

AN ORDINANCE **50547**

AMENDING THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING THERETO ARTICLE II OF CHAPTER 2A; REQUIRING CERTAIN CITY OFFICIALS TO FILE A FINANCIAL INVOLVEMENT STATEMENT; AND PROVIDING A PENALTY FOR VIOLATION BY FINE NOT TO EXCEED \$200; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Definitions: The definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this article.

- (1) City Official - means the mayor, members of the city council, city manager and all department heads, and the members of boards and commissions noted in Section 49 of the City Charter which are more than advisory in function.
- (2) Compensation - means any economic benefit received in return for services, property, or investment.
- (3) Economic Benefit - refers to any money, real, or personal property, purchase, sale, lease, contract, option credit, loan, discount, service, or other tangible benefit not specifically enumerated herein.
- (4) Spouse - means a city official's wife or husband.
- (5) Gift - means a favor, or economic benefit, other than compensation.
- (6) Income - means economic benefit received.
- (7) Source of income - means a business entity, employment investment, or activity which earned or produced income and does not include individual sources of compensation that constitute a portion of the gross income from the business, employment or activity but does include individual investments.

SECTION 2. Filing financial involvement statement.

- (1) On or before 5:00 P.M. of the first Friday in June of each year, every city official shall deliver to and have filed with the City Clerk a financial involvement statement complying with the requirements of Section 3 of this ordinance.
- (2) Whenever a person first assumes office after the first Friday of June of any year, then such person shall file a financial statement as required in Section 2 (1) within 45 days of the date of assuming such position.

- (3) The City Clerk shall mail by Certified U.S. Mail, return receipt requested, at least 30 days before the deadline for the filing of the financial involvement statement, two copies of the forms promulgated by his office for use in making disclosures required herein.
- (4) The City Clerk shall have the power to grant one extension of time, not to exceed 60 days, for the filing of any financial involvement statement, on the written application for such an extension provided that good cause for any extension is set out in such application.

SECTION 3. Content of financial involvement statement.

Each financial involvement statement must contain the following information:

- (1) The city officials name, the name of the spouse, and all names under which the official or spouse do business.
- (2) Identification of each source of income, as herein defined, amounting to more than \$2,000 received in the preceding calendar year by the city official or spouse.
- (3) Identification of each corporation, trust, partnership, or business association in which the city official or spouse is a partner, manager, president, vice-president, or member of the board, or has an investment of more than \$2,000 at the fair market value at the time of the statement.
- (4) Identification by street address, legal or lot and block description of all real property located within Bexar County in which the city official or spouse has a leasehold interest or has an interest as:
 - (A) fee simple owner;
 - (B) beneficial owner;
 - (C) partnership owner;
 - (D) joint owner with an individual or corporation; or
 - (E) the owner of more than 25% of a corporation that has title to real property
- (5) Identification of persons or entities to whom the City official or spouse owes an unsecured debt of more than \$10,000, but not including debts owed to a person related within the second degree of consanguinity or affinity;
- (6) Identification of all persons or entities who owe the city official or spouse an unsecured debt of more than \$10,000, but not including debts owed by a person related within the second degree of consanguinity or affinity; and

(7) Identification of the source of each gift or accumulation of gifts from one source of more than \$150 in value received by the official or spouse, or received by a person for the use or benefit of the official or spouse, within the preceding calendar year. This requirement does not include:

- (A) A gift received from a relative if given on account of kinship; or
- (B) A gift received by will, by intestate succession, or as distribution from an inter vivos or testamentary trust established by a spouse or ancestor; or
- (C) A campaign contribution reported as required by state statute.

SECTION 4. (1) Any person who purposely fails or refuses to file the financial involvement statements herein provided for shall, upon conviction, be fined not more than two hundred (\$200.00) dollars. Each day after the date herein established for filing financial involvement reports shall constitute a separate offense by the person failing or refusing to file such report.

(2) Any person who purposely omits or substantially misstates any information required to be disclosed in a financial involvement report shall, upon conviction, be fined not more than two hundred (\$200.00) dollars.

SECTION 5. This ordinance shall become effective on May 1, 1979, and shall be codified within the City Code as Article II, Chapter 2A.

SECTION 6. Severability:

If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof or provisions, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this ordinance are declared to be severable for that purpose.

PASSED AND APPROVED this 22nd day of March, 1979.

Lila Cockell
M A Y O R

79-13

ATTEST:

Kerna J. Rodriguez
Asst. City Clerk

APPROVED AS TO FORM:

Tommy Kimbrey
for City Attorney

DISTRIBUTION

AVIA	
BUDGET & RESEARCH	1
BUILDING & ZONING	
CITY WATER BOARD	
CITIZEN ACTION & PUBLIC INFORMATION	
COMMERCIAL RECORDER	1
CONVENTION BUREAU	
CONVENTION CENTER	
ECONOMIC & EMPLOYMENT DEVELOPMENT	
EQUAL EMPLOYMENT OPPORTUNITY	
FINANCE DIRECTOR	1
ASSESSOR	
CONTROLLER	1
TREASURY DIVISION	
FINANCE-GRANT SECTION	
INTERNAL AUDIT	1
PROPERTY RECORDS	
FIRE CHIEF	
HEALTH DIRECTOR	
HEMISFAIR PLAZA	
HUMAN RESOURCES	
LEGAL - CITY ATTORNEY	1
LIBRARY DIRECTOR	
MARKET SQUARE	
MUNICIPAL COURTS	1
PARKS & RECREATION DEPT.	
PERSONNEL DIRECTOR	1
PLANNING	
POLICE CHIEF	1
PRESS ROOM	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIVISION	
ENGINEERING - SEWERS	
RIGHT OF WAY & LAND ACQUISITION	
PURCHASING	
TRAFFIC & TRANSPORTATION	
<i>John Cole</i>	1

ITEM NO. 29

MEETING OF THE CITY COUNCIL

DATE MAR 22 1979

MOTION BY: Cisneros

SECONDED BY: Wing

ORD. NO. 50547

ZONING CASE _____

RESOL. _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
HENRY G. CISNEROS PLACE 1		<input checked="" type="checkbox"/>	<input type="checkbox"/>
JOE WEBB PLACE 2		<input checked="" type="checkbox"/>	<input type="checkbox"/>
HELEN DUTMER PLACE 3		<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRANK D. WING PLACE 4		<input checked="" type="checkbox"/>	<input type="checkbox"/>
BERNARDO EURESTE PLACE 5		<input checked="" type="checkbox"/>	<input type="checkbox"/>
RUDY C. ORTIZ PLACE 6		<input checked="" type="checkbox"/>	<input type="checkbox"/>
JOE ALDERETE, JR. PLACE 7		<input checked="" type="checkbox"/>	<input type="checkbox"/>
PHIL PYNDUS PLACE 8		<input checked="" type="checkbox"/>	<input type="checkbox"/>
ROBERT N. McDANIEL PLACE 9		<input checked="" type="checkbox"/>	<input type="checkbox"/>
JOHN STEEN PLACE 10		<input checked="" type="checkbox"/>	<input type="checkbox"/>
LILA COCKRELL PLACE 11 (MAYOR)		<input checked="" type="checkbox"/>	<input type="checkbox"/>

79-13

AN ORDINANCE

AMENDING THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING THERETO ARTICLE II OF CHAPTER 2A; REQUIRING CERTAIN CITY OFFICIALS TO FILE A FINANCIAL INVOLVEMENT STATEMENT; AND PROVIDING A PENALTY FOR VIOLATION BY FINE NOT TO EXCEED \$200; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Definitions: The definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this article.

- (1) City Official - means the mayor, members of the city council, city manager and all department heads, and the members of boards and commissions noted in Section 49 of the City Charter which are more than advisory in function.
- (2) Compensation - means any economic benefit received in return for services, property, or investment.
- (3) Economic Benefit - refers to any money, real, or personal property, purchase, sale, lease, contract, option credit, loan, discount, service, or other tangible benefit not specifically enumerated herein.
- (4) Spouse - means a city official's wife or husband.
- (5) Gift - means a favor, or economic benefit, other than compensation.
- (6) Income - means economic benefit received.
- (7) Source of income - means a business entity, employment investment, or activity which earned or produced income and does not include individual sources of compensation that constitute a portion of the gross income from the business, employment or activity but does include individual investments.

SECTION 2. Filing financial involvement statement.

- (1) On or before 5:00 P.M. of the first Friday in June of each year, every city official shall deliver to and have filed with the City Clerk a financial involvement statement complying with the requirements of Section 3 of this ordinance.
- (2) Whenever a person first assumes office after the first Friday of June of any year, then such person shall file a financial statement as required in Section 2 (1) within 45 days of the date of assuming such position.

- (3) The City Clerk shall mail by Certified U.S. Mail, return receipt requested, at least 30 days before the deadline for the filing of the financial involvement statement, two copies of the forms promulgated by his office for use in making disclosures required herein.
- (4) The City Clerk shall have the power to grant one extension of time, not to exceed 60 days, for the filing of any financial involvement statement, on the written application for such an extension provided that good cause for any extension is set out in such application.

SECTION 3. Content of financial involvement statement.

Each financial involvement statement must contain the following information:

- (1) The city officials name, the name of the spouse, and all names under which the official or spouse do business.
- (2) Identification of each source of income, as herein defined, amounting to more than \$2,000 received in the preceding calendar year by the city official or spouse.
- (3) Identification of each corporation, trust, partnership, or business association in which the city official or spouse is a partner, manager, president, vice-president, or member of the board, or has an investment of more than \$2,000 at the fair market value at the time of the statement.
- (4) Identification by street address, legal or lot and block description of all real property located within Bexar County in which the city official or spouse has a leasehold interest or has an interest as:
 - (A) fee simple owner;
 - (B) beneficial owner;
 - (C) partnership owner;
 - (D) joint owner with an individual or corporation; or
 - (E) the owner of more than 25% of a corporation that has title to real property
- (5) Identification of persons or entities to whom the City official or spouse owes an unsecured debt of more than \$10,000, but not including debts owed to a person related within the second degree of consanguinity or affinity;
- (6) Identification of all persons or entities who owe the city official or spouse an unsecured debt of more than \$10,000, but not including debts owed by a person related within the second degree of consanguinity or affinity; and

(7) Identification of the source of each gift or accumulation of gifts from one source of more than \$150 in value received by the official or spouse, or received by a person for the use or benefit of the official or spouse, within the preceding calendar year. This requirement does not include:

- (A) A gift received from a relative if given on account of kinship; or
- (B) A gift received by will, by intestate succession, or as distribution from an inter vivos or testamentary trust established by a spouse or ancestor; or
- (C) A campaign contribution reported as required by state statute.

SECTION 4. (1) Any person who purposely fails or refuses to file the financial involvement statements herein provided for shall, upon conviction, be fined not more than two hundred (\$200.00) dollars. Each day after the date herein established for filing financial involvement reports shall constitute a separate offense by the person failing or refusing to file such report.

(2) Any person who purposely omits or substantially misstates any information required to be disclosed in a financial involvement report shall, upon conviction, be fined not more than two hundred (\$200.00) dollars.

SECTION 5. This ordinance shall become effective on May 1, 1979, and shall be codified within the City Code as Article II, Chapter 2A.

SECTION 6. Severability:

If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof or provisions, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this ordinance are declared to be severable for that purpose.

PASSED AND APPROVED this _____ day of _____, 1979.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM: _____

City Attorney

March 23, 1979

Mr. Robert L. Laslie
Vice President - Supplements
Municipal Code Corporation
Tallahassee, Florida 32304

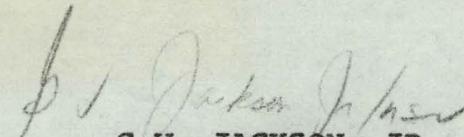
Dear Mr. Laslie:

Enclosed you will find the copies of the following Ordinances which were passed and approved by the City Council on March 22, 1979:

Ordinance No. 50,539
Ordinance No. 50,547
Ordinance No. 50,548

Please include these Ordinances in your next supplement. Your cooperation in this matter would be greatly appreciated.

Sincerely,


G.V. JACKSON, JR.
City Clerk

GVJ:mdg
Enclosure

Affidavit of Publisher

THE STATE OF TEXAS, }

COUNTY OF BEXAR }

CITY OF SAN ANTONIO }

Before me, the undersigned authority, on this day personally appeared

Irene Palencia, who being by me duly sworn,

says on oath that She is Office Supervisor

of the Commerical Recorder, a newspaper of general circulation in the City of San

Antonio, in the State and County aforesaid, and that the Ordinance #50547

hereto attached has been published in every issue of said newspaper on the

following days, to-wit: March 26, 1979.

AN ORDINANCE 50547

AMENDING THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING THERETO ARTICLE 1, CHAPTER 2A; ESTABLISHING STANDARDS OF CONDUCT FOR CERTAIN CITY OFFICIALS; PROVIDING FOR THE DISCLOSURE OF CERTAIN INFORMATION BY SAID OFFICIALS; PROVIDING A PENALTY FOR VIOLATION BY FINE NOT TO EXCEED \$200.00; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

PASSED AND APPROVED this 22nd day of March, 1979.

/s/ LILA COCKRELL
MAYOR

ATTEST:

/s/ Norma S. Rodriguez
Asst. City Clerk

Irene Palencia

Sworn to and subscribed before me this 26th Day of March, 1979.

Lila Cockrell
Notary Public in and for Bexar County, Texas