

CODE OF CONDUCT FOR ELECTED OFFICIALS

POLICY PURPOSE

This Code of Conduct is to assure public confidence in the integrity of local government and its effective and fair operation.

POLICY STATEMENT

Preamble

In keeping with the City of Victoria's commitment to public trust, the effective functioning of democratic government therefore requires that:

- Public officials comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial, and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City of Victoria City Council on May 14, 2024 adopted a Code of Conduct for members of the City Council to enhance public confidence in city government as its members are stewards of public trust.

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the greater common good of the people of Victoria and not for any private or personal gain. Additionally, they will ensure fair and equal treatment of all persons, claims and transactions coming before the City of Victoria City Council.

2. Comply with the Law. Members shall comply with the laws of the nation, the State of Texas and the City of Victoria in the performance of their public duties. These laws include but are not limited to: the United States and Texas constitutions; the City of Victoria City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, open processes of government, and City ordinances and policies. Members shall uphold their sworn oath of office.

3. Conduct of Members. Members are expected to refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, the staff or citizens. Members should dedicate themselves to the highest ideals of honor and integrity in all relationships.

4. Respect for Process. Members shall communicate to staff through the city manager or appropriate designees. Members shall also perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff, even when the member has voted in the minority.

- 5. Conduct Business in Open.** All discussion, whether in person or electronically, of City business shall be in compliance with the Texas Open Meetings Act. Members shall conduct deliberations in open and publicized meetings in order to be transparent to the citizens of Victoria. It is recognized that certain exceptions are made by the State for closed sessions and any action as a result of that type of meeting will be addressed in the open session as noted on the agenda. Communications made during a public meeting are subject to the Texas Public Information Act.
- 6. Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
- 7. Conduct of Public Meetings.** Members should prepare themselves for public issues, arrive to meetings on time, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. Members shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, having side conversations, or otherwise interfering with the orderly conduct of meetings. Members shall not exit or walk around on the dais during the meeting. Standing is permitted. If a break is required, the member shall request a recess from the mayor or presiding officer.
- 8. Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. Members shall avoid conflicts of interest in their personal relationships with vendors, developers, and city partners by refraining from discussing city business. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts exist according to state law. If required by law, in the event of a conflict of interest, a member of the Council shall, prior to the vote or decision on the matter, file an affidavit with the City Secretary stating the nature and extent of the conflict of interest and shall abstain from participation in discussions and voting on the matter.
- 9. Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised. Councilmembers shall maintain compliance and reporting as required of current state law regarding gifts and favors.
- 10. Confidential Information.** Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or other private interests. A member shall not intentionally or knowingly disclose any confidential information gained by reason of said official position concerning the property, operations, policies, or affairs of the city. Members shall not post or release proprietary or confidential information on social media websites, whether personal or public.
- 11. Use of Public Resources.** Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies, or facilities, for private gain or personal purposes. Members shall not use city employees or borrow equipment, supplies, or facilities for personal use.

12. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of Council shall not appear or speak specifically on behalf of the private interests, including both private and nonprofit entities, of third parties before the Council or any board, commission or proceeding of the City.

13. Advocacy. Members shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions whether verbally, in person, online or in writing, members shall explicitly state that they do not represent their body or the City of Victoria.

14. Policy Role of Members. Members shall respect and adhere to the council-manager structure of Victoria city government as outlined by the City of Victoria Charter. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except as provided by the City Charter, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions. Requests for information, projects or other actions of city staff shall be directed through the City Manager or his or her designees. During police incidents, members shall not knowingly interfere or make themselves present in the area or contact the Police Chief or other Police Officers or City staff with inquiries.

15. Independence of Boards and Commissions. Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings. When a member of Council serves on a board or commission, the member may provide input as a board member, but shall not represent the Council as a whole unless the matter has been voted upon at a Council meeting.

16. Positive Work Place Environment. Members shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction or comments to staff.

17. Personal Political Advocacy. When endorsing or opposing a City of Victoria ballot initiative or a City of Victoria candidate, members will not use their titles nor use a city meeting or city event as a forum to endorse or oppose a City of Victoria ballot initiative, or a City of Victoria candidate, except for one's self.

18. Social Media. With maintenance and use of personal web pages, blogs and social networking sites, member status as an elected/appointed official requires that content of any postings on these sites not be in violation of existing city by-laws, policies, directives, rules or regulations. If communicating and recognizing yourself as a public official on a personal social media account, then assume that it is a public record and may be subject to Open Meetings Act and Public Information Act Laws. Officials should be mindful when posting content on City related matters that could inadvertently result in violation of Open Meetings Act Law if other public officials engage on the post. If a quorum occurs, the City Manager should be notified immediately.

19. News Media Inquiries. Members shall only speak for themselves, clearly stating that it is only their opinion when speaking to the media and shall notify the City's Public Information Office or the City Manager's Office.

20. Implementation. As an expression of the standards of conduct for members expected by the City, the City of Victoria Code of Conduct is intended to be self-enforcing. It therefore is most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, code of conduct standards shall be included in the regular orientations for candidates for City Council and newly elected officials. Members entering office shall sign a statement affirming they read and understood the City of Victoria Code of Conduct. The City Council shall consider updates to this Policy, as necessary.

21. Compliance and Enforcement. The City of Victoria Code of Conduct expresses standards of ethical conduct expected for members of the Victoria City Council. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The Mayor has the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct are brought to his or her attention. The Mayor Pro-Tem, when the Mayor's or chair's actions come into question, would assume the duty of intervening. The City Council may impose sanctions on members whose conduct does not comply with the City's Code of Conduct, such as a reprimand, formal censure, or loss of committee assignment, when applicable.