residential customer (homeowner) of the city's water system; 1 - large commercial customer of the city's water system; 1- wholesale raw or treated water customer of the city's regional water supply system; 1 - representative of the Port Industries of Corpus Christi; 1 - representative of a school district located within the city; 1 - representative of a military facility; 1 - representative of a landscaping/nursery/horticulture interest; 1 - representative of apartment owners associations; and 1 - citizen at large. The Mayor may appoint one or two council members to serve as ex-officio members. Meets quarterly 3rd Thursday of the month at 11:30 a.m. (or an as needed basis), Water Department Conference Room, 2726 Holly Road. (*Advisory*)
60. **WATERSHORE AND BEACH ADVISORY COMMITTEE** - Nine (9) members appointed by the City Council for two-year terms to advise and make recommendations regarding use or preservation of the waterfront, the beaches, and the natural bodies of water including but not limited to Gulf of Mexico, bays, rivers, and creeks, excluding the Marina area as defined by Section 2-264. The membership shall include one (1) scientist, i.e., marine biologist; one (1) engineer; one (1) environmentalist; one (1) shall be an owner of a hotel or condominium located on North Padre Island or Mustang Island; and one (1) shall be a member of the Corpus Christi Convention and Visitors Bureau. The Chairperson of the Watershore and Beach Advisory Committee shall act as an advisor to the Parks and Recreation Advisory Committee and vice versa. Meets 1st Thursday of the month at 5:30 p.m., at City Hall, Staff Conference Room. (*Advisory*)
61. **WEED & SEED STEERING COMMITTEE** - (*Currently Inactive*) Ten (10) core committee members: one representative appointed by each of the following entities: Corpus Christi Police Department, Flour Bluff ISD, Housing Authority, County Attorney's Office, District Attorney's Office, U.S. Attorney's Office, Drug Enforcement Administration, Faith Based Person, Business Person, Youth Member; and three (3) Community Representatives from the Flour Bluff Site, appointed by City Council. The U.S. Attorney representative will

serve as Chairperson of the Committee. Formerly met 3rd Thursday of every month at 3:30 p.m. at City Hall, Basement Training Room. (*Advisory*)

62. **WORKFORCE SOLUTIONS OF THE COASTAL BEND** - A maximum of thirty-four (34) members appointed by the CEO officials of the following counties: Aransas County, Bee County, Brooks County, Duval County, Jim Wells County, Kenedy County, Kleberg County, Live Oak County, McMullen County, Nueces County, Refugio County, San Patricio County along with the City of Corpus Christi. The balance of the membership of the Board will be composed of representatives of educational agencies, literacy organizations, organized labor, rehabilitation agencies, community based organizations, economic development agencies, the State human services agency, and the public employment service. Fifteen (15) members shall be appointed by the CEO official for the City of Corpus Christi to represent the following: 7 - Private Sector; 2 - Community Based Organization/Organized Labor; 1 - Literacy Council; 1 - Education; 1 - Vocational Rehabilitation; 1 - Public Employment Service; 1 - Public Assistance Agency and 1 - Economic Development. The *Private Sector* representatives will be selected from nominations submitted by general purpose business organizations in the workforce development area. The *Education Representative* shall be selected from among individuals nominated by regional or local education agencies, vocational education institutions, institutions of higher education (including entities offering adult education) or general organizations of such institutions, within the service delivery area. The *Labor Representative* shall be selected from individuals recommended by recognized State and Local labor federations. The remaining members of the Board shall be selected from individuals recommended annually by interested organizations. Meets 8-10 time per year - Calendar set by Board. (*Limited Authority*)

PROCEDURES FOR CONDUCTING A MEETING

To ensure that board, commission and committee meetings are conducted in a fair and orderly fashion, there are a number of rule and procedures should be followed. The following sections describe these procedures which when used, create a cordial yet formal atmosphere for conducting meetings.

ROLE OF THE CHAIRPERSON AND THE AGENDA

The function of the chairperson is to provide leadership to the group in the following ways:

1. To maintain order by enforcing the established rules
2. To ensure that the meeting proceeds smoothly and follows the agenda

If the group is indecisive, the chairperson should exercise leadership and make suggestions. When debate is concluded, he/she should summarize the major points made. In general, the chairperson should maintain order and try to bring the group to a conclusion on matters before it.

To facilitate the chairperson's duties, staff should **always** provide copies of the agenda to all board, commission or committee members before the meeting if possible. Agendas should also be provided to any members of the public in attendance. The agenda should be prepared by the department head or staff person assigned to work with the board or commission. (See Appendix A at the end of the manual for a sample agenda)

RULES OF THUMB

Here are a few obvious points that should be followed but are often forgotten:

1. Discuss only one point at a time
2. The chairperson should recognize the person or persons who wish to speak and only they should be allowed to speak. Others should hold their comments until they have the floor.
3. If the meeting is a public hearing, the board or commission should hear the public without making comments until questions are allowed by the chairperson.
4. If a large number of people wish to speak on a topic, some time limit should be set on each presentation.

PROCEDURAL RULES OF ORDER

NOTE: While this review of parliamentary procedures has been designed to cover the most common situations a board or commission member may encounter during the course of a meeting, these procedures may not always apply. They may be superseded by the by-laws adopted by the board or because of legal constraints if the meeting is a public hearing. However, these basic procedures are usually acceptable during most meetings. Answers to complicated procedural questions can be found in **Roberts Rules of Order, Newly Revised**.

1. ***Making a motion*** - Begin the discussion by having a member make a motion.

Motion should be made and seconded. After this, debate can be conducted. Example of proper form: “Mr./Madam Chairperson, I move the following...”

2. **Amending a motion** - Any motion may be amended as follows: “Mr./Madam Chairperson, I move that we amend the motion by adding, deleting, etc. the following...” The amendment must be seconded before discussion can ensue. When discussion ends, the amendment is voted on first. If the amendment passes, the original motion is then put to vote as amended. If the amendment fails, the original motion is put to a vote.
3. **Change by a Substitute Motion** - Another way to change an original motion is by use of the **substitute motion**. A substitute motion is simply an amendment that changes an entire sentence or paragraph. It must be seconded before discussion can take place. It may be amended and differs only from an amendment in that if the substitute amendment passes, it eliminates the original motion.
4. **Table a Motion** - Occasionally, a board or commission may wish to defer action on a motion until a later meeting. One way to accomplish this is to make a motion to table the item being considered. To table an item requires a motion and a second. A vote is immediately taken without discussion. Once it has been decided to table a motion, it cannot be brought up again until the board or commission votes to do so, unless the motion to table specifies a date. Then the item shall be placed on the agenda for that date. A tabled motion is not debatable and must be voted on immediately. If it is decided to remove a motion from the table, the motion can then be discussed and a vote taken. A tabled motion can be removed from the table during the same meeting but is usually done so at a later meeting when unfinished business is being considered.
5. **Postpone a Motion** - Another method of delaying a decision on a matter is to postpone to a certain day the consideration of a motion. This is accomplished by simply making a motion to postpone consideration of the motion until a definite future date and having it seconded. The motion to postpone is then open for discussion. Following discussion, a vote is taken.
6. **Motion to Refer** - A motion may also be delayed by making a motion to refer the main motion to a committee or person for further study. After the motion to refer is moved and seconded, it is open for discussion, and motions to amend can be made as to whom the main motion should be referred. The motion to refer as amended is then voted on. If the motion to refer passes, the discussion on the main motion begins.

7. **Point of Order** - Any time a member feels an incorrect procedure is being used, he/she can interrupt with a point of order request which requires the chairperson to decide the correct procedure.
8. **Suspension of the Rules** - Occasionally, board or commission members may want to discuss an business item without the constraints of any rules. Unless the by-laws require otherwise, a two-thirds () vote of the members is needed to suspend the rules. This motion is not debatable and must be voted on upon being seconded.

WHAT IS A QUORUM?

In some cases, state law dictates that a quorum is needed to conduct business. A quorum is the minimum number of members needed to officially conduct business. Unless an ordinance or by-laws provide otherwise, it is a simple majority of the membership (50% + 1).

SUMMARY

In conclusion, it stands to reason that if a meeting is to be held in a fair and orderly manner, all the members of the board or commission must be willing to cooperate. They must be informed of the established rules and act accordingly. The chairperson has final responsibility for ensuring that the meeting is properly conducted. Unless the chairperson understands the basic parliamentary procedures discussed and is willing to use them in the best interest of all concerned, the board or commission will be unable to adequately carry out its responsibilities.

WORKING WITH CITY STAFF

STAFF LIAISON

A city staff member is usually assigned as a liaison to work with a board, commission or committee on a temporary of part-time basis.

City boards, commissions and committees often draw upon staff expertise as a resource to adequately perform their assigned functions. Most of the time, this relationship is harmonious and productive. To ensure a mutually beneficial relationship, the following sections provide some suggestions on what to avoid and what to practice.

WORKING WITH STAFF LIAISONS

Basically, an advisory committee member has two problems to overcome when working with city staff. First, city staff must have their work organized to fit the time available for group meetings. Second, the advisory committee member must concentrate on their specific role and tasks and constantly work to retain the citizen's viewpoint and not the views of a "City Hall Insider".

EFFECTIVE USE OF MEETING TIME

To increase the productive time boards, commissions and committees and their staff liaisons spend together, the following guidelines have been established:

1. The City Manager will appoint a person to serve as staff to the board, commission or committee. This person should serve as the primary "channel" from the group to city staff.
2. Each board member should meet individually with the staff person assigned to the group for an orientation and to reach an understanding of the functions of the group.
3. The staff person should provide the group with an organized agenda, brief overviews of the agenda items and visual aids to increase rapid understanding of the issues.
4. Some meetings should be devoted to planning and "background" presentations. This is a time for bringing in other city staff and possibly other citizens. These sessions save a great deal of time in deliberative discussions and greatly increase the quality of decisions.

5. Have board members occasionally make oral presentations of group work to the City Council. The process of preparing such a report greatly enhances the group's ability to put actions into concise and understandable form.

THE INSIDER TRAP

Boards, commissions and committees exist in part to broaden the view of the City Council and staff, serving as a conduit between City Hall and the community. These groups also provide citizens a glimpse into the workings of City Hall. But almost from the outset, factors may be at play to make the board member more of a City Hall insider and less of a private citizen. Some counter measures which might be employed to avoid this outcome are:

1. Boards, commissions and committees, with staff assistance, should determine how representative they are of community views. Where gaps exist, perhaps subcommittees can be appointed, subject to Council review and approval.
2. Board, commission and committee members should insist that city staff avoid presenting proposals and information in jargon and technical terms. Staff should avoid thinking they are obligated to "train" board members to use technical and professional language.
3. Advisory committee members should insist that staff bring them primarily policy oriented proposals and not administrative matters for decision.
4. Advisory committee members should stress plans, policies and broad structure. They should not become advocates of a department or departmental concerns.

NOTE ON PRESS RELATIONS

PRESS RELATIONS

Most city committees, boards and commissions are not covered by the local press. However, the press pays close attention to those that are more high-profile. Such boards and their staff liaisons should be prepared to deal with the press. In dealing with the press, keep in mind that often the reporter with the least experience in local government is assigned to cover it. The reporter's unfamiliarity with the issues, coupled with racing to meet inflexible deadlines, can lead to inaccurate reporting. To minimize inaccurate reporting, interviews should be conducted with the goal of educating the press as well as the public. Thus, the chairperson should not assume that the reporter is familiar with the committee's subject matter. Cooperating with the press and supplying them with useful information will lead to more accurate reporting. This is mutually beneficial to the committee and the press.

AN OVERVIEW OF BOARD AND COMMISSION MEMBER LEGAL LIABILITY

THE NATURE OF CITY BOARDS AND COMMISSIONS

It is important to understand that city boards, commissions and committees are not legislative bodies, which means that they cannot create new regulations or standards but can work within the framework that is established by the City Council or the state legislature. As described in an earlier section, some boards and commissions are fact-finding bodies which have the power to require the presentation of evidence after their jurisdictions have been evoked. They are “judicial” type bodies when they render a decision based on the factual material presented to them, which decision resolves a single case. The term used, generally, to identify a board or commission with those kinds of powers is “quasi-judicial”.

AUTHORIZED CONDUCT

The boundaries of authorized conduct are drawn by common law, civil statutes and penal statutes. Acts by officials which are extra-legal or, more accurately, extra jurisdictional which are not prescribed by statute are called **ultra vires** acts. This is a Latin term which means “beyond power” and is used in modern legal terminology to define acts which are beyond the scope of power of a corporation granted to it by its charter but not prohibited by law. It is also applied to designate acts which are within the scope of powers but which are performed irregularly and to acts of the officials of the corporation within those categories. Acts by a board or commission member, or the collective act for the board or commission, which is beyond authority of the board or commission granted by ordinance or statute would be **ultra vires** acts because the city is a corporation and the same definitions apply.

WHAT IS A PUBLIC SERVANT?

The acts prescribed by statute are both civil and penal in nature and have broad application affecting public officials. The Texas Penal Code, for example, defines public servant as a “person elected, selected, appointed, employed or otherwise designated...to perform a government function”. The penal code prohibits several kinds of conduct based on an intent to obtain a benefit for himself or to harm another. It prohibits intentionally or knowingly doing any of the following: 1) an unauthorized exercise of official power; 2) an act which exceeds his power; 3) refraining from performing his duty; 4) violating a law relating to his office; and 5) taking or misapplying anything of value belonging to the governmental body. Government, for the purpose of the penal code, means “the state, county, municipality, political subdivision of the state; or any branch or agency of the state”. The public servant, as defined, also commits an offense if he acquires or assists another in acquiring property or anything of value by the use of information to which he has access which has not been made to the public.

CONFLICT OF INTEREST

The most difficult area to define in which problems might occur is the area of conflict of interest. The portion of the penal code discussed above is intended to prevent conflict of interest on the part of public officials, but the difficulty arises in determining exactly what constitutes a conflict of interest. In a San Antonio case several years ago, a county commissioner who voted favorably for the purchase of voting machines was discovered to have a commission contract with the successful bidder. Although it was shown that, for some undisclosed reason, the commissioner would receive no money from the sale of the voting machines to the county, he was determined to have a conflict of interest, and the sale was voided by the court. The court remarked that in this transaction it is presumed that the commissioner was not in a position to give the county his undivided loyalty when he was so vitally interested in the business of the company in other parts of the state.

In another San Antonio case, a contract was voided by the court because the city entered into a contract with an electrical contracting company of which one-third of the stock was owned by a member of the city's electrical board. The court found that the board member was a city official and that the contract with his company placed him in a conflict of interest situation. The contract was therefore voided. It is generally said that, if a city official receives any personal or pecuniary benefit from a contract, it is void; that in all official action, the law directs that the city official serve only one master - the city.

If it can be shown that the position of an official was such that the contract should be voided, then it would not be much more difficult to bring some action that he might have taken within those sections of the penal code set out above and bring some of that criminal liability to rest upon him. It is a far different proposition to be liable to the state than it is to be personally liable to some individual. The state can take some of your time, as well as your money. This area of the law should present your greatest concern.

A recent state law has made clear the guidelines a public official should know concerning conflict of interest. The following are current guidelines as set out by Article 988b (V.R.C.S.):

A local public official is said to have a substantial interest in a business under the following circumstances:

1. The interest or ownership of ten percent (10%) or more of a business entity or ownership of \$2,500 or more of the fair market value of the business entity.

2. Funds received by the person from the business entity exceed ten percent (10%) of the person's gross income for the previous year
3. A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more

Under the new statute, a local public official commits a Class A misdemeanor if he knowingly does one of the following:

1. Participates in a vote or decision on a matter involving a business entity in which the local public official has a substantial interest. If it is reasonably foreseeable that an action on the matter would confer an economic benefit to business entity involved
2. Acts as a surety for a business entity that has a contract to do work or other business with a governmental entity
3. Acts a surety on an official bond required of an officer of the governmental entity

This law also applies to the local public official if the vote involves a relative in the first or second degree of affinity or consanguinity when that relative has substantial interest in a business entity that would be affected thereby. Under the above-mentioned circumstances, the local public official must file an affidavit stating the nature and extent of his/her interest. The affidavit must be filed with the official record keeper of the government entity. In this particular case, it will be the City Secretary. See Appendix B and Appendix C at the end of the handbook for copies of the forms to be used under such circumstances where a conflict of interest arises.

The affidavit in Appendix B is based on state law and only applies to quasi-judicial boards and commissions with actual governmental authority and City Council members. It does not apply to bodies that are primarily advisory in nature. The affidavit in Appendix C is based on the City of Corpus Christi's ethics ordinance. It is applicable to all boards, committees and commission, not just those with governmental authority. **Please note that consultation with a private attorney is suggested where specific issues arise.**

PERSONAL LIABILITY

As a general rule, quasi-judicial officers cannot be held personally liable for erroneous acts while honestly exercising the judicial or quasi-judicial functions of their offices. However, if a court finds that excessive acts were performed not in good faith or that the assumption or jurisdiction was not made in good faith, then the

officer will subject himself to civil liability. This does not necessarily mean that a fine will be imposed because civil sanctions are imposed specifically by statute or generally by common law. As previously stated, if the legislature prescribes certain act(s) and says that it or they will carry out certain penalties, then those penalties will be applied. However, if the infraction involves a monetary loss, then the officer may also be held liable for these damages. If, on the other hand, no civil penalties are imposed, the aggrieved person is left to other remedies carried over from common law and can seek to have an act enjoined or have a person compelled to perform an act. In addition, if such person can prove harm caused by the act, then damages may also be assessed.

(The preceding quoted excerpts are taken from "The Handbook for Mayors and Council Members in Home Rule Cities," Texas Municipal League, Austin, TX 1984 and pertain more to members of the City Council.)

CITY CODE OF ETHICS

The City Code of Ethics provides the specific ethical standards that board, commission and committee members are held to during the execution of their duties as city officials. The Code of Ethics also applies to the Mayor and Council. Please refer to pages 43-63 for the full text.

ARTICLE V. CODE OF ETHICS **DIVISION 1. RULES OF CONDUCT**

Sec. 2-310. Preamble.

The purpose of this Code of Ethics is to promote public trust by establishing rules of conduct for city council members, board members, and employees; by providing a fair process for receiving and adjudicating complaints; and by requiring periodic financial disclosure. The rules of conduct form the basis for possible sanctions, and are therefore intended to clearly define proper conduct so that those who must comply may understand the rules and carry out their responsibilities consistently with the rules. It is recognized that situations with ethical implications will arise outside the prohibitions of the rules; in such situations, council members, board members, and employees are encouraged to keep in mind the ideal of the public trust and to conduct themselves in a manner to avoid the appearance of impropriety even where not compelled by the rules.

If a council member believes that he/she should abstain from voting on an item to avoid the appearance of impropriety, as encouraged by this Code of Ethics Ordinance, or who in discussing or voting on an issue is unable to take an unbiased

position, that council member shall be disqualified from discussions about and subsequent voting for that item under this city ordinance.

The city recognizes that city council members are also members of the society and, therefore, cannot and should not be without any personal and economic interest in the decisions and policies of government; that city council members retain their rights as citizens to interests of a personal or economic nature and their rights to publicly express their views on matters of general public interest. It is not the intent of this ordinance to diminish the rights of city council members as citizens of the community.

However, city council members may not use their positions in dealing with the city manager or city employees to advance their personal economic interest, their families' economic interest, or the entities in which they have a substantial interest.

Sec. 2-311. Standards.

The following rules of conduct apply to all council members, board members, and employees:

Special privileges.

- (1) You shall not use your office for private advancement or gain or to secure special privileges or exemptions for yourself or others.
- (2) You shall not grant any special consideration, treatment or advantage to any person or group beyond that which is available to others generally.
- (3) (a) You shall not use city facilities, personnel, equipment or supplies for purposes unrelated to the interests of the city, except to the extent such are lawfully available to the public. Notwithstanding the foregoing sentence, Corpus Christi police officers, airport public safety officers and municipal court marshals may wear their city-issued uniforms, badges, and other uniform attire, may use their city-issued radios, and may carry their city-issued weapons, on approved off-duty law enforcement employment; and Corpus Christi fire fighters may wear their city-issued uniforms, badges, and other uniform attire, and use their city-issued radios on approved off-duty fire watch employment.
(b) You may not spend or authorize the spending of public funds for political advertising. This prohibition does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure. This paragraph shall be construed consistently with Texas Election Code Section 255.003.

- (4) Unless you are a council member, you shall not use the prestige of your position with the city on behalf of any political party or cause.

Gifts:

- (5) You shall not accept or solicit any money, property, service or other thing of value by way of gift, favor, loan or otherwise that might reasonably tend to influence you in the discharge of your official duties or which you know or should have known was offered with the intent to influence or reward your official conduct.
 - (5)(a) Special applications. Subsection 2-311(5) does not include:
 - (1) A gift to a city official or employee relating to a special occasion, such as a wedding, anniversary, graduation, birth, illness, death, or holiday, provided that the value of the gift is fairly commensurate with the occasion and the relationship between the donor and recipient;
 - (2) Advancement for or reimbursement of reasonable expenses for travel in connection with official duties provided by third parties must be disclosed in the travel report; payment for or reimbursement of expenses for travel in excess of authorized rates under city policy will be treated as a personal gift to the official or employee for any applicable reporting requirement;
 - (3) A public award or reward for meritorious service or professional achievement, provided that the award or reward is reasonable in light of the occasion and it is not prohibited under Texas Penal Code Section 36.08 (Gift to Public Servant by Person Subject to His Jurisdiction);
 - (4) A loan from a lending institution made in its regular course of business on the same terms generally available to the public;
 - (5) A scholarship or fellowship awarded on the same terms and based on the same criteria that are applied to other applicants;
 - (6) Any solicitation for civic or charitable causes;
 - (7) Admission to an event in which the city official or employee is participating in connection with his or her spouse's position;
 - (8) Ceremonial and protocol gifts presented to city officials from a foreign government or international or multinational organization and accepted for the City of Corpus Christi;
 - (9) Admission to a widely attended event, such as a convention, conference, symposium, forum, panel discussion, dinner, viewing, reception or similar event, offered by the sponsor of the event, and unsolicited by the city official or employee, if attending or participating in an official capacity, including:

- (A) the official or employee participates in the event as a speaker or panel participant by presenting information related to matters before the city; or
 - (B) the official or employee performs a ceremonial function appropriate to that individual's position with the city; or
 - (C) attendance at the event is appropriate to the performance of the official duties or representative function of the official or employee;
- (10) Admission to a charity event provided by the sponsor of the event, where the offer is unsolicited by the city official or employee;
- (11) Admission to training or education program or other program, including meals and refreshments furnished to all attendees, if such training is related to the official or employee's official duties and the training is in the interest of the city.
- (6) In the event you receive any gift or loan of property or services on behalf of the city, you shall promptly deliver such gift or loan to the city manager for official acceptance and inventory of the city.

Conflicts of interest:

- (7)
- (A) If a contract or business transaction involving the city, in which you or one of your relatives have a conflict of interest or potential conflict of interest comes before you in the performance of your official duties, you shall take the following actions:
 - (i) Immediately make a written disclosure of your interest in the matter to the city secretary and city manager.
 - (ii) Abstain from any vote or decision.
 - (iii) Not participate in any discussion on the matter with members of the council, the city manager, or city employees.
 - (B) You may not use your position to influence the action of a city official or employee in the performance of their duties related to a contract or business transaction in which you or one of your relatives have a conflict of interest or potential conflict of interest.
 - (C) If you were initially not aware that you or a relative has a conflict or potential conflict of interest, you must comply with (7)(A) as soon as you become aware that you have or should have been aware that you have the conflict or potential conflict of interest.
 - (D) However, you may apply for city services or discuss your personal interest with a city representative on behalf of your own

interest if you notify the city secretary and city manager in writing that you have a personal interest in a matter that requires action by the city, and that you are acting strictly in your private capacity, and not as a member of the city council or board or as a city employee and you advise any member of the city council, city board or commission, or any city employee you are dealing with that you are appearing only in your private capacity.

- (8) You shall not engage in any outside activities or employment which will conflict or be incompatible with the full and proper discharge of your official duties, impair your independent judgment in the performance of your duties, or reflect discredit upon the city.
- (9) You shall not represent any other private person, or group or interest in any action or proceeding against or adverse to the interest of the city or in any litigation in which the city is a party.
- (10) You shall not represent any other private person or group in any action or proceeding in the municipal courts of the city which was instituted by city officers or employees in the course of their official duties.
- (11) You shall not receive any fee or compensation for your official services from any source other than the city except as may be provided by law or authorized by the city council.

Actions adverse to the city:

- (12) You shall not disclose information that could adversely affect the property or affairs of the city.
- (13) You shall not knowingly perform or refuse to perform any act in order to deliberately thwart the execution of federal, state or local laws or regulations or the achievement of any official city programs.
- (14) You shall not engage in any felony crime, misdemeanor involving moral turpitude, or other conduct that reflects discredit on the city.

Provisions for council members:

- (15) As a council member, you shall not have a substantial interest in any contract with the city.
- (16) In order to preserve and promote independent advice and decisions from city boards and the integrity of the independent board process as a council member, you shall not speak before any city board, commission or committee except on behalf of your own financial interest; in which case, you shall publicly state the nature of your financial interest and that you are appearing only in your private capacity.

- (17) As a council member, you shall not give any orders to any employee except through the city manager as provided by the city charter.
- (18) As a council member, you shall not participate in the process for the appointment of or the confirmation of the appointment of a member to a board, commission or committee of the city, or to the governing body of an independent entity all or part of whose members are appointed by the city council, after you are aware that an individual seeking, being promoted for, or being considered for the position:
 - (1) is related to you within a degree described by Section 573.002, Texas Government Code;
 - (2) is your employer;
 - (3) is a director or officer of a business entity (as defined in Section 171.001, Texas Local Government Code) which is your employer; or
 - (4) owns ten (10) percent or more of the voting stock or shares of a business entity which is your employer.

Provisions for board members:

- (19) As a board member, you shall not have a substantial interest in any contract with the city in which your board or commission, or the city department related thereto, has jurisdiction.
- (20) As a board member, you shall not represent or appear on behalf of the private interest of others before your board, commission or committee, the city council, or any board which has appellate jurisdiction over your board, commission or committee, concerning a matter which is within the subject matter jurisdiction of your board. (This rule does not prohibit you from appearing on behalf of your own financial interest even though others may have the same or a similar interest.)

Provisions for employees:

- (21) As an employee you shall not have an interest in any contract with the city.

This prohibition does not include any employment contract which may be authorized for the employee, a contract of sale for real property or a contract for services which are available for all citizens.
- (22) Unless previously recommended by the City Manager, and approved by the Ethics Commission, as an employee, you shall not, within twelve (12) months after leaving city employment, represent any other person or organization in any formal or informal appearance with the city council or any other agency or employee of the city concerning a

- project for which you had responsibility as an employee.
- (23) As an employee, you shall not represent or appear on behalf of the private interest of others before the city council or any board, commission or committee of the city. (This rule does not prohibit you from appearing on behalf of your own financial interest even though others may have the same or a similar interest).
- (24) As an employee, you may not be employed by any business or individual who has business dealings with or for your department, including any work that is subject to review or inspection by your department, even if you do not personally review or inspect the work of the business or individual.

Sec. 2-312. Definitions.

The following definitions apply to the above rules of conduct:

Board member: A member of any board, commission or committee of the city, including the board of any corporation created by the city.

Conflict of interest: Any interest, reasonable expectation of an economic benefit, substantial interest, or anticipated substantial interest in a matter or business transaction involving the city that could influence an individual's ability to make an impartial decision.

Economic benefit: An action that is likely to affect an economic interest if it is likely to have an effect on that interest that is distinguishable from its effect on members of the public in general or a substantial segment thereof.

Employee: Any person employed by the city, whether under civil service or not, including part-time employees and employees of any corporation created by the city.

Interest: Any direct or indirect pecuniary or material benefit in a contract or transaction other than:

- (1) An interest which is shared by and available to all other persons similarly situated; or
- (2) A remote or incidental interest which would not increase or decrease materially due to the action of the city or is less than two hundred dollars (\$200.00) in value; or
- (3) An interest of a subcontractor which has no direct contractual relationship with the city, is receiving fair and reasonable compensation, and is not operating as a subterfuge to circumvent the code of ethics; or
- (4) An interest in real property acquired by the city which could otherwise be accomplished only through eminent domain provided that the property must be acquired for a public purpose and just compensation must be paid under the Texas Constitution after obtaining an independent appraisal.

Relative: Spouse, father, mother, brother, sister, son, daughter, spouse's children, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law and adoptive relationships being treated the same as natural relationships.

Substantial interest: Any interest in a business entity if the person or relative owns ten (10) per cent or more of voting stock or shares of the business entity or owns ten (10) per cent or more or five thousand dollars (\$5,000.00) or more of the fair market value of the business entity or funds received from the business entity exceeds ten (10) per cent or more of the person's gross income for the previous year. A person has a substantial interest in real property if he or his relative controls or has an equitable or legal ownership interest with a fair market value of two thousand five hundred dollars (\$2,500.00) or more.

Sec. 2-313. Effect of violation.

A violation of these rules of conduct shall subject the council member, board member or employee to appropriate disciplinary proceedings, but such violation shall not render the action of the city voidable by the city unless the action would not have been approved without the vote of the person who violated the rules of conduct.

Sec. 2-314. Exceptions to abstention requirement.

The requirement that a council member or board member abstain from voting on a matter or participating in discussion as contained in rule 7 of the rules of conduct shall not apply in the following situations, provided that such person has complied with the requirements of written disclosure of the interest:

- (a) In the event a majority of the members of the council or the board, commission or committee have filed a written disclosure of a conflict of interest on the matter and would be required to abstain; or
- (b) On the final approval of the budget when the person has abstained from a separate vote taken on the particular budget item pertaining to the conflict of interest and action or that particular item has been resolved.

Sec. 2-315. Freedom of expression.

Nothing contained in the code of ethics shall abridge the right of any citizen, whether or not a council member, board member or employee, to exercise his or her right of expression under the U.S. or Texas Constitutions.

Sec. 2-316. Lobbyist registration.

Subsection A. Persons required to register as lobbyists.

- (a) A person who engages in lobbying must register with the city secretary if, with respect to any client, the person engages in lobbying activities for compensation.
- (b) The following persons are not required to register under subsection (a):
 - (1) Media outlets. A person who owns, publishes or is employed by:
 - (A) a newspaper;
 - (B) any other regularly published periodical;
 - (C) a radio station;
 - (D) a television station;
 - (E) a wire service; or
 - (F) any other bona fide news medium that in the ordinary course of business disseminates news, opinions, or paid advertisements that directly or indirectly oppose or promote municipal questions to seek to influence official action relating thereto, if the person does not engage in other activities that require registration under Part E. This subsection does not exempt the news media or a person whose relation to the news media is only incidental to a lobbying effort or if a position taken or advocated by a media outlet directly impacts, affects, or seeks to influence a municipal question in which the media outlet has a direct or indirect economic interest.
 - (2) Mobilizing entity constituents. A person whose only lobbying activity is to encourage or solicit the members, employees, or owners (including shareholders) of an entity by whom the person is compensated to communicate directly with one or more city officials to influence municipal questions. This exception is intended to apply to neighborhood and other similar not-for-profit organizations.
 - (3) Governmental entities. Governmental entities and their officers and employees, provided the communications relate solely to subjects of governmental interest concerning the respective governmental bodies and the city.
 - (4) Unknown municipal questions. A person who does not know and has no reason to know that a municipal question is pending at the time of contact with a city official.
 - (5) Dispute resolution. An attorney or other person whose contact with a city official is made solely as part of resolving a dispute with the city, provided that the contact is solely with city officials who do not vote on or have final authority over any municipal question involved and so long as such an attorney complies with Rule 4.02 of the Texas Disciplinary Rules of Professional Conduct, as amended.

Subsection B. Definitions.

The following words and phrases have the meaning ascribed to them in this section unless the context requires otherwise:

- (a) *City official* means the members of the city council, city manager, deputy and assistant city managers, city secretary, city attorney, assistant city attorneys, department heads, municipal court judges, and all members of any board, commission or committee of the city, including the board of any corporation created by the city.
- (b) *Client* means any person on whose behalf lobbying is conducted. In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is the coalition or association and not its individual members.
- (c) *Compensation* means money, service, facility or other thing of value or financial benefit that is received or is to be received in return for or in connection with services rendered or to be rendered. Compensation does not include a payment made to any individual regularly employed by a person if (1) the payment ordinarily would be made regardless of whether the individual engaged in lobbying activities and (2) lobbying activities are not part of the individual's regular responsibilities to the person making the payment. Compensation does not include the financial gain that a person may realize as a result of the determination of a municipal question, unless that gain is in the form of a contingent fee.
- (d) *Lobby or lobbying* means any oral or written communication (including an electronic communication) to a city official, made directly or indirectly by any person in an effort to influence or persuade an official to favor or oppose, recommend or not recommend, vote for or against, or take or refrain from taking action on any municipal question. The term lobby or lobbying does not include a communication:
 - (1) merely requesting information or inquiring about the facts or status of any municipal question, matter, or procedure, and not attempting to influence a city official;
 - (2) made by a public official or employee acting in his or her official capacity;
 - (3) made by a representative of a media organization if the purpose of the communication is gathering and disseminating news and information to the public;
 - (4) made in a speech, article, publication, or other material that is distributed and made available to the public, or through radio, television, cable television, or any other medium of mass communication;
 - (5) made at a meeting open to the public under the Open Meetings Act;

- (6) made in the form of a written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;
- (7) made in writing as a petition for official action and required to be a public record pursuant to established city procedures;
- (8) made in writing to provide information in response to an oral or written request by a city official for specific information;
- (9) the content of which is compelled by law;
- (10) made in response to a public notice soliciting communications from the public and directed to the official specifically designated in the notice to receive such communications;
- (11) made on behalf of an individual with regard to that individual's employment or benefits;
- (12) made by a fact witness or expert witness at an official proceeding;

or

(13) made by a person solely on behalf of that individual, his or her spouse, or his or her minor children.

- (e) *Municipal question* means a public policy issue of a discretionary nature pending or impending before city council or any board or commission, including but not limited to proposed action, or proposals for action, in the form of ordinances, resolutions, motions, recommendations, reports, regulations, policies, nominations, appointments, sanctions, and bids, including the adoption of specifications, awards, grants, or contracts. The term municipal question does not include the day-to-day application, administration, or execution of city programs and policies.

Subsection C. Registration.

- (a) A registration form shall be completed and filed by a person required to register prior to the commencement of lobbying activity for a client.
- (b) A separate registration form must be filed for each client.
- (c) The registration shall be on a form prescribed by the city secretary and shall include, to the extent applicable:
 - (1) the full name, phone number, permanent address, and nature of the business of:
 - (A) the registrant;
 - (B) the client;
 - (C) any lobbying firm for which the registrant is an agent or employee with respect to the client; and
 - (D) each employee or agent of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client;
 - (2) a statement of all municipal questions on which the registrant will

- lobby for the client.
- (d) A registrant shall file an amended registration if the information contained in the current registration changes or is incorrect.
 - (e) A registrant may file a termination of registration when no longer required to register.

Secs. 2-317--2-319. Reserved.

DIVISION 2. ETHICS COMMISSION

Sec. 2-320. Establishment.

An ethics commission is created and shall consist of nine (9) members. The city council shall solicit nominations for the ethics commission from a wide variety of professional and community organizations in the city. Interested individuals may also submit their names for consideration. Members of the commission may not hold or be a candidate for any city elected or appointed office. The city council shall appoint the members of the ethics commission by a two-thirds (2/3) vote of the full council.

Sec. 2-321. Terms.

Members shall hold office for three-year terms commencing October 1. In order to establish staggered terms, however, the initial terms of three (3) members shall be one year, and the initial terms of another three (3) members shall be two (2) years. The persons serving such shorter terms shall be determined by lot. No holding over is permitted except as expressly provided in this code of ethics.

Sec. 2-322. Removal.

In addition to the council's usual powers of removal, members of the commission may be removed by a majority of the council for cause. In considering a complaint filed with the city secretary or on its own initiative, the council may follow the procedures hereinafter set forth regarding the disposition of such alleged violations.

Sec. 2-323. Vacancies.

All vacancies shall be filled for the unexpired terms. A member shall hold office until his successor has been appointed, and shall continue to hold office after his successor has been appointed for the limited purpose of disposition of all complaints filed and for which presentation of evidence was commenced during that member's term.

Sec. 2-324. Chairperson; quorum.

The commission shall elect a chairperson and a vice-chairperson. The vice-chairperson shall act as chairperson in the absence of the chairperson or in the event of a vacancy in that position. The officers of the commission shall serve one-year terms. A majority of the members of the commission shall constitute a quorum.

Sec. 2-325. Meetings.

The commission shall have such meetings as may be necessary to fulfill its responsibilities. The chairperson or any three (3) members may call a meeting provided that reasonable notice is given to each member.

The commission shall meet at least once a year. The date of the annual meeting shall be in September as set by the commission.

The commission shall comply with the Texas Open Meetings Act.

Sec. 2-326. Duties.

- (a) The commission shall, in addition to its other duties:
 - (1) Review all proposed changes to this ordinance and make recommendations to city council before being placed on a city council agenda for action.
 - (2) Prepare and publish pamphlets and other materials explaining the duties of individuals subject to the code of ethics. Such materials shall include instructions to the public about how to obtain information such as financial disclosures, campaign reports, and the like from the city.
 - (3) Review all statements and reports filed with the city.
 - (4) Annually review the code of ethics and make appropriate recommendations to the city council after conducting a public hearing on any such recommendations.
 - (5) Review all public opinions related to the code of ethics that are issued by the city attorney.
 - (6) Prepare and disseminate a report listing all campaign contributions and expenditures for each candidate within thirty (30) days following the deadline for filing the last campaign finance reports for each city council election. For the purposes of this provision, a general election and run-off election shall be considered as a single city council election.
- (b) The commission may:

- (1) Adopt rules of procedure for the conduct of its business and to carry out the provisions of the code of ethics, consistent with the code of ethics and other applicable law.
- (2) Prepare reports and studies to advance the purposes of the code of ethics.
- (3) Request the city council and city manager to provide such assistance as it may require in the discharge of his duties.

Sec. 2-327. Staffing.

The commission shall be assigned staff by the city attorney to assist in its duties. The commission shall also designate independent legal counsel, and when complaints are filed, such independent legal counsel may be utilized to advise the commission and participate in hearings.

Sec. 2-328. Legal opinions and services.

- (a) Any council member, employee or board member may submit a written request to the city manager for an opinion concerning the meaning or effect of any section, word or requirement of the code of ethics as it affects such official, employee or board member. The city manager shall submit such request to the city attorney, who will promptly issue a written opinion to the city manager. Such opinion shall be filed with the city secretary with a copy to the requesting person shall constitute an authoritative determination of the meaning of this article, until amended by the council.
- (b) If a complaint is filed with the ethics commission about any specific action, omission or alleged conflict of interest by the charged person which has been the subject, in whole or in part, of a city attorney's opinion, the independent legal counsel shall act as the commission's attorney on said complaint.

Sec. 2-329. Jurisdiction of commission.

The ethics commission shall have jurisdiction of complaints involving any "city official" which includes the mayor and members of the city council, city manager, deputy and assistant city managers, city secretary, city attorney, department heads, and municipal court judges (including substitute judges), and all members of any board, commission or committee of the city, including the board of any corporation created by the city.

Sec. 2-330. Complaints.

- (a) A sworn complaint alleging violation of the code of ethics shall specify

the provisions of the rules of conduct alleged to have been violated and facts alleged to constitute the violation.

- (b) Upon the sworn complaint of any one (1) person filed with the city secretary's office, the commission shall consider possible violations of the code of ethics by city officials and board members and former city officials and board members other than members of this commission. In addition, the commission shall consider such possible violations when referred to it as a complaint by majority vote of all council members holding office and qualified to vote thereon. The council may direct the city attorney to draft such referred complaint, which shall be reviewed as other complaints hereunder. The council members voting for the complaint shall sign the complaint.
- (c) A complaint alleging a violation must be filed with the city secretary within six (6) months from the date the complainants knew or should have known of the action alleged as a violation, and not afterward.
- (d) Not later than three (3) working days after the city secretary receives a sworn complaint, he or she shall acknowledge receipt to the complainants, and provide a copy to the city attorney, the commission and the person complained against. Not later than thirty (30) days after receipt of a complaint by the city secretary, the commission shall notify in writing the persons who made the complaint and the person complained against whether it intends to schedule a hearing or take other action concerning the complaint. The person complained against shall have ten (10) days to submit a written response to the complaint prior to the commission deciding whether to hold a hearing. The complainants shall have one opportunity within fifteen (15) days of any denial of their original complaint by the commission to amend their complaint and refile the same with the commission.
- (e) If the commission determines such party's complaint or defense was groundless, legal fees incurred by the complainants, the commission, and the party complained against, in an amount determined reasonable by the commission may be awarded against the unsuccessful party. "Groundless" means (1) without basis or fact, or (2) not warranted by law or reasonably arguable interpretation thereof. The complainants shall not be liable for such fees if the commission has determined grounds exist for a hearing.

Sec. 2-331. Ex parte communications.

After a complaint has been filed and during the pendency of a complaint before the commission, a member of the commission may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the commission.

Sec. 2-332. Hearing.

- (a) The hearing shall be held as expeditiously as possible following the determination by the commission to conduct a hearing on a particular matter. The commission may grant two (2) postponements, not to exceed fifteen (15) days each, upon the request of the person complained against; provided, however, the commission may also delay commencement of a hearing for good cause such as a hurricane or unavailability of a material witness.
- (b) The issue at hearing shall be whether the violation alleged in the complaint occurred. The commission shall make its determination based on the preponderance of credible evidence in the record. All witnesses shall testify under oath. Strict rules of evidence shall not be required; however, the commission shall require that all evidence be of such quality that persons customarily rely on in the conduct of serious affairs. If the commission determines that a violation has occurred, it shall state its findings in writing, shall identify the particular provisions which have been violated, and within five (5) working days shall deliver a copy of the findings to the complainants, the person complained against, and the city secretary.

Sec. 2-333. Oaths.

If a complaint proceeds to hearing, the commission may subpoena witnesses to attend and testify, administer oaths, take evidence and subpoena the production of books, papers, records or other evidence needed for the performance of the commission's duties or exercise its powers, including its duties and powers of investigation.

Sec. 2-334. Sanctions.

- (a) If the commission determines that a violation occurred, it shall proceed directly to determine its recommendation of appropriate sanctions. The affirmative vote of a majority of the members holding office and qualified to vote shall be required for the determination that a violation has occurred and the recommendation any sanction under this code of ethics. The commission may receive additional testimony or statements before considering sanctions, but is not required to do so.
- (b) If the commission determines that a violation has occurred, it may recommend the following:
 - (1) Against a council member or against a board member or city official appointed or confirmed by the council, reprimand, temporary suspension, removal or any other sanction or

corrective action within the power of the city council, or recall by the citizens.

- (2) Against a city official other than those in (1), that appropriate action be taken, as deemed necessary by the city manager.
- (c) In determining its recommendation, the commission shall consider the seriousness of the violation, the importance of deterrence, the impact on public confidence in government, the violations' repeated or isolated nature, the mental state with which the violation was committed, and the prior record of the person complained against. The recommendation shall be reduced to writing and transmitted to the supervisory authority and to the person complained against.
- (d) If the commission finds that conduct occurred which, if willful, would violate the rules of conduct, but the commission cannot determine that the conduct was a willful violation because of ambiguity as to the meaning of the standard of conduct involved, the commission will recommend no sanction, but will issue a clarifying interpretation to guide future cases.
- (e) Nothing in the code of ethics shall change or affect the civil service, at will, or other status of any employee, city official, or board member as established by the city charter and ordinances.
- (f) The city council or supervisory authority shall consider the recommendation of the commission, but will exercise its own judgment and discretion in determining what action, if any, to take.
- (g) If the commission determines that a violation of any criminal law has occurred, it shall deliver a copy of its findings to the complainants, the person complained against, and the city attorney, recommending whether prosecution should be initiated or setting forth requirements to be complied with in order that voluntary compliance requirements may be had. Said findings shall also be delivered to the county attorney or district attorney, if a violation may be within their jurisdiction.

Secs. 2-335--2-339. Reserved.

DIVISION 3. FINANCIAL DISCLOSURE

Sec. 2-340. Required reports.

On or before the last Friday of April of each year, reporting officials shall file with the city secretary an annual report of financial information covering January 1 through December 31 of the previous year. Council members and planning commission members shall also file with the city secretary a supplemental report of financial information by the last Friday of July of each year covering the most recent January 1 through June 30.

Sec. 2-341. Definitions.

The following definitions shall apply to these financial disclosure provisions:

Person: An individual, proprietorship, firm, partnership, joint venture, syndicate, trust, company, corporation, association, committee, estate, receiver, entity or any other organization or group of persons acting in concert, whether profit or nonprofit.

Relative: Spouse, father, mother, brother, sister, son, daughter, spouse's children, grandfather, son-in-law, daughter-in-law, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandfather-in-law, grandmother-in-law, uncle by marriage, aunt by marriage, nephew's wife, niece's husband, grandson-in-law, granddaughter-in-law, and first cousin's spouse, adoptive relationships being treated the same as natural relationships.

Reporting official: The mayor and members of the city council, city manager, deputy and assistant city manager, city secretary, city attorney, department heads, municipal court judges (including substitute judges), and all members of the planning commission, ethics commission, civil service board, civil service commission, Corpus Christi Health Facilities Development Corporation, Corpus Christi Housing Finance Corporation, Corpus Christi Housing Improvement Corporation, Corpus Christi Industrial Development Corporation and the attorney who serves as local issuer's counsel for and any executive employee hired by the above corporations.

Sec. 2-342. Content of reports.

The reports required shall contain the following information for the reporting period by separate listing. In this section, the report for the reporting official shall include all such information for the reporting official's spouse, but information relating

to the spouse need not be segregated from that relating to the reporting official.

- (a) Name and residence address.
- (b) All professional, occupational, business licenses held by the reporting official.
- (c) The names of any businesses with which the reporting official was actively engaged or associated, and the principal address and phone number of each, together with the position or title held. (This list should not include interests in or positions with any businesses which are required to be reported in other provisions of this section.)
- (d) The names and addresses of all sources of income which exceed ten (10) per cent of the reporting official's gross income, or five thousand dollars (\$5,000.00) in salary, bonuses, commissions or professional fees, or twenty thousand dollars (\$20,000.00) in payment for goods, products or non-professional services. If the reporting official is self-employed or owns or controls at least a twenty (20) per cent interest in a partnership, corporation or other entity through which the reporting official does business, the reporting official shall also report the names and addresses of the clients or customers who do business with the city from whom the reporting official, partnership, corporation or other entity received at least ten (10) per cent of its gross income. Prior to each reporting deadline, the city shall publish a list of the names and addresses of the persons who do business with the city in the amount of ten thousand dollars or more each year (excluding utility services or the payment of taxes) which reporting officials may rely upon for the purposes of complying with this provision. A reporting official operating a business as a sole proprietor shall not be required to report a client or customer under this subsection he or she would not have to report if operating as a corporation or partnership.
- (e) The names and addresses of all corporations, partnerships or other business organizations in which the reporting official held, owned, acquired or sold stock or other equity ownership having a value exceeding five thousand dollars (\$5,000.00) or equivalent to ten (10) per cent or more of the stock or equity in the entity.
- (f) An itemized list of all real property in Nueces County or any adjoining county in which the reporting official held any legal or equitable ownership with a fair market value of two thousand five hundred dollars (\$2500.00) or more, The list shall include a description sufficient to locate the property.
- (g) The name and address of any person to whom the reporting official was indebted in excess of ten thousand dollars (\$10,000.00) together with the dates any such debts were incurred. "Indebted" includes obligations on which the reporting official is a guarantor or co-signer, in which case

the names of the borrower and lender shall be listed.

- (h) The name and address of any person who is an obligor on any note, bond, loan or any other similar obligation, written or unwritten, owed to the reporting official which in the aggregate equal ten thousand dollars (\$10,000.00) or more together with the dates of such obligations.
 - (i) A list of all contracts with the City of Corpus Christi, including the date, term, type of good or services provided and the amount of the contract.
- (j) All boards of directors or governing bodies of which the reporting official is a member, and all offices or executive positions the reporting official holds in corporations, partnerships, limited partnerships, professional corporations, associations, or other entities, including non-business and non-profit entities, stating the name of each entity and position held, and excluding entities owned or created by the city.
- (k) The names and addresses of all persons from whom the reporting official received gifts or favors, including but not limited to trips, excursions, food, lodging, money, commodities or services, cumulatively exceeding two hundred dollars (\$200.00) in value. The nature and date of each gift received shall be specified. Provided, however, campaign contributions reported as required by state law and gifts or favors from relatives need not be reported hereunder.
 - (l) The names and addresses of all persons from whom the reporting official received gifts or favors, including but not limited to trips, excursions, food, lodging, money, commodities or services, cumulatively exceeding two hundred dollars (\$200.00) in value. The nature and date of each gift received shall be specified. Provided, however, campaign contributions reported as required by state law and gifts or favors from relatives need not be reported hereunder.

Sec. 2-343. Financial disclosure by candidates.

All candidates for city council shall file an annual report of financial information covering January 1 through December 31 of the previous year containing the information required by the above sections with the city secretary within five days after filing for office. If the deadline for candidate filing is after June 30, they shall also file a supplemental report of financial information. If any incumbent candidate has previously filed a report for the appropriate period(s), that report shall satisfy this section.

Sec. 2-344. Reports to be sworn and maintained.

All reports of financial information required by the code of ethics shall be sworn, and shall be preserved for-five (5) years as public records.

Sec. 2-345. Filing dates for reports.

Reports required by this division must be physically filed with the city secretary by 4:45 p.m. on the day required for filing. When the day falls on an official city holiday as established by the city council, the deadline for receipt by the city secretary is extended to 4:45 p.m. of the next day which is not a Saturday or Sunday or official city holiday.

Sec. 2-346. Failure to file report.

The failure of a reporting official or employee to file a true and accurate report as required under this code of ethics shall constitute a violation of the rules of conduct. Failure to timely file a report by a member of the planning or ethics commission or the civil service board/commission shall constitute forfeiture of the office. Such forfeiture shall be automatic and immediate, except if state law requires a hearing, the forfeiture shall occur immediately upon a council determination of timely failure to file. In the event a person who has failed to file a required report no longer serves in an official capacity with the city, that person shall be barred from serving as an appointed officer, board member or employee of the city in the future until the required report has been filed.

Sec. 2-347. Voluntary reports.

Any city official, employee, or board member may file reports exceeding the requirements of the code of ethics, and said reports shall be preserved in the same manner as required reports.

Sec. 2-348. Disclosure of gifts by employees.

Any employee of the city other than reporting officials, whether under civil service or not, who received gifts or favors, including but not limited to trips, excursions, food, lodging, money, commodities, or services, cumulatively exceeding two hundred dollars (\$200.00) in value in any calendar year, from any person (other than a relative) whose name is published in the list of persons doing business with the city under section 2-342(d), shall file a report of the names and addresses of such persons and the date and nature of each gift with the city secretary. The deadline for filing such reports shall be February 1 of each year; provided that, such a separate report shall not be required for any employee who is required to file a report as a reporting official.

Sec. 2-349. Disclosure of interests by contractors.

- (a) Any business desiring city council, board, commission or committee consideration or action concerning that business (other than granting an electrician license, solicitation permit and approving a plat) shall, prior to its placement as an agenda item on the public notice of such body, file with the

- city (and if a vendor, file with the city's purchasing agent) a statement specifically naming any city employee, official and board member having an ownership interest in the business constituting three (3) per cent or more of the ownership, or having any pecuniary interest in the transaction or property which is the subject of consideration or action.
- (b) In the case of any business desiring to sell goods or services to the city (except when the value of the goods or services is not reasonably anticipated to exceed one hundred dollars (\$100.00) per calendar year), but which does not require city council, board, commission or committee consideration or action, the business shall file with the city's purchasing agent a statement specifically naming any city employee, official and board member having any ownership into best in the business constituting three (3) per cent or more of the ownership, or having any pecuniary interest in the transaction. This provision does not apply to or include the purchase of magazine subscriptions and memberships in professional or trade organizations related to municipal operations.
 - (c) For corporate businesses whose shares are publicly traded and listed on recognized national or regional stock exchanges or over-the-counter markets, it shall be sufficient if a current Securities and Exchange Commission Form 10-K is filed in lieu of the statements required by this section.
 - (d) If a person who requests official action on a matter knows that the requested action will confer an economic benefit on any city official or employee that is distinguishable from the effect that the action will have on members of the public in general or a substantial segment thereof, he or she shall disclose that fact in a signed writing to the city official, employee, or body that has been requested to act in the matter, unless the interest of the city official or employee in the matter is apparent. The disclosure shall also be made in a signed writing filed with the city secretary.

TEXAS OPEN MEETINGS ACT REQUIREMENTS FOR BOARDS AND COMMISSIONS

Boards, commissions and committees with rule-making or quasi-judicial authority are covered by Open Meetings Act, Chapter 551, of the Texas Government Code and must be in compliance. Other city committees that are advisory in nature must also comply with the Open Meetings Act.

MEETING The Texas Open Meetings Act defines a “meeting” as any deliberation between a quorum of members of a governmental body at which any public business or public policy is discussed. Social functions and conventions are specifically excluded from the definition as long as no formal action is taken and deliberation of public business occurs.

DELIBERATION A verbal exchange during a meeting between a quorum of a governmental body, or between a quorum of a governmental body and another person, concerning an issue within the jurisdiction of the governmental body or any public business.

AGENDA Notice of each meeting must be posted at least 72 hours prior to the meeting on a bulletin board convenient to the public and readily accessible at all time during that period. Each agenda must state the time and place of the meeting and provide “full and adequate notice” of the subjects to be considered. In particular, subjects which due to their nature would be considered of special interest to the public must be clearly described in the agenda.

The agenda may also include the following additional notices:

Example of ADA notice

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact (office) at (phone) at least 48 hours in advance so that appropriate arrangements can be made.

Example of Optional Bilingual Availability Notice

Si usted se dirige a la junta y cree que su inglés es limitado, habrá un intérprete inglés-español en la reunión de la junta para ayurdarle.

Example of Closed Session Notice

PUBLIC NOTICE is given that (Board) may elect to go into executive session at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the (Board) elected to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer.

RECORD OF MEETINGS Either a tape recording or minutes of the meeting must be

kept which state the subject of each deliberation and indicate each vote, order, decision or action taken. For closed sessions, either a tape recording must be made or the presiding officer must sign a “certified agenda” which states the subject matter of each deliberation and includes a record of any further action taken in open session. Neither the tape recording nor the certified agenda of a closed session may be examined by anyone except on court order. Wrongful disclosure is a Class B misdemeanor and may also result in civil damages and attorney’s fees.

EMERGENCY MEETINGS Emergency meetings may be called with at least two (2) hours notice, and emergency items can be added to the agenda of a regularly called meeting by posting them as a supplemental agenda at least two (2) hours before the meeting is convened. An emergency must involve an “imminent threat to the public health or safety” or “a reasonable unforeseeable situation”. The grounds for an emergency must be stated in the notice and are subject to review by the courts.

PENALTIES Participating in an illegal closed meeting is a misdemeanor offense punishable by a fine from \$100 to \$500, or imprisonment from one (1) to six (6) months, or both. Conspiring to circumvent the law by meeting in groups of less than a quorum is also an offense.

CLOSED SESSION INFORMATION

Note: All boards, commissions and committees must consult with the City Attorney’s Office prior to scheduling a closed session.

Closed meetings are authorized under the Texas Open Meetings Act in the following cases:

Section 551.071 to consult with the organization’s attorney for legal advice concerning pending or contemplated litigation, a settlement offer, or matters which are the subject of attorney-client privilege.

Section 551.072 to deliberate the purchase, exchange, lease or value of real property, if deliberation in an open meeting would have a detrimental impact on negotiations with a third party.

Section 551.073 to negotiate contracts for prospective gifts or donations, if deliberation in an open meeting would have a detrimental impact on negotiations with a third party.

Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear

a complaint or charge against an officer/employee.

Section 551.087 to discuss or deliberate commercial or financial information received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory with which the governmental body is conducting economic development; or to deliberate the offer of a financial or other incentive to a business prospect.

Prior to going into closed session, a quorum of the group first must convene in open session.

1. The presiding officer must announce that a closed meeting will be held and identify one or more of the above sections under the Act which authorize the closed session.
2. Once the governing body has convened in closed session, the presiding officer must announce and record the date and time of beginning the closed session.
3. Upon conclusion of the closed session, the presiding officer must announce and record the date and time of the conclusion of the closed session.

NO FINAL ACTION, DECISION OR VOTE MAY BE TAKEN IN CLOSED SESSION.

TEXAS OPEN MEETINGS TRAINING BY CITY BOARDS, COMMISSIONS AND COMMITTEE MEMBERS

Senate Bill 286 passed during the 2005 Legislative Session and became effective January 1, 2006. The bill requires council members and members of the City's boards, commissions and committees to attend one hour of training on the Texas Open Meetings Act within ninety (90) days from the date appointed to such board or commission. The training includes instruction in:

1. the general background of the legal requirements for open meetings;
2. procedures and requirements regarding quorums, notice and recordkeeping;
3. procedures and requirements for holding an open meeting and for holding a closed meeting; and
4. penalties and other consequences for failure to comply.

The City board liaison assigned to your board will coordinate the training with the newly appointed board member and upon completion of the training, will file a Certificate of Completion in the Office of the City Secretary for record.

This training is now available on-line at the Texas Attorney General's webpage. Here are steps to complete the required SB 286 Open Meetings Act training video on-line:

1. Go to the website: www.oag.state.tx.us
2. Click on the dark blue tab - Open Government
3. In the far right column, click on Open Government Training.
4. Under the middle column, Videos & Certificates, click on Open Meetings Act training video.
5. Once completed, it will give the attendee a code.
6. You can print a course completion certificate by hitting "back button" on your browser, go to the middle column, Videos & Certificates, click on "Print course completion certificate(s).
7. If you don't have printer capability, write down the code and send it to your board City Staff liaison. The liaison will then forward the certificate to the City Secretary's office.

All City boards, commissions and committee members **must** comply with this requirement.

APPENDICES

APPENDIX A

Sample Agenda For Boards, Commissions and Committees

- I. Call to order
- II. Approval of minutes (Date of meeting)
- III. Committee Reports (Specify)
 - A.
 - B.
 - C.
- IV. Unfinished Business (Specify)
 - A.
 - B.
 - C.
- V. New Business (Specify)
 - A.
 - B.
 - C.
- VI. Identify items to be placed on next agenda (If needed)
- VII. Public Comment
Please be advised that the Open Meetings Act prohibits (name of committee) from responding and discussing your comments at length. The law only authorizes them to do the following:
 - 1) Make a statement of factual information,
 - 2) Recite an existing policy in response to the inquiry, or
 - 3) Advise the citizen that this subject will be placed on an agenda at a later date.
- VIII. Adjourn

POSTING STATEMENT

This agenda was posted on the city's official bulletin board in the Leopard Street entry foyer, 1201 Leopard Street at _____ a.m./p.m., _____, 20____.

Signature of Liaison Preparing the Agenda
Name and Title of Person

APPENDIX B

**SAMPLE OF DISCLOSURE AFFIDAVIT
TEXAS LOCAL GOVERNMENT CODE**

(to be used by City Council and quasi-judicial boards and commissions only)

**THE STATE OF TEXAS §
COUNTY OF NUECES §**

I, _____ (name), as a member of the _____
(city council/board/commission) of the City of Corpus Christi make this affidavit pursuant to
chapter 171, Texas Local Government Code, and hereby on oath state the following:

I (or a relative within the first degree of consanguinity or affinity) have a substantial interest
in a business entity or real property that may receive a special economic effect that is
distinguishable from the effect on the public by a vote or decision of the concerning item
number _____ on its agenda for _____, 20__.

The business entity or real property is:

I (or the following relative: _____) (have/has) a substantial interest in this
business entity or real property for the following reasons (circle all which are applicable):

1. ownership of 10% or more of the voting stock or shares of said entity;
2. ownership of 10% or \$5,000 or more of the fair market value of said entity;
3. funds received from the business entity exceed 10% of income for the
 previous year;
4. equitable or legal ownership of real property with a fair market value of at
 least \$2,500.

Upon the filing of this affidavit with the official record keeper for the City, I affirm that I shall
abstain from any discussion, vote, or decision involving this business entity or real property
and from any further participation in this matter whatsoever.

Signed this the _____ day of _____, 20__.

Signature of Public Official

BEFORE ME, the undersigned authority, this day personally appeared _____
(name of affiant) and by oath stated that the facts hereinabove stated are true and correct
to the best of (his/her) knowledge or belief.

SWORN TO AND SUBSCRIBED BEFORE me on this _____ day of _____,
20__.

Notary Public, State of Texas

APPENDIX C

SAMPLE OF DISCLOSURE AFFIDAVIT CITY ETHICS ORDINANCE

(To be used by city advisory committees only)

I, _____, a member of a board/commission/committee of the City of Corpus Christi, Texas, pursuant to Section 2-311(7), Code of Ordinances, hereby disclose that I (or the following relative: _____) have a substantial interest, as defined in the City's Ethics Ordinance, in item number _____ on said entity's agenda for _____.

Name

Title

APPENDIX D
City of Corpus Christi
Appointed Boards, Commissions & Committees
Enabling Legislation

<u>BOARD</u>	<u>CITY CODE</u>	<u>OTHER LEGISLATION</u>	<u>AUTHORITY</u>
Advisory Committee on Community Pride	Sec. 2-280	Ord. 028286	A
Airport Board	Sec. 2-175	Ord. 17012	A
Joint Airport Zoning Board	Sec. 2-130		FA
Animal Control Advisory Committee	Sec. 2-115	Ord. 14214	A
Arts & Cultural Commission	Sec. 2-100	Ord. 8288	A
Board of Adjustment		State V.A.C.S.	FA
Building Code Board of Appeals		Building Code	LA
Building Standards Board		Building Code	LA
Cable Communications Commission	Sec. 2-180	Ord. 17123	LA
Citizens Advisory Health Board	Sec. 2-110	Ord. 5557	A
City Council's Youth Advisory Committee	Sec. 2-250	Ord. 026539	A
Civil Service Board		City Charter	LA
Civil Service Commission		State-1269M	FA
Clean City Advisory Committee	Sec. 2-231	Ord. 027657	A
Coastal Bend Council of Governments		State V.T.C.S.	FA
Coastal Bend Cultural Education Fac. Finance Corp.		State V.T.C.S.	FA
Coastal Bend Health Fac. Dev. Corp.		State V.T.C.S.	FA
Commission on Children & Youth	Sec. 2-215	Ord. 021927	A
Committee for Persons with Disabilities	Sec. 2-242	Ord. 024364	A
Community Youth Development Comm.		Res. 022938	A
C.C. Aquifer Storage and Recovery Cons. Dist.		H.B. 3513	FA
C.C. Business and Job Development Corp.		Ord. 024206	LA
CCCIC/Loan Review Committee		Federal-HUD	FA
C.C. Convention and Visitors Bureau		Motion 2000-037	FA
C.C. Downtown Management District		Gov't. Code	FA
C.C. Regional Economic Dev. Corp.		Motion 2000-031	FA
C.C. Regional Transportation Authority		State V.A.C.S.	FA
Crime Control & Prevention District		State Law	LA
Crosstown Commons Development Corp.		Res. 027460	FA
Electrical Advisory Board	Sec. 14-226(b)	Ord. 9499	LA
Ethics Commission	Sec. 2-320	Ord. 20781	LA
Food Service Advisory Committee	Sec. 19-86	Ord. 16026	A
Housing Authority		State V.T.C.S.	FA
Human Relations Commission	Sec. 24-2	Ord. 9410	LA

A - Advisory

LA - Limited Authority - May be appealed to City or other Governmental Entity

FA - Final Authority - Only appeal to District Court

APPENDIX D
City of Corpus Christi
Appointed Boards, Commissions & Committees
Enabling Legislation - continued

<u>BOARD</u>	<u>CITY CODE</u>	<u>OTHER LEGISLATION</u>	<u>AUTHORITY</u>
Intergov't. Commission on Drug/Alcohol		Res. 19196	A
Island Strategic Action Committee	Sec. 2-291	Ord. 028488	A
Landmark Commission	Sec. 2-204	Ord. 12315	LA
Leadership Comm. for Senior Services	Sec. 2-170	Ord. 024683	A
Library Board	Sec. 2-75	Ord. 1889	A
Marina Advisory Committee	Sec. 2-260	Ord. 027408	A
Mayor's Fitness Council	Sec. 2-285	Ord. 028525	A
Mechanical/Plumbing Adv. Board	Sec. 14-226(c)	Ord. 15267	LA
Museum of Science and History	Sec. 2-90	Ord. 11090	A
North Padre Island Development Corporation		State-Tax Act	FA
Nueces County Tax Appraisal District		State-Tax Act	FA
Oil and Gas Advisory Committee	Sec. 35-26	Ord. 8294	A
Park and Recreation Adv. Committee	Sec. 2-70	Ord. 11046	A
Parking Advisory Committee	Sec. 53-196	Ord. 029141	A
Pipeline Review Panel		Ord. 021776	LA
Planning Commission		City Charter	LA
Port of Corpus Christi Authority		State Constitution	FA
Regional Health Awareness Board		Res. 025359	A
Retired and Senior Volunteer Pgm Adv. Comm.	Sec.2-276	Ord. 027916	A
Senior Companion Program Advisory Comm.	Sec. 2-270	Ord. 027915	A
Sister City Committee	Sec. 2-150	Ord. 10195	A
Transportation Advisory Committee	Sec. 2-120	Ord. 3679	A
Water Resources Advisory Committee	Sec. 2-230	Ord. 024576	A
Watershore and Beach Advisory Committee	Sec. 2-80	Ord. 27408	A
Weed & Seed Steering Committee		Res. 23823	A
Workforce Development Board		Res. 17676	LA

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